

Home Inspector 7 Water Supply - No Hot Water

The seller's presale home inspector report (Vierra Report) stated water supply was "functional" Vierra Report made no mention of problems with hot water, but there also was no clear place on his report he would have said Yes/No it was present, which seemed odd in retrospect.	Vierra Report pg 39 item 11 11. Interior Water Flow Functional --- -- -- -- --
Vierra Report made no mention that indicated the hot water heater was not functioning.	Vierra Report pages 39 and 40 address hot water heater
When buyers inspected the home, the hot water heater had a pilot light but they could not get hot water at the kitchen sink or others. The inspector felt it might have been a problem/defect with the hot water heater. The inspector felt the hot water heater blanket may have been installed to hide a defect.	Murrer report pages 95,96, 47 and 48 address water heater and water supply.
After close of escrow the hot water heater lines were cut to mount it on a stand, and it was discovered that the pipes coming from the hot water heater were over 50% corroded shut. Another inspection further into the home revealed more blockage. Buyers do not at this time believe there was ever hot water at the kitchen sink during Sellers occupancy.	
The Seller in escrow when questioned about various issues and repairs had stated, "The Plumbing we had problems with and fixed as required (see all provided documentation on the subject)"	20210420 email - page 22 Nothing on home settling issues, property drainage issues, septic line issues, basement water intrusion issues -- When we purchased the house we knew it was old, but did our best to make it our own. We didn't notice settling while we were there except for the crack in the pool house floor which was present when we bought the house, and which we put a rug over and ignored because we didn't have the money to repair. Property drainage issues, are new to me, and I don't know what to say about it, other than thank you for your discovery, I don't know what if anything can be repaired or what the repair would cost. As for the septic line issues, we never had any problems with the septic system. The plumbing we had problems with and fixed as required, (see all provided documentation on the subject.); As for basement water intrusion issues, I don't know what you are talking about as the property has no basement.

Yet page 47 of the Seller's own pre-sale home inspection report (Vierra Report) detailed 5 active plumbing issues?

Vierra Report - Page 47

- 1) Basin Fixtures - Upstairs hall bath sink fixtures have leak below hot water handles
- 2) Right side upstairs hall bath sink has leak/drip at faucet
- 3) Basin Drain - Damaged drain pipe beneath master bathroom sink area
- 4) the author states - Plumbing leak under left side upstairs hall bathroom sink
- 5) Damaged retainer ring at the drain pipe beneath right side upstairs hall bathroom sink

It's as if 1) the seller had not read the reports he had paid for and provided for representation and/or 2) he had not actually lived in the property and/or 3) he was fully detached from the reality the rest of us were operating in.



Table of Contents

Table of Contents	3
Statement of Facts - 1 paragraph - Forstein Fraud	4
Statement of Facts - Short - Forstein Fraud	4
Statement of Facts - Long - Forstein Fraud	5
No Hot Water - Water Supply - \$17,000	7
Fraudulent Misrepresentation / Disclosure Omissions and damages	7
Buyers Discovery of Defects	8
Murrer Report - Page 95 - No Hot Water	8
Murrer Report - Page 97 - Poor Water Pressure	9
Murrer Report - Page 47 and 48 - No Hot Water	10
Murrer Report - Page 72 - insufficient flow for multiple fixtures	11
Seller and Seller's Agent Failure to Disclose	12
2015 Report - Pages 24 and 26	12
TDS Page 2 - item B - Are you seller aware of any significant defects: plumbing	14
TDS Page 3 - Agent - Additional Items to Disclose	15
SPQ Page 2 - Item 7A - Defects in any of the following: plumbing ("all repaired")	16
"All repaired" - A nightmarishly Farcical Statement...	17
SPQ Page 4 - Item 17A - List of reports for representation -	18
SPQ Page 4 - Item 17C - Material facts or defects affecting property not otherwise disclosed to Buyer	18
SPQ Page 1 - Item 5J - Material facts or defects affecting property not otherwise disclosed to Buyer	19
20210420 - Email - page 22 of 23	20
Pre-Sale Home Inspector - Failure to Disclose	21
Vierra Report - pg 38 - Item 11 - Interior water flow - "Functional" - No mention of testing for hot water	21
Vierra Report - pg 38 item 13 - Water Pressure Readings - !! Impossible !!	21
Vierra Report - pg 39/40 - Hot Water Heater Details - No mention of testing for hot water	22
Vierra Report - pg 38 - Evidence of Leaks - "No"	24
Vierra Report - pg 47 - Multiple active plumbing issues vs No vs all repaired...	25
20210420 Email / TDS / SPQ all stated no existing plumbing issues	25
Quote for Repairs	26
Contractor 1 - \$25,000	26
Contractor 2 - \$17,000	26
Revisions	27
Verification	27

Statement of Facts - 1 paragraph - Forstein Fraud

1. 12 Bayview Road was delivered from Forstein to Plaintiffs on May 13, 2021 with hot water supply problems known to Forstein prior to March 18, 2021 and not disclosed prior to plaintiff discovery in escrow on 4/7/2021. [known from his 2015 home inspection report pg 24 and 26 // \$17,000]

Statement of Facts - Short - Forstein Fraud

1. In 2015, when Forstein purchased 12 Bayview Road, he obtained a home inspection report that informed him of water supply issues in the upstairs bathroom when multiple fixtures were running (2015 report page 24 and 26)
2. In March 2021, Forstein entered a contract to sell his home to the Plaintiffs without representing the water supply issues at the fixtures in the home.
3. On 4/7/2021 Plaintiffs Canary and Bowers discovered there was no hot water in the home via an inspection with , Paul Murrer. (Murrer report pg 95, 47, 48)
4. After close of escrow, plaintiffs cut water pipes to reinstall hot water heater to correct a combustion hazard defect, and they discovered the galvanized pipes were constricted in a manner that suggested forstein never had ample hot water at his fixtures during his occupancy.
5. Forstein is liable for fraudulent misrepresentation of a material defect related to health, safety and energy.

