

Understanding the Form 17

Seller Disclosure Basics

What you're legally required to disclose as a seller, what you can leave to the inspector, and how to complete Washington's Form 17 with confidence — not fear.

Western Washington | RCW 64.06 Seller Disclosure Act

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What Is the Form 17?

Washington's Seller Disclosure Statement — commonly called the 'Form 17' — is a legal document required under RCW 64.06. It is one of the most important documents in a Washington real estate transaction, and completing it correctly protects you from future liability.

The Form 17 is the seller's opportunity to disclose known material defects and conditions about the property. It is NOT a warranty — it reflects what you, the seller, actually know at the time of completion. It is also not a replacement for a professional inspection.

"The Form 17 asks what you KNOW — not what might exist. Honesty protects you. Omitting known defects can result in rescission of the sale or legal damages."

What Must Be Disclosed?

The Form 17 covers multiple sections of the property. Below is a summary of the major categories and what to include in each:

Title

Disclose any easements, encroachments, boundary disputes, liens, or CC&Rs; that affect the property. If there's a shared driveway, a power line easement, or a neighbor who uses part of your property, it goes here.

Water

Source (city/well), condition of well and pump if applicable, water quality test results, any history of contamination, shared water agreements, and irrigation systems.

Sewer / Septic

Whether you're on public sewer or a septic system. If septic: system type, last pumping date, permit status, and any known failures. A septic inspection is typically required for most rural transactions. No septic = must be clearly disclosed upfront.

Structural

Any known settlement, foundation cracks, soil movement, or structural modifications. If you've had any structural engineering work done, disclose it — even if it was fixed.

Roof

Age of the roof (if known), type of material, any known leaks, history of repairs, and any insurance claims for roof damage.

Electrical

Type of wiring (copper/aluminum), panel condition, any known issues, unpermitted electrical work, and presence of knob-and-tube wiring.

Plumbing

Type of pipes (copper, PVC, galvanized, PEX), any known leaks, slow drains, water heater age, and any history of pipe failures.

HVAC

Age and condition of furnace, AC, heat pump, fireplaces, and any wood stoves. Include service history if available.

Environmental

Any known presence of asbestos, lead paint (pre-1978 homes require a separate federal disclosure), mold, radon, oil tanks (including decommissioned), or underground storage.

Neighborhood / Zoning

Disclose any knowledge of planned road changes, nearby industrial activity, nuisance conditions, or zoning variances affecting the property.

HOA

If the property belongs to an HOA or POA, you must disclose dues, special assessments, pending litigation, and provide HOA documents to the buyer.

What You Do NOT Have to Disclose

Under Washington law (RCW 64.06.013), sellers are NOT required to disclose:

- That the property was the site of a suicide, murder, or other homicide — unless asked directly.
- That an occupant had or has HIV/AIDS or any other disease not transmitted through environmental conditions.
- The presence of a sex offender in the neighborhood (buyers should conduct their own research at the WA State Sex Offender Registry).
- Facts that are 'transient' — meaning conditions that existed but have been fully remediated and no longer present a risk.
- Items that are 'readily observable' — if a buyer can see it during a normal walkthrough, you are not legally required to call it out on the Form 17.

PRO TIP: 'I don't know' is a valid answer on the Form 17 — and it protects you. Never guess. If you're unsure, write unknown or consult your agent.

Common Mistakes Sellers Make on the Form 17

Skipping Questions

Leaving questions blank is not the same as answering 'no.' Blank answers can create ambiguity and legal exposure. Answer every question — even if the answer is 'unknown.'

Understating Known Issues

If you know your basement leaked, don't describe it as 'minor moisture.' Be accurate. You're protected when you disclose; you're exposed when you minimize.

Forgetting Permitted vs. Unpermitted Work

Any remodel, addition, or system change should be noted, along with whether permits were pulled. Unpermitted work isn't automatically disqualifying — but hiding it is.

Not Updating After New Information

If something changes between when you complete the Form 17 and when the sale closes, you must provide an updated disclosure. A roof leak discovered mid-transaction must be disclosed.

Treating It as a Marketing Document

The Form 17 is a legal disclosure — not a sales pitch. Don't soften language or frame problems favorably. Courts and buyers appreciate directness.

"Sellers who fully disclose known issues almost always have smoother closings. Surprises discovered by inspectors — that you knew about — are deal-killers."

The Form 17 and the Buyer's Inspection

The Form 17 and the buyer's inspection work together — they are not substitutes for each other. Think of it this way:

Form 17 Covers	Inspection Covers
What the seller KNOWS	What the inspector DISCOVERS
History of the property	Current physical condition
Hidden, non-visible issues	Observable and accessible systems
Legal & title matters	Structural, mechanical, safety
Owner's subjective experience	Professional objective assessment