



## Real Estate Talk: The seller's declaration

### Description

# The seller's declaration indicates all the issues that the property comes with

By **Joseph Marovitch**

In Quebec, when a residential property is placed on the market, the seller is required to complete a **seller's declaration**. The seller's declaration indicates to a prospective buyer the state of the property as the seller knows it to the best of their knowledge.

The seller's declaration questionnaire is divided into the following sections:

- General information – the year of construction, when purchased, service contracts, rented or not...
- Infiltration – if there has been water infiltration
- Land – if there are any issues
- Basement – if there have been liquid spills or if there are cracks
- Air quality
- Roof
- Plumbing and drainage
- Energy – who provides, kind of energy i.e. gas, electric...
- Heating, A/C and ventilation
- Insect and pest control – if there have been insects or mice in the home and if an exterminator has ever been used
- Existing inspection reports – are they available?
- Any other issues that may devalue the property

The multiple-choice answers are yes, no, or I don't know. Basically, the seller answers the seller's declaration to the best of their knowledge. The reason for the seller's declaration is to indicate all the issues that the property comes with. If the seller's declaration is accurately completed and the price is fair for the condition of the property, then an accepted offer should not be contested after inspection, if there are no new issues found that were not indicated in the seller's declaration.

The seller's declaration indicates to a prospective buyer the state of the property as the seller knows it to the best of their knowledge.

If issues, that were not indicated in the seller's declaration, arise after inspection and significantly devalue the property, then the buyer may request a price reduction or repair from the seller.

If the seller completes the declaration while neglecting to indicate an issue that he is aware of that could devalue



---

the property but could have been verified by a previous inspection report, this can be considered fraud. In this case, the buyer could reverse the sale even after signing at the notary. As well, in the case of fraud, criminal charges could also be brought forward. In the case of a property sold without legal warranty, fraud would take precedence over no legal warranty, which means the seller would be held responsible for undeclared hidden defects.

By filling out the declaration accurately and pricing the property properly, the seller avoids renegotiation after inspection and any other problems that may arise.

Should you have questions or comments, please refer to the comments section at the bottom of the page. As well, to view past articles, go to the search link and type in **Joseph Marovitch**.

Have a great week!

Next article: **What are prime conditions in an offer, for the buyer**

---

## State of the market

According to the Canadian Mortgage & Housing Corporation, Canada does not have enough homes for the population. With the low supply, low-interest rates and rising population and demand, prices will continue to rise. This is considered a crisis and more so in places like Montreal where space to build is limited.

However, there is plenty of land in Quebec and Canada. Prices may be rising in the cities, but the suburbs are still prime for development and government grants. First-time homebuyers and anyone who cannot afford to live in the city should consider property off the island. The commute to work will be less expensive than buying what one cannot afford and then end up with mortgage payments they cannot make. In purchasing off the island, buyers may find other advantages that will make life better and longer such as less noise, more green space and general peace of mind.

*Image: Andrew Burlone*

---

Sign-up to our newsletter  
and get email notification  
of our most recent articles

**Sign up**

Read also: [other articles by Joseph Marovitch](#)

---



**Joseph Marovitch** has worked in the service industry for over 30 years. His first career was working with families from Westmount and surrounding areas, hosting children between the ages of 6 to 16 as the owner and director of Camp Maromac, a sports and arts sleep away summer camp established in 1968. Using the same strengths caring for the families, such as reliability, integrity, honesty and a deep sense of protecting the interests of those he is



responsible to, Joseph applies this to his present real estate broker career. Should you have questions please feel free to contact Joseph Marovitch at 514 825-8771, or [josephmarovitch@gmail.com](mailto:josephmarovitch@gmail.com)



**FREE SHIPPING** over \$99\*

**LINEN CHEST**

SHOP NOW

### Category

1. Article | Real Estate

### Tags

1. inspection
2. issues
3. Joseph Marovitch
4. seller's declaration
5. state of the market
6. state of the property

### Date Created

July 2019