Statement of Facts - Long - Forstein Fraud

1. Micah Forstein purchased 12 Bayview Road in 2015.
2. When Forstein purchased the home in 2015, he obtained a home inspection report that informed him of water flow issues when multiple fixtures were running. (2015 report page 24 and 26)
3. On 3/18//2021, water flow issues were still present at 12 Bayview Road.
4. On 3/18/2021 Micah Forstein signed a TDS (Transfer Disclosure Statement) in preparation for selling 12 Bayview Road.
 - a. The 3/18/2021 TDS signed by Forstein contained no representations about problems with water flow in item B or anywhere else appropriate or inappropriate to represent that material fact.
 - b. The 3/18/2021 TDS signed by Forstein did NOT identify his 2015 Home Inspection report as a document he intended to present to prospective buyers for representation and/or disclosure purposes on page 1 or anywhere else appropriate or inappropriate.
5. On 3/18/2021 Micah Forstein signed an SPQ (Seller Property Questionnaire) in preparation for selling 12 Bayview Road.
 - a. The 3/18/2021 SPQ signed by Forstein contained no representations about problems with water flow in item 7A, 17A, 17C, 5J or anywhere else appropriate or inappropriate to represent that material fact.
 - b. The 3/18/2021 SPQ signed by Forstein did NOT identify his 2015 Home Inspection report as a document he intended to present to prospective buyers for representation and/or disclosure purposes in item 17 or anywhere else appropriate or inappropriate.
6. On 3/30/2021 Plaintiffs Canary and Bowers formed a contract to purchase 12 Bayview Road from Forstein with no knowledge of his representation omission of, nor the existence of, water flow issues at the fixtures. (signed counter offer)
7. On 4/7/2021 Plaintiffs Canary and Bowers discovered the home was without hot water via the inspection by Paul Murrer. (Murrer report pg 47, 48, and 95)
8. On 4/16/2021, Kent Weinstein, Forstein's Sales Person, presented Plaintiffs Canary and Bowers with Forstein's 2015 Home Inspection report without any prior notice to Plaintiffs Canary and Bowers that it existed or that it contained information about the water flow defects.
9. On 4/17/2021 Plaintiffs Canary and Bowers were supposed to remove their condition contingency
10. Based on information and behavior, Forstein and Weinstein seemed to believe or they wanted Plaintiffs to believe that the delivery of Forstein's 2015 report on 4/16/2021, the day prior to the requirement for the Plaintiffs to remove their condition contingency, would relieve Forstein of liability for fraudulent misrepresentation.
11. On 5/13/2021 escrow closed

12. On 5/9/2024, Forstein was sued for Fraudulent Misrepresentation
13. On or around 9/24/2024 the plaintiffs served Forstein an Admit Document
14. On 10/24/2021 Forstein and his Attorney Ken Gorman signed a response to the 9/24/2024 Admit document.
 - a. In response to Admit 56 in 5/9/2024 Admit Document, "Prior to Contract Formation, Forstein made no representations about hot water problems at any of the fixtures in the HOME" Attorney Ken Gorman supported Forstein's response of "Admitted that Mr. Forstein was unaware of any existing "hot water problems" at the time of sale and so there was nothing for him to "represent." Otherwise denied.
 - b. In response to Admit 57 in 5/9/2024 Admit Document, "Prior to Contract Formation, Forstein presented a pre-sale home inspection report that made no statement about hot water presence at the home at time of inspection. " Attorney Ken Gorman supported Forstein's response of "Admitted that the Win report was presented to Plaintiffs after acceptance of their counteroffer and before they waived contingencies and that the Win report discusses the hot water heater on page 39 -40 but does not appear to use the words "hot water presence." Otherwise denied.
 - c. In response to Admit 58 in 5/9/2024 Admit Document, "Forstein's pre-sale home inspection report has no clearly defined item or space that requires that inspector to declare if hot water was or was not found at the property at time of inspection" Attorney Ken Gorman supported Forstein's response of " Objections: vague and ambiguous in its entirety, misidentifies the Win report as "Forstein's," seeks interpretation of a document equally available to Plaintiffs, incorrectly assumes that there is some requirement that a home inspector must "declare" whether or not hot water was "found," and to the extent applicable, the Win report speaks for itself. Without waiving the objections: Admitted that the Win report discusses the hot water heater on page 11-12 and 39 -40 but does not appear to use the words "hot water was found." Otherwise denied."
15. On 3/18/2021, Micah Forstein signed his TDS and SPQ with omissions of material fact related to water flow problems known to him from his 2015 report, constituting an act of fraudulent misrepresentation.

On 10/24/2024, Attorney, Ken Gorman engaged in conspiracy to commit fraud with Forstein by creating admit responses that avoided admission to facts that were sufficient to prove fraudulent misrepresentation. Gorman's fraud forced the creation of this full statement of facts, and significant additional documentation to support this longer and more specific statement of facts which was fully unnecessary given all the facts known to Gorman at the time he signed Forstein's response.

No Hot Water - Water Supply - \$17,000

Fraudulent Misrepresentation / Disclosure Omissions and damages

\$17,000 - The seller's presale home inspector made no mention of problems with hot water, but there also was no clear place on his report he would have said Yes/No it was present, which seemed odd in retrospect. He also described the water supply as functional when it was clearly not functional when tested, and the Buyer had been told that when he purchased the home in 2015.

When Buyers inspected the home, the hot water heater had a pilot light but they could not get hot water at the kitchen sink or others. The inspector felt it might have been a problem/defect with the hot water heater.

After close of escrow the hot water heater lines were cut to mount it on a stand, and it was discovered that the pipes coming from the hot water heater were over 50% corroded shut. Another inspection further into the home revealed more blockage.



Buyers do not at this time believe there was ever hot water at the kitchen sink during Sellers occupancy and if it was at the other fixtures it was very limited. .

Buyers Discovery of Defects

Murrer Report - Page 95 - No Hot Water

There was no hot water in home. The inspector was concerned the water heater blanket was being used as a possible distraction or for defect concealment.

Water Heater 1		
Page 47 Item: 2	Water Heater Condition	• Insulation blanket - Water heater casing was not visible due to insulation blanket. There is the possibility that problems or defects with the casing were concealed; concealed defects are not within the scope of the home inspection. Age, manufacturer's information, and any safety concerns unknown. Modern water heaters typically are double-walled, and insulation blankets typically serve no useful purpose, particularly in an enclosed space. Additionally, some manufacturers void their warranties when important operation and safety information is not visible. Recommend further evaluation once insulation blanket has been removed.
Page 47 Item: 3	Base	• Less than 18" minimum height in garage installation; combustion hazard.
Page 47 Item: 4	Overflow Condition	• Recommend installing a pan with an overflow line extending to the exterior of the enclosure.
Page 48 Item: 7	Combustion	• Poor flame noted.
Page 48 Item: 8	Venting	• Natural-draft type gas water heater vent pipes should have a "WYE" and not a "T" type connection
Page 49 Item: 11	Gas Valve	• Older gas lines and valves have a history of failure.
Paul Murrer Page 95 of 98 Murrer Certified Inspections		

Bryan Canary 12 Bayview Road, Castroville, CA		
Page 49 Item: 12	Plumbing	• All hot water pipes in crawlspace should be insulated. • Rusted supply line noted. recommend replacement by a licensed plumbing contractor. • Water supply lines are ridged not flexible copper. Installation is not to code. Recommend repair by a licensed plumbing contractor.

Murrer Report - Page 97 - Poor Water Pressure

Master Bathroom 1

Page 71 Item: 2	Floor Condition	• Damage noted at threshold.
Page 71 Item: 4	Cabinets	• Water staining and damage noted.
Page 72 Item: 6	Sinks	• Poor pressure flow when running several fixtures in one area.
Page 73 Item: 12	Enclosure	• Deteriorated shower door frame noted. Recommend replacement.
Page 73 Item: 13	Showers	• Fixture found worn.
Page 74 Item: 14	Shower Walls	• Areas of bio-growth noted at shower floor. Recommend scraping, disinfecting, and re-caulking.

Bedroom 2

Page 77 Item: 1	Doors	• Jamb found cracked.
Page 77 Item: 3	Closets	• Utility vents are not recommended in a closet. • Missing closet doors observed.

Bathroom 2

Page 79 Item: 4	Cabinets	• Water staining and damage noted.
Page 81 Item: 10	Exhaust Fan	• No fan was observed. Recommend an exhaust fan be installed in all bathrooms for proper ventilation and moisture control.
Page 81 Item: 11	Wall Condition	• Areas of wall damage noted.
Page 82 Item: 12	Toilets	• Missing anchor bolt covers noted.
Page 82 Item: 13	Plumbing	• Indications of past water intrusion noted under sinks. • Deteriorated p-trap noted. Recommend replacement.
Page 82 Item: 14	Enclosure	• Areas of wood rot. Recommend further investigation to determine the extent of damage.
Page 83 Item: 16	Bathtubs	• Faucet leaks when operated.

Bedroom 3

Page 84 Item: 4	Closets	• Missing closet doors observed.
-----------------	---------	----------------------------------

Murrer Report - Page 47 and 48 - No Hot Water

Bryan Canary

12 Bayview Road, Castroville, CA

Water Heater 1

1. Heater Enclosure

Observations:

- The water heater enclosure is functional.

2. Water Heater Condition

Heater Type: Gas

Location: The heater is located in the garage.

Observations:

- **Insulation blanket - Water heater casing was not visible due to insulation blanket. There is the possibility that problems or defects with the casing were concealed; concealed defects are not within the scope of the home inspection. Age, manufacturer's information, and any safety concerns unknown. Modern water heaters typically are double-walled, and insulation blankets typically serve no useful purpose, particularly in an enclosed space. Additionally, some manufacturers void their warranties when important operation and safety information is not visible. Recommend further evaluation once insulation blanket has been removed.**



7. Combustion

Observations:

- **Poor flame noted.**



Murrer Report - Page 72 - insufficient flow for multiple fixtures

Paul Murrer

Page 71 of 98

Murrer Certified Inspections

Bryan Canary

12 Bayview Road, Castroville, CA



5. Counters

Observations:

- There is normal wear noted for the age of the counter tops.

6. Sinks

Observations:

- **Poor pressure flow when running several fixtures in one area.**



Low water pressure noted.

Seller and Seller's Agent Failure to Disclose

2015 Report - Pages 24 and 26

The seller's 2015 report was NOT provided to Buyers as part of bid consideration. It was obtained via a document demand later in escrow.

The Seller's 2015 Home Inspection revealed there were water pressure issues. It also contained a warning about the existence of Galvanized pipes and their tendency to corrode and decrease flow.

- **Repair:** While the mixing-valve at the upstairs hall bathroom tub was functional during the inspection, in our opinion, it failed to deliver an adequate volume of water when turned all the way on and multiple fixtures on at the same time. We recommend further investigation by a competent, licensed plumber who may find that cleaning is all that is required to restore proper function to the valve.
- **Improve:** The faucet at the upstairs hall bathroom sink and downstairs hall bathroom sink was leaking. All leaks should be repaired to stop unnecessary waste of valuable treated water. Sometimes, simply tighten the packing nut will stop the leak, other times a new washer or "rebuild kit" will be necessary.
- **Further Evaluation:** The cold water was off to the faucet at the downstairs bathroom sink at the time of this inspection. Inquiries should be made of the occupant as to the reason for this condition. We recommend inspection when service is once again restored.

This confidential report is prepared exclusively for Micah Forstein
© 2015 HomeTech Property Inspection Service

24

This confidential report is prepared exclusively for Micah Forstein
© 2015 HomeTech Property Inspection Service

12 Bayview Rd., Castroville, CA Page 26 of 38



DISCRETIONARY IMPROVEMENTS & GENERAL INFORMATION REGARDING THE PLUMBING SYSTEM

- **Galvanized Water Piping:** Galvanized steel water pipe, which is part or all of the piping system of this home, is subject to rusting and scale/mineral deposit accumulation within the pipe. The accumulation of these deposits will eventually decrease the diameter of the waterway resulting in severely restricted water pressure and flow. When pressure and flow fall below acceptable levels (i.e. bathtubs, and washing machines seem to take endless time in filling), many homeowners have the galvanized pipes replaced with a copper system.
- **Install Anti-Siphon Devices:** To reduce the risk of contamination of supply water, installation of anti-siphon devices on exterior hose bibs should be considered.
- **Provide A Wrench At The Gas Meter:** A meter wrench could not be located in the vicinity of the gas meter as recommended in areas subject to seismic activity. A proper wrench should be chained to the meter to provide a convenient means for shutoff in an emergency. The valve can be turned 90 degrees in either direction to shut the gas supply off.

TDS Page 2 - item B - Are you seller aware of any significant defects: plumbing

Seller checked no plumbing related issues.

Property Address: Castroville, CA 95012-9725 Date: March 16, 2021

B. Are you (Seller) aware of any significant defects/malfunctions in any of the following? ☒ Yes ☐ No. If yes, check appropriate space(s) below.

☐ Interior Walls ☐ Ceilings ☒ Floors ☐ Exterior Walls ☒ Insulation ☐ Roof(s) ☒ Windows ☐ Doors ☐ Foundation ☐ Slab(s)
☐ Driveways ☐ Sidewalks ☐ Walls/Fences ☒ Electrical Systems ☒ Plumbing/Sewers/Septics ☒ Other Structural Components

(Describe: upstairs windows might leak a little during heavy rain. Insulation under structure detached)

If any of the above is checked, explain. (Attach additional sheets if necessary.): minor water damage in dining room floor. Solar panels in need of regular maintenance. Power Max is 536kw/Month in last 6 months. Cracking in cement in Pool house and around pool. Sheds and Water House in need of work.

*Installation of a listed appliance, device, or amenity is not a precondition of sale or transfer of the dwelling. The carbon monoxide device, garage door opener, or child-resistant pool barrier may not be in compliance with the safety standards relating to, respectively, carbon monoxide device standards of Chapter 8 (commencing with Section 13260) of Part 2 of Division 12 of, automatic reversing device standards of Chapter 12.5 (commencing with Section 19890) of Part 3 of Division 13 of, or the pool safety standards of Article 2.5 (commencing with Section 115920) of Chapter 5 of Part 10 of Division 104 of, the Health and Safety Code. Window security bars may not have quick-release mechanisms in compliance with the 1995 edition of the California Building Standards Code. Section 1101.4 of the Civil Code requires all single-family residences built on or before January 1, 1994, to be equipped with water-conserving plumbing fixtures after January 1, 2017. Additionally, on and after January 1, 2014, a single-family residence built on or before January 1, 1994, that is altered or improved is required to be equipped with water-conserving plumbing fixtures as a condition of final approval. Fixtures in this dwelling may not comply with section 1101.4 of the Civil Code.

C. Are you (Seller) aware of any the following:

1. Substances, materials, or products which may be an environmental hazard such as, but not limited to, asbestos, formaldehyde, radon gas, lead-based paint, mold, fuel or chemical storage tanks, and contaminated soil or water on the subject property ☒ Yes ☐ No
2. Features of the property shared in common with adjoining landowners, such as walls, fences, and driveways, whose use or responsibility for maintenance may have an effect on the subject property ☒ Yes ☐ No
3. Any encroachments, easements or similar matters that may affect your interest in the subject property ☒ Yes ☐ No
4. Room additions, structural modifications, or other alterations or repairs made without necessary permits ☐ Yes ☒ No
5. Room additions, structural modifications, or other alterations or repairs not in compliance with building codes .. ☐ Yes ☒ No
6. Fill (compacted or otherwise) on the property or any portion thereof ☐ Yes ☒ No
7. Any settling from any cause, or slippage, sliding, or other soil problems ☐ Yes ☒ No
8. Flooding, drainage or grading problems ☐ Yes ☒ No
9. Major damage to the property or any of the structures from fire, earthquake, floods, or landslides ☐ Yes ☒ No

Seller was clearly aware of plumbing pressure and flow issues from his 2015 report AND from his occupancy.

Seller's own home inspection report called out 5 issues, while omitting many others. Page 47 of the Seller's own pre-sale home inspection report (Vierra Report) detailed 5 active plumbing issues?

- 1) Basin Fixtures - Upstairs hall bath sink fixtures have leak below hot water handles
- 2) Right side upstairs hall bath sink has leak/drip at faucet
- 3) Basin Drain - Damaged drain pipe beneath master bathroom sink area
- 4) the author states - Plumbing leak under left side upstairs hall bathroom sink
- 5) Damaged retainer ring at the drain pipe beneath right side upstairs hall bathroom sink

TDS Page 3 - Agent - Additional Items to Disclose

Sellers Agent failed to disclose additional information he was or should have been aware of given a 10 month property management responsibility and construction oversight responsibility. .

Property Address: Red, Castroville, CA 95012-9725 Date: March 16, 2021
Seller certifies that the information herein is true and correct to the best of the Seller's knowledge as of the date signed by the Seller.
Seller: [Redacted] Date: 3/18/2021
Seller: [Redacted] Date: _____

III. AGENT'S INSPECTION DISCLOSURE
(To be completed only if the Seller is represented by an agent in this transaction.)
THE UNDERSIGNED, BASED ON THE ABOVE INQUIRY OF THE SELLER(S) AS TO THE CONDITION OF THE PROPERTY AND BASED ON A REASONABLY COMPETENT AND DILIGENT VISUAL INSPECTION OF THE ACCESSIBLE AREAS OF THE PROPERTY IN CONJUNCTION WITH THAT INQUIRY, STATES THE FOLLOWING:
☒ See attached Agent Visual Inspection Disclosure (AVID Form)
☐ Agent notes no items for disclosure.
☐ Agent notes the following items: _____

Agent (Broker Representing Seller) KW Coastal Estates By: [Redacted] Date: 3/18/2021
(Please Print) (Associate Licensee or Broker Signature)

IV. AGENT'S INSPECTION DISCLOSURE
(To be completed only if the agent who has obtained the offer is other than the agent above.)
THE UNDERSIGNED, BASED ON A REASONABLY COMPETENT AND DILIGENT VISUAL INSPECTION OF THE ACCESSIBLE AREAS OF THE PROPERTY, STATES THE FOLLOWING:
☒ See attached Agent Visual Inspection Disclosure (AVID Form)
☐ Agent notes no items for disclosure.
☐ Agent notes the following items: _____

Agent (Broker Obtaining the Offer) [Redacted] By: [Redacted] Date: 4/1/2021
(Please Print) (Associate Licensee or Broker Signature)

V. BUYER(S) AND SELLER(S) MAY WISH TO OBTAIN PROFESSIONAL ADVICE AND/OR INSPECTIONS OF THE PROPERTY AND TO PROVIDE FOR APPROPRIATE PROVISIONS IN A CONTRACT BETWEEN BUYER AND SELLER(S) WITH RESPECT TO ANY ADVICE/INSPECTIONS/DEFECTS.
I/WE ACKNOWLEDGE RECEIPT OF A COPY OF THIS STATEMENT.
Seller _____ Date _____ Buyer _____ Date _____
Seller _____ Date _____ Buyer _____ Date _____
Agent (Broker Representing Seller) KW Coastal Estates By: [Redacted] Date _____
(Please Print) (Associate Licensee or Broker Signature)
Agent (Broker Obtaining the Offer) _____ By: [Redacted] Date _____
(Please Print) (Associate Licensee or Broker Signature)

SECTION 1102.3 OF THE CIVIL CODE PROVIDES A BUYER WITH THE RIGHT TO RESCIND A PURCHASE CONTRACT FOR AT LEAST THREE DAYS AFTER THE DELIVERY OF THIS DISCLOSURE IF DELIVERY OCCURS AFTER THE SIGNING OF AN OFFER TO PURCHASE. IF YOU WISH TO RESCIND THE CONTRACT, YOU MUST ACT WITHIN THE PRESCRIBED PERIOD.
A REAL ESTATE BROKER IS QUALIFIED TO ADVISE ON REAL ESTATE. IF YOU DESIRE LEGAL ADVICE, CONSULT YOUR ATTORNEY.

© 2020, California Association of REALTORS®, Inc. United States copyright law (Title 17 U.S. Code) forbids the unauthorized distribution, display and reproduction of this form, or any portion thereof, by photocopy machine or any other means, including facsimile or computerized formats. THIS FORM HAS BEEN APPROVED BY THE CALIFORNIA ASSOCIATION OF REALTORS® (C.A.R.). NO REPRESENTATION IS MADE AS TO THE LEGAL VALIDITY OR ACCURACY OF ANY PROVISION IN ANY SPECIFIC TRANSACTION. A REAL ESTATE BROKER IS THE PERSON QUALIFIED TO ADVISE ON REAL ESTATE TRANSACTIONS. IF YOU DESIRE LEGAL OR TAX ADVICE, CONSULT AN APPROPRIATE PROFESSIONAL. This form is made available to real estate professionals through an agreement with or purchase from the California Association of REALTORS®. It is not intended to identify the user as a REALTOR®, REALTOR® is a registered collective membership mark which may be used only by members of the NATIONAL ASSOCIATION OF REALTORS® who subscribe to its Code of Ethics.

Published and Distributed by:
REAL ESTATE BUSINESS SERVICES, LLC.
a subsidiary of the CALIFORNIA ASSOCIATION OF REALTORS®
525 South Virgil Avenue, Los Angeles, California 90020

TDS REVISED 6/20 (PAGE 3 OF 3)
REAL ESTATE TRANSFER DISCLOSURE STATEMENT (TDS PAGE 3 OF 3)
Produced with Lave Wolf Translations (ApForm Edition) 231 Shumway Dr., Cambridge, Ontario, Canada N1T 1A5 www.lwf.com 12 Shumway Dr.

SPQ Page 2 - Item 7A - Defects in any of the following: plumbing ("all repaired")

The defects, which he did not specify in his TDS or here were "all repaired" -- yet look at the plumbing section of his home inspection report...

DocuSign Envelope ID: A8B9D5E4-4652-4B06-97B7-1992C610AF2E

Property Address: San Jose, CA 95012-9725

6. REPAIRS AND ALTERATIONS: **ARE YOU (SELLER) AWARE OF...**

A. Any alterations, modifications, replacements, improvements, remodeling or material repairs on the Property (including those resulting from Home Warranty claims) ☒ Yes ☐ No

B. Any alterations, modifications, replacements, improvements, remodeling, or material repairs to the Property done for the purpose of energy or water efficiency improvement or renewable energy? ☒ Yes ☐ No

C. Ongoing or recurring maintenance on the Property pool maintenance; solar panels pressure washed (for example, drain or sewer clean-out, tree or pest control service) ☒ Yes ☐ No

D. Any part of the Property being painted within the past 12 months ☒ Yes ☐ No

E. Whether the Property was built before 1978 ☒ Yes ☐ No

(a) If yes, were any renovations (i.e., sanding, cutting, demolition) of lead-based paint surfaces started or completed. ☒ Yes ☐ No

(b) If yes to (a), were such renovations done in compliance with the Environmental Protection Agency Lead-Based Paint Renovation Rule? ☒ Yes ☐ No

Explanation: Removal of Popcorn Ceiling and Paneling in all parts of house, painted inside and out.

Plumbing work throughout, (solar power add), floors replaced, stairs rebuilt, kitchen countertop replaced, as was sink/tile in kitchen

7. STRUCTURAL, SYSTEMS AND APPLIANCES: **ARE YOU (SELLER) AWARE OF...**

A. Defects in any of the following, (including past defects that have been repaired): heating, air conditioning, electrical, plumbing (including the presence of polybutylene pipes), water, sewer, waste disposal or septic system, sump pumps, well, roof, gutters, chimney, fireplace, foundation, crawl space, attic, soil, grading, drainage, retaining walls, interior or exterior doors, windows, walls, ceilings, floors or appliances ☒ Yes ☐ No

B. The leasing of any of the following on or serving the Property: solar system, water softener system, water purifier system, alarm system, or propane tank (s) ☒ Yes ☐ No

C. An alternative septic system on or serving the Property ☐ Yes ☒ No

Explanation: heating system repaired, electrical, plumbing, water all repaired, well pressure vessels replaced 6/2020 roof replaced 2016, chimney in need of repair (fire place works).

8. DISASTER RELIEF, INSURANCE OR CIVIL SETTLEMENT: **ARE YOU (SELLER) AWARE OF...**

A. Financial relief or assistance, insurance or settlement, sought or received, from any federal, state, local or private agency, insurer or private party, by past or present owners of the Property, due to any actual or alleged damage to the Property arising from a flood, earthquake, fire, other disaster, or occurrence or defect, whether or not any money received was actually used to make repairs ☐ Yes ☒ No

Explanation:

"All repaired" - A nightmarishly Farcical Statement...

The Seller's pre-sale home inspection noted the following plumbing related defects
On page 47, .

- 1) Basin Fixtures - Upstairs hall bath sink fixtures have leak below hot water handles
- 2) Right side upstairs hall bath sink has leak/drip at faucet
- 3) Basin Drain - Damaged drain pipe beneath master bathroom sink area
- 4) the author states - Plumbing leak under left side upstairs hall bathroom sink
- 5) Damaged retainer ring at the drain pipe beneath right side upstairs hall bathroom sink

Thus making the "all repaired" statement in SPQ Page 2 item 7A farcical.

C. An alternative septic system on or serving the Property ☐ Yes ☒ No
Explanation: heating system repaired, electrical, plumbing, water all repaired, well pressure
vessels replaced 6/2020 roof replaced 2016, chimney in need of repair (fire place works).

