

seller's disclosure statement

SELLER'S NAME: ("the Seller")

Address: Post Code:

Tel: Mobile:

Email:

SELLER'S NAME: ("the Seller")

Address: Post Code:

Tel: Mobile:

Email:

SELLER:

- is the Owner
 has given Power of Attorney
to
 is a Mortgagee in Possession
 is an Executor/Administrator

ADDRESS OF PROPERTY TO BE SOLD

Lot: on Deposited/~~Diagram~~/Survey/~~Strata~~/Plan No.

Volume: Folio: ("the Property")

LISTING PRICE

\$ Auction

\$ to \$

YES
NO
UNKNOWN

Question 1 through 15 are a reflection of the representations and warranties that the Seller makes to a Buyer in a contract for the sale of all land or strata title pursuant to the 2022 General Conditions

- | | |
|--|--|
| <input type="checkbox"/> YES
<input checked="" type="checkbox"/> NO
<input type="checkbox"/> UNKNOWN | <p>1. Are there any demands, orders, requisitions or requirements of any Authority relating to or proposed to the Property, including sewer connections, swimming pool safety barriers, residual current devices ("RCDs") or smoke alarms? [9.1(a)(1)]</p> <p>Details <input type="text"/></p> <p>2. Are there any proposals for the re-alignment, widening, or alteration of the level of any road adjoining the Land by any Authority that would materially affect the Land or the use of the Land? [9.1(a)(2)]</p> <p>Details <input type="text"/></p> <p>3. Is there any money owing to any Authority in respect of works performed or to be performed or any expenses incurred by any Authority in respect of the Land? [9.1(a)(3)]</p> <p>Details <input type="text"/></p> <p>4. Excluding strata lots, are there any sewers, drains, pipes cables or other installations passing through the Land providing services to other land? [9.1(a)(4)]</p> <p>Details <input type="text"/></p> <p>5. Is there any outstanding or impending notice, demand, or liability to join in or contribute to the construction or repair of a dividing fence between the Land and any adjoining land under the Dividing Fences Act 1961 or otherwise? [9.1(a)(5)]</p> <p>Details <input type="text"/></p> <p>6. Is there any encroachment onto the Land by a building or other structure from the adjoining land? [9.1(a)(6)]</p> <p>Details <input type="text"/></p> <p>7. Does a building or structure on the Land encroach on adjoining land? [9.1(b)]</p> <p>Details <input type="text"/></p> <p><input checked="" type="checkbox"/> 8. Are each dividing fence and boundary wall on the boundary of the Land? [9.1(c)]</p> <p>Details <input type="text"/></p> <p><input checked="" type="checkbox"/> 9. Do you have good title to the chattels included in the sale, and will you at settlement be the sole owner free from any encumbrance? If not, these need to be stated in the contract for the sale of the Land. [9.1(d) & (e)]</p> <p>Details <input type="text"/></p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> 10. Is there any reason why the Property won't be in the same state and condition at settlement? [9.1(f)]</p> <p>Details <input type="text"/></p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> 11. Are there any public rights of way or easements that have been acquired by enjoyment or use? [9.1(g)]</p> <p>Details <input type="text"/></p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> 12. Has anyone made a claim by way of adverse possession? [9.1(g)]</p> <p>Details <input type="text"/></p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> 13. Are there any mining leases or licences in respect of the Land? [9.1(g)]</p> <p>Details <input type="text"/></p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> 14. Have you received a notice of any resumption or intended resumption of the Property, or any part of the Property by any authority? [9.2(a)]</p> <p>Details <input type="text"/></p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> 15. Is the use of the Property lawful? [9.2(b)]</p> <p>Details <input type="text"/></p> |
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YES
NO
UNKNOWN

The following are other questions often asked about a property.

16. (a) Is there a bore on the property?
 (b) Is it in working order?
 (c) Is it shared with a neighbour?
 (d) If shared with a neighbour, is there a written agreement about running costs?
 (e) If more than one bore, then give details.
 Details
17. (a) Is the sewage from the Property connected to a Water Corporation sewer?
 If the answer is NO, then
 (b) Does a Water Corporation sewer pass the Property?
 (c) Have you received a notice requiring the sewage from the Property to be connected to a Water Corporation Sewer.
18. Is there any septic system connected to the dwelling(s)/building(s)? ****NB: a notice advising of sewer availability issued in 2015****
 If the answer is NO then-
 (a) Are there any disused septic tanks underground?
 (b) Have the septic tanks being decommissioned (removed or bases broken up and backfilled)?
 Details
19. (a) Is there an Aerobic Treatment Unit (ATU)?
 (b) If so, is the ATU maintained in accordance with the protocol set down in the Code of Practice for the Design, Manufacture, Installation and Operations of ATU's?
 Details
20. Is there a swimming pool or outside spa ("Swimming Pool")?
 If the answer is NO, then-
 (a) has any Swimming Pool been filled in?
 If there is a Swimming Pool
 (b) Is the cleaning and filtration equipment included in the sale price of the Property?
 (c) Is the cleaning and filtration equipment in good working order?
 (d) Do the safety barriers comply with current legal requirements?
 Details
21. (a) All light fitting, fixed floor coverings and window treatments will be included in the purchase price of the Property together with but not limited to items that are nailed, screwed or otherwise fixed e.g. mirrors, shelves, dishwasher, ceiling fans, or built-in furniture. (garden sheds and television aerials are generally included in the purchase price)
 (b) Are there any such items not included in the purchase price? For example a leased alarm system)
 (c) If so, give details of items not included
22. (a) Is there or has there been a termite/ timber pest problem on the Property during the last five years?
 Details
- (b) When was the Property last inspected for termites/timber pests?
 Details
23. Are there any locks that do not have keys? e.g window locks or doors
 Details
24. Are there any tenancies, licences, occupancies, or leases which affect the Property?
 Details
25. Are there any known structural defects in the Property?
 Details
26. (a) During the term of the Seller's ownership have all the buildings, improvements and fences been constructed in accordance with, and with approval of all relevant authorities?
 If NO then Details
- