

FORMS UPDATE 7/30/2025

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The following information is being provided to all NDAR members regarding our upcoming forms update. Attached you will find watermarked copies of forms showing changes highlighted in yellow. The forms that were created as new forms are not highlighted but will be explained below.

SELLER'S PROPERTY DISCLOSURE

- Line 48, #15: Added question regarding dead, dying or diseased trees/shrubs.
- Lines 49-53: Added the new radon disclosure language required by updated ND Century Code (in effect on August 1, 2025).

ESCALATION ADDENDUM

- Updated disclaimer.
- Lines 11-20: Removed the word NET and clarified language.

EXCLUSIVE RIGHT TO SELL LISTING AGREEMENT

- Updated disclaimer.
- Lines 20-40: Edited the "Includes/Excludes" sections to mirror what is in the Purchase Agreement.

LEAD-BASED PAINT DISCLOSURE

- Line 1: Added the Seller(s) name.

NEW CONSTRUCTION PURCHASE AGREEMENT

- Updated disclaimer.
- Line 10-11: Added language stating that the Purchase Agreement can be modified only in writing agreed to by Seller(s) and Buyer(s). Speak to your Broker on how they would like you to amend forms or modify forms.
- Line 38-40: Added a longer line to allow for more space. Bolded "on or before" to remind agents to input the date for earnest money deposit.
- Lines 210-227: Contingency grid was updated to clear up confusion of the deadlines. Note that the "Completion Date" in both grids is now titled "Contingency Deadline".
 - Inspection Contingencies: Any negotiations, waiving of the contingency, or termination must be completed by the date listed in the Inspection Contingency grid under "Contingency Deadline".
 - Documentation Contingencies: If the paperwork is given on the "Contingency Deadline" date, there is an automatic extension of 5 calendar days to give Buyer(s) the ability to review the documents. This timeframe was changed to align with the new HOA/condo association disclosure requirements in ND Century Code (in effect August 1, 2025).
- Line 348-350: The verbiage was updated, and the new form HOA/CONDO ASSOCIATION DISCLOSURE was referenced, in accordance with ND Century Code changes (in effect August 1, 2025).

PURCHASE AGREEMENT

- Updated disclaimer.
- Line 10-11: Added language stating that the Purchase Agreement can be modified only in writing agreed to by Seller(s) and Buyer(s). Speak to your Broker on how they would like you to amend forms or modify forms.
- Line 33-36: Added a longer line to allow for more space. Bolded “on or before” to remind agents to input the date for earnest money deposit.
- Line 65: Added “or Broker assisting Buyer(s)”
- Lines 199-216: Contingency grid was updated to clear up confusion of the deadlines. Note that the “Completion Date” in both grids is now titled “Contingency Deadline”.
 - Inspection Contingencies: Any negotiations, waiving of the contingency, or termination must be completed by the date listed in the Inspection Contingency grid under “Contingency Deadline”.
 - Documentation Contingencies: If the paperwork is given on the “Contingency Deadline” date, there is an automatic extension of 5 calendar days to give Buyer(s) the ability to review the documents. This timeframe was changed to align with the new HOA/condo association disclosure requirements in ND Century Code (in effect August 1, 2025).
- Line 330-332: The verbiage was updated, and the new form HOA/CONDO ASSOCIATION DISCLOSURE was referenced, in accordance with ND Century Code changes (in effect August 1, 2025).

VACANT LAND PURCHASE AGREEMENT

- Updated disclaimer.
- Line 10-11: Added language stating that the Purchase Agreement can be modified only in writing agreed to by Seller(s) and Buyer(s). Speak to your Broker on how they would like you to amend forms or modify forms.
- Line 33-36: Added a longer line to allow for more space. Bolded “on or before” to remind agents to input the date for earnest money deposit.
- Line 65: Added “or Broker assisting Buyer(s)”
- Lines 191-208: Contingency grid was updated to clear up confusion of the deadlines. Note that the “Completion Date” in both grids is now titled “Contingency Deadline”.
 - Inspection Contingencies: Any negotiations, waiving of the contingency, or termination must be completed by the date listed in the Inspection Contingency grid under “Contingency Deadline”.
 - Documentation Contingencies: If the paperwork is given on the “Contingency Deadline” date, there is an automatic extension of 5 calendar days to give Buyer(s) the ability to review the documents. This timeframe was changed to align with the new HOA/condo association disclosure requirements in ND Century Code (in effect August 1, 2025).
- Line 325-327: The verbiage was updated, and the new form HOA/CONDO ASSOCIATION DISCLOSURE was referenced, in accordance with ND Century Code changes (in effect August 1, 2025).

WHOLESALING ADDENDUM

- Updated disclaimer.
- Per new ND Century Code updates, language was changed to include ALL properties sold via Wholesaling. (References to residential were removed.)

RADON DISCLOSURE

- NEW FORM
- Developed to satisfy the new ND Century Code requirements going into effect for ALL RESIDENTIAL sales as of August 1, 2025.

COMMERCIAL PURCHASE AGREEMENT

- NEW FORM
- For the use in Commercial sales. Developed by a wonderful taskforce of commercial practitioners from all seven boards across North Dakota.

HOA/CONDO ASSOCIATION DISCLOSURE

- NEW FORM
- Replaces old HOA INFORMATION and CONDO INFORMATION forms.
- Developed to satisfy new ND Century Code disclosure requirements effective August 1, 2025.
- Form to be filled out by a member of the HOA/condo association.

There is also a video located on the NDAR YouTube channel explaining these forms updates in additional detail.