8. DISASTER RELIEF, INSURANCE OR CIVIL SETTLEMENT: ARE YOU (SELLER) AWARE OF...

A. Financial relief or assistance, insurance or settlement, sought or received, from any federal, state, local
or private agency, insurer or private party, by past or present owners of the Property, due to any actual
or alleged damage to the Property arising from a flood, earthquake, fire, other disaster, or occurrence or
defect, whether or not any money received was actually used to make repairs ☐ Yes ☒ No

Then he doubled down in April 20, 2021 doc demand - page 22 of 23 m

Nothing on home settling issues, property drainage issues, septic line issues, basement water intrusion issues -- When we purchased the house we knew it was old, but did our best to make it our own. We didn't notice settling while we were there except for the crack in the pool house floor which was present when we bought the house, and which we put a rug over and ignored because we didn't have the money to repair. Property drainage issues, are new to me, and I don't know what to say about it, other than thank you for your discovery, I don't know what if anything can be repaired or what the repair would cost. As for the septic line issues, we never had any problems with the septic system. The plumbing we had problems with and fixed as required, (see all provided documentation on the subject.). As for basement water intrusion issues, I don't know what you are talking about as the property has no basement.

SPQ Page 4 - Item 17A - List of reports for representation -

The seller indicates he is going to provide reports for representation.

He provided no reports that exposed water supply issues.

NOTE: this document was signed 3/18/2021. That was two days after the MLS listing went live and 2 weeks prior to forming a contract with buyers.

17. OTHER:	ARE YOU (SELLER) AWARE OF...
A. Reports, inspections, disclosures, warranties, maintenance recommendations, estimates, studies, surveys or other documents, pertaining to (i) the condition or repair of the Property or any improvement on this Property in the past, now or proposed; or (ii) easements, encroachments or boundary disputes affecting the Property whether oral or in writing and whether or not provided to the Seller (If yes, provide any such documents in your possession to Buyer.)	☒ Yes ☐ No
B. Any occupant of the Property smoking any substance on or in the Property	☐ Yes ☒ No
C. Any past or present known material facts or other significant items affecting the value or desirability of the Property not otherwise disclosed to Buyer	☐ Yes ☒ No
Explanation: <u>Well/water reports, septic provided, pest report</u>	
18. ☒ (IF CHECKED) ADDITIONAL COMMENTS: The attached addendum contains an explanation or additional comments in response to specific questions answered "yes" above. Refer to line and question number in explanation. Seller represents that Seller has provided the answers and, if any, explanations and comments on this form and any attached addenda and that such information is true and correct to the best of Seller's knowledge as of the date signed by Seller. Seller acknowledges (i) Seller's obligation to disclose information requested by this form is independent from any duty of disclosure that a real estate licensee may have in this transaction; and (ii) nothing that any such real estate licensee does or says to Seller relieves Seller from his/her own duty of disclosure.	
Seller <u><i>Micah A. Forstein</i></u>	<u>Micah A Forstein</u> Date <u>3/18/2021</u>

SPQ Page 4 - Item 17C - Material facts or defects affecting property not otherwise disclosed to Buyer

17. OTHER:	ARE YOU (SELLER) AWARE OF...
A. Reports, inspections, disclosures, warranties, maintenance recommendations, estimates, studies, surveys or other documents, pertaining to (i) the condition or repair of the Property or any improvement on this Property in the past, now or proposed; or (ii) easements, encroachments or boundary disputes affecting the Property whether oral or in writing and whether or not provided to the Seller (If yes, provide any such documents in your possession to Buyer.)	☒ Yes ☐ No
B. Any occupant of the Property smoking any substance on or in the Property	☐ Yes ☒ No
C. Any past or present known material facts or other significant items affecting the value or desirability of the Property not otherwise disclosed to Buyer	☐ Yes ☒ No
Explanation: <u>Well/water reports, septic provided, pest report</u>	
18. ☒ (IF CHECKED) ADDITIONAL COMMENTS: The attached addendum contains an explanation or additional comments in response to specific questions answered "yes" above. Refer to line and question number in explanation. Seller represents that Seller has provided the answers and, if any, explanations and comments on this form and any attached addenda and that such information is true and correct to the best of Seller's knowledge as of the date signed by Seller. Seller acknowledges (i) Seller's obligation to disclose information requested by this form is independent from any duty of disclosure that a real estate licensee may have in this transaction; and (ii) nothing that any such real estate licensee does or says to Seller relieves Seller from his/her own duty of disclosure.	
Seller <u><i>Micah A. Forstein</i></u>	<u>Micah A Forstein</u> Date <u>3/18/2021</u>

SPQ Page 1 - Item 5J - Material facts or defects affecting property not otherwise disclosed to Buyer

The seller indicates yes, but nothing is said about hot water or water flow.

5. STATUTORILY OR CONTRACTUALLY REQUIRED OR RELATED:	ARE YOU (SELLER) AWARE OF...
A. Within the last 3 years, the death of an occupant of the Property upon the Property	☐ Yes ☒ No
B. An Order from a government health official identifying the Property as being contaminated by methamphetamine. (If yes, attach a copy of the Order.)	☐ Yes ☒ No
C. The release of an illegal controlled substance on or beneath the Property	☐ Yes ☒ No
D. Whether the Property is located in or adjacent to an "industrial use" zone	☐ Yes ☒ No
(In general, a zone or district allowing manufacturing, commercial or airport uses.)	
E. Whether the Property is affected by a nuisance created by an "industrial use" zone	☐ Yes ☒ No
F. Whether the Property is located within 1 mile of a former federal or state ordnance location	☐ Yes ☒ No
(In general, an area once used for military training purposes that may contain potentially explosive munitions.)	
G. Whether the Property is a condominium or located in a planned unit development or other common interest subdivision	☐ Yes ☒ No
H. Insurance claims affecting the Property within the past 5 years	☒ Yes ☐ No
I. Matters affecting title of the Property	☐ Yes ☒ No
J. Material facts or defects affecting the Property not otherwise disclosed to Buyer	☒ Yes ☐ No
K. Plumbing fixtures on the Property that are non-compliant plumbing fixtures as defined by Civil Code Section 1101.3	☐ Yes ☐ No

Explanation, or ☒ (if checked) see attached; storm Damage of old fence now replaced. Best Internet 300Mbs
Through Comcast Cable.

Buyer's Initials BC AB Seller's Initials TS

© 2018, California Association of REALTORS®, Inc.

