***By Carl Medford, CRS***

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To protect homebuyers, California Law insists that sellers fully disclose all known facts about their property to ensure that any potential buyer has all the pertinent facts required to make a fully informed decision.

This includes whether or not someone has died in the property within the last three years.

Buyers have varying degrees of sensitivity about this. Death in a home is an automatic disqualifier for many. For others, it’s a relative non-issue — as long as the death wasn’t violent, an act of crime or suicide.

Some want to know if it was a peaceful death from old age, or if the person fell down the stairs. And then there's a group that doesn't care at all — as long as the price is right.

Whatever the cause, it's the seller's legal duty to disclose whether or not a death has occurred in the home within the past three years for any reason.

But is that *all* they need to disclose? In reality, they should disclose more.

Regardless of any information a seller provides, be assured the neighbors will supply more. Nothing's worse than a happy buyer being greeted on move-in day by the nice man next door who introduces himself and then queries, "Did they happen to tell you about the triple homicide that happened in the home four years ago?"

That's the stuff lawsuits are made of.

There are two issues here. First, while the law doesn't legally require sellers to delineate details

of a death or anything beyond three years, the more information a buyer knows up front lessens any potential liability to the seller. While you might alienate potential buyers at the start and lower the number of offers you may receive, that's far better than the potential of sharing a courtroom with someone in the future.

Second, while the legal disclosure limit is three years, in reality, it's wise to fully disclose violent deaths or suicides beyond the statute of limitations. You want to make sure that any buyer hears *all* relevant facts from you as the seller, not the neighbors. This also applies if there was a violent death… next door. More than a legal responsibility, it's a moral choice.

It's bad enough that someone actually died: don't kill your future peace of mind by failing to properly disclose *all* the details.

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