



# LEGAL HOTLINE Q&A

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## Question:

If a buyer includes a form 35W in their offer, can they still have a form 22R for a well inspection? And would they have the right to terminate or ask for repairs/credits on a form 22RN if their findings from the well inspection were not approved?

## Answer:

The answer to both questions is "yes". Buyer can waive any contractual right to an inspection contingency related to the condition of the home but retain the benefit of a contingency related to a well inspection. A home inspection contingency and a well inspection contingency are two different and independent contingencies. It is not necessary for buyer to have a home inspection contingency in order for buyer to have a well inspection contingency. If the PSA includes a Form 22R, buyer has all the contractual rights identified in that Form 22R.

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