SPQ REVISED 6/18 (PAGE 1 OF 4)

SELLER PROPERTY QUESTIONNAIRE (SPQ PAGE 1 OF 4)

Tracy Travaille, Broker, PO Box 326 Pacific Grove CA 93950 Tracy Travaille	Phone: 8315216999 Produced with Lone Wolf Transactions (zipForm Edition) 231 Shearson Cr. Cambridge, Ontario, Canada N1T 1J5 www.lwolf.com	Fax: 8886789838	12 Boardwalk -
---	---	-----------------	----------------

20210420 - Email - page 22 of 23

The plumbing we had problems with and fixed as required (see all provided documentation on subject)

Nothing on home settling issues, property drainage issues, septic line issues, basement water intrusion issues -- When we purchased the house we knew it was old, but did our best to make it our own. We didn't notice settling while we were there except for the crack in the pool house floor which was present when we bought the house, and which we put a rug over and ignored because we didn't have the money to repair. Property drainage issues, are new to me, and I don't know what to say about it, other than thank you for your discovery, I don't know what if anything can be repaired or what the repair would cost. As for the septic line issues, we never had any problems with the septic system. The plumbing we had problems with and fixed as required, (see all provided documentation on the subject.). As for basement water intrusion issues, I don't know what you are talking about as the property has no basement.

Pre-Sale Home Inspector - Failure to Disclose

Vierra Report - pg 38 - Item 11 - Interior water flow - "Functional" - No mention of testing for hot water

Both the 2015 report and 2021 report by Buyers Inspector detailed pressure / flow problems. The Vierra's report water flow as "functional".

11. Interior Water Flow Functional 12. Exterior Water Flow Functional - add anti-back flow devices The accessible exterior hose bibs were tested at the home, and found to be functional. The exterior faucet(s) at the home do not have a backflow device installed. Back flow devices prevent contaminated water from a hose from siphoning back into the supply lines of the home. This may or may not have been required when the home was built. Installing these devices is recommended. 13. Pressure Readings Interior/Exterior Attention - high p.s.i. <i>The water pressure at the exterior faucets is higher (80 +- psi) than recommended. Recommended water pressure is between 40 and 70 psi. We suggest a pressure regulator be installed if the pressure exceeds 80 psi. Contact a licensed plumber for estimates to install.</i> <i>Note: The excessive water pressure can reduce the life expectancy of the plumbing lines, void warranties on certain appliances, and cause premature leaks in fittings and faucets.</i> 14. Soft Water System None 15. Filter System	Client/Site: Micah Forstein 12 Bayview Rd, Castroville, CA 95012 Workorder #: 14898375 RLV Inspection Services dba WIN Home Inspection Monterey (831) 637-2194 WINspect v2.2.981 © 2021 WIN Home Inspection Page 38 of 52
---	---

Vierra Report - pg 38 - item 13 - Water Pressure Readings - !! Impossible !!

The Vierras reported exterior pressure to be above 80 psi and indicated the home needed a pressure regulator. The home is on a well with max pressure of 38 psi.

Vierra Report - pg 39/40 - Hot Water Heater Details - No mention of testing for hot water

No mention of hot water existing or not.



Home Inspection Details

(Italicized comments also appear in the summary report)

None

Water Heater

- Location(s)**
Garage
- Type**
Natural Gas
Note: A water heaters service life is approximately 8-12 years from the date of installation. A home inspection checks on the general function of the water heater system, but we recommend a qualified water heater service company inspect the unit and anode rod on an periodic basis (3-4 years). Also, it is recommended that water heaters be drained periodically to remove sediment buildup in the tank.
- Size Main/Aux (Gal)**
Size of Tank Not Visible (Insulation Blanket)
Exact size could not be determined due to the insulation blanket. Appears to be a 50 gallon tank.
- Installation**
Attention - attach flue to draft hood
The exhaust flue pipe above the water heater is not properly attached to the draft hood. If the flue pipe were to move off the draft hood, it could possibly allow exhaust to escape into the surrounding area. Securing the pipe to the draft hood, and all joint connections, with sheet metal screws and hi-temperature metal tape is recommended.
- Evidence of Encrustation**
No
- Evidence of Leaks**
No
There were no visible leaks at fittings or at the tank during the inspection. Average life expectancy is 8-12 years depending on the water quality of the area. We suggest periodic inspections and servicing of the unit by a qualified trade.
- Safety Valve**
Visual Check - not tested
There is a safety valve (TPR valve) on the water heater tank. However, it could not be tested because once it has been opened, the valves tend to leak.
Note: Safety relief valves should be re-inspected AT LEAST ONCE EVERY THREE YEARS, by a qualified professional plumbing contractor or authorized trade, to ensure the product has not been affected by corrosive water conditions and to ensure that the valve and discharge line have not been altered or tampered with illegally. Certain naturally occurring conditions may corrode the valve or its components over time, rendering the valve inoperative. Such conditions are not detectable unless the valve and its components are physically removed and inspected. This inspection must only be conducted by a plumbing contractor or authorized trade - not by the owner. Failure to re-inspect the relief valve as directed could result in unsafe pressure buildup, which can result in severe personal injury, substantial property damage, etc.
- Discharge Pipe**
Action Required - Not installed
There is not a discharge pipe attached to the water heating temperature pressure relief valve. The pipe is installed to prevent someone from being sprayed with hot water in the event that the valve is activated. An activated temperature/pressure relief valve is uncommon and usually indicates that the water heater is in need of servicing or necessary adjustments. Installing an approved pipe to 6-24 inches from the floor (exterior termination) is recommended for safety considerations.
- Safety Tie Down(s)**
Satisfactory

Client/Site: Micah Forstein 12 Bayview Rd, Castroville, CA 95012 Workorder #: 14898375
RLV Inspection Services dba WIN Home Inspection Monterey (831) 637-2194
WINInspect v2.2.004 © 2024 WIN Home Inspection

Page 39 of 52



Home Inspection Details

(Italicized comments also appear in the summary report)

The hot water heater does have proper straps to prevent the heater from tipping over during an earthquake. These standards may or may not be different than local requirements. This information is published by the state architects office seismic safety commission, titled "The Homeowner's Guide To Earthquake Safety." A copy can usually be obtained from your local Realtor. We recommend the strapping and bracing meet recommends of the Local Authority having Jurisdiction. State approved seismic strapping kits are available at most hardware or home repair stores.

