

Disclosure and Consent Affidavit

Property Address: _____

Owner: _____

Owner: _____

Escrow Company
/Facilitator: _____

The above mentioned affiants acknowledge the following:

1. I/we have read and signed the Short Sale Liability and Disclaimer Form and understand the financial and legal consequences of the actions I/we are taking by conducting this short sale.
2. I/we understand that the mortgage lender(s) may not agree to this short sale. I/we hereby hold SimplySOLD ND Realty and Escrow Company/Facilitator harmless and not liable for any loss directly or indirectly incurred should I/we lose the property due to the foreclosure process.
3. In the event that the short sale is finalized, I/we understand that the lender may enforce the terms of their promissory note(s) and seek legal action to collect the remaining indebtedness owed against me or report debt to the IRS which forgiven as income. I/we hereby hold SimplySOLD ND Realty and Escrow Company/Facilitator harmless and not liable for any loss directly incurred in connection with any remaining indebtedness owed to the mortgage lender(s).
4. I/we understand that I/we must complete all the documentation required by both my lender(s), SimplySOLD ND Realty and Escrow Company/Facilitator in order to begin the short sale process. I/we acknowledge that I/we will diligently obtain all information and will disclose all information requested. Failure to do so may cause delays or denials of my/our short sale request.
5. I/we understand that at the close of escrow, no funds will be paid to me. I/we further understand that all funds from my escrow account, previous taxes paid or homeowner insurance refunds are due to the lender and will not be refunded to me.
6. I/we understand that until the foreclosure proceedings are commenced, I/we have the right to cure the delinquencies as defined by Arizona Law.
7. SimplySOLD ND Realty and Escrow Company/Facilitator make no promise, guaranty or warranty, oral, written or implied as to the success of any short sale approval from my/our mortgage lender(s).
8. N. Mark Kramoltz is an attorney licensed by in Arizona. The State Bar of Arizona requires that you be informed that unless otherwise agreed in writing, separate and distinct legal services will not be provided, and clients of SimplySOLD ND Realty do not have the protections of the lawyer-client relationship.

Seller: _____ Date: _____

Print Name: _____

Seller: _____ Date: _____

Print Name: _____