Note: All water heaters up to 52 gallons must be strapped in at least two locations; the upper one-third of the unit and the lower one-third. The lower strap must be a minimum of 4" above the water heater control unit. It is recommended to have three straps on tanks between 53 and 75 gallons, and the number of straps on tanks more than 75 gallons is determined by your Local Authority having Jurisdiction. Check with your Local Authority having Jurisdiction for local requirements. Lag screws not less than 1/4" in diameter must be used to anchor the restraints to the wall and each lag screw must have at least 1-1/2" thread penetration into wall stud. A large flat washer must be installed between each lag screw and strap for reinforcement.

10. Insulation Rating(s)

No Visible Rating

11. Insulation Blanket

Satisfactory

Vierra Report - pg 38 - Evidence of Leaks - "No"

Client/Site: Micah Forstein 12 Bayview Rd, Castroville, CA 95012 Workorder #: 14898375
RLV Inspection Services dba WIN Home Inspection Monterey (831) 637-2194
WINspect v2.2.981 © 2021 WIN Home Inspection

Page 37 of 52



Home Inspection Details

(Italicized comments also appear in the summary report)

Note: This is a visual examination of the exterior piping which is visible at the time of the inspection. We recommend further investigating and/or asking the current owner about slow draining sinks/tubs/showers or back-ups in toilets. Also, depending on the age of the home and location, video investigation/sewer lateral inspection of your waste system is recommended to determine if any obstructions or damage exists inside the waste line. Homes over 20 years old and/or on a property with expansive soil or with trees or vegetation, are recommended to conduct a sewer lateral inspection. Relining or replacing a sewer line is approximately \$150 - \$350 per foot.

6. Evidence of Leaks

No

An inspection of the readily accessible sections of the plumbing water supply, waste pipes, faucets and fixtures identified no visible leaks at the time of the inspection, unless noted in a specific section of the report. We recommend all visible pipes, fixtures, and plumbing systems be re-examined prior to the close of the transaction for any changes. A program of regular inspection by the homeowner should be considered in order to identify any visible leaks prior to causing any substantial damage.

7. Pipe Rumble Noise

No

8. Surge Bangs

No

Vierra Report - pg 47 - Multiple active plumbing issues vs No vs all repaired...

4. Basin(s)/Fixtures

Attention

-The upstairs hall bathroom sink fixtures have a leak below the hot water handles when tested. Replacing seals or the fixture may be necessary. Contact an appropriate trade for further evaluations and repairs.

-The right side upstairs hall bathroom sink fixture has a leak/drip at the faucet. Replacing seals or the fixture may be necessary. Contact a qualified trade for repairs.

5. Basin Drain

Maintenance - leak

-There is a damaged drain pipe beneath the master bathroom sink area. There was corrosion and a current leak. Appropriate preventative repairs by a qualified trade are recommended to avoid future issues.

-The inspector has noted a plumbing leak under the left side upstairs hall bathroom sink. The leak is located at the drain stopper pipe connection. We suggest you contact a licensed plumber for further investigations of the plumbing system and/or repairs.

-There is a damaged retainer ring at the drain pipe connection beneath the right side upstairs hall bathroom sink area. There was corrosion and a current leak. Appropriate preventative repairs by a qualified trade are recommended to avoid future issues.

Note: The water was run for 1-3 minutes and the drain appears to be clear at this time. The inspector does not provide a warranty for an undiscovered or undisclosed clogs in the drain/waste system.

20210420 Email / TDS / SPO all stated no existing plumbing issues

20210420 email example --

Nothing on home settling issues, property drainage issues, septic line issues, basement water intrusion issues -- **When we purchased the house we knew it was old, but did our best to make it our own. We didn't notice settling while we were there except for the crack in the pool house floor which was present when we bought the house, and which we put a rug over and ignored because we didn't have the money to repair. Property drainage issues, are new to me, and I don't know what to say about it, other than thank you for your discovery, I don't know what if anything can be repaired or what the repair would cost. As for the septic line issues, we never had any problems with the septic system. The plumbing we had problems with and fixed as required, (see all provided documentation on the subject.). As for basement water intrusion issues, I don't know what you are talking about as the property has no basement.**

Quote for Repairs

Contractor 1 - \$25,000

Bradford Terry is Contractor 1 / Price 1 ---- Plaintiff is Contractor 2 / Price 2 noted in Description of Work
Defendants are welcome to seek out their own quotes.

<https://home-Purchase-2021.bryancanary.com>
<https://inspector-complaints-2023.bryancanary.com>
Estimate for Repairs - Home Inspector Related Omissions / Frauds

HI 7 - No Functional Hot Water System (bad pipes)

The seller made no note of any hot water or water pressure issues. The Seller suggested remedial work had been done on the plumbing system behind walls and it was "all repaired"..His inspector made no note of any issues with interior hot water or water pressure issues.. During inspections there was not hot water. The hot water heater had a poor flame, so it was attributed to that. After the close of escrow, when pipes were cut to change out the water heater, it was discovered pipes were 50%+ corroded inside. Another spot check on the interior showed a worse condition. The home likely never had full flowing hot water during the seller's 5 year occupancy.

Quoting this is extremely difficult because cutting open walls, ceilings and floors just to do water supplies is crazy expensive. Most would do other remodeling to make it worthwhile.

Description of Work	Price	
Open walls, ceilings and floors to make water pipes accessible		
Remove existing water lines to 22 fixture connections		
Install new cpvc or pex lines		
Close up walls, ceiling and floors and refinish.		
NOTE: I initially quoted \$17,000 for this work.		
	\$25,100.00	
Total	25,100.00	

Date 5/15/24

Contractor Name BRADFORD TERRY

Company Name "

Contractor License 928511

Contractor Signature Bradford Lynn Terry

13 of 15

Contractor 2 - \$17,000

Plaintiff is a Contractor as well. Plaintiffs provide \$17,000 estimate. This is based on rough plumbing requirements only and excludes all drywall and finishing repairs. It is based on a low end quote obtained during escrow when concerns about disclosure integrity arose. Defendants are welcome to seek out their own quotes.

[illegible]

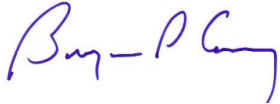
Revisions

11/19/2024 - added tds and spq refs, photos , rearranged information

11/20/2024 - reworked intro and cleared up ambiguities

Verification

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct as of the last revision date or other date noted below.



Plaintiff

Date as of last revision date



Plaintiff

Date: as of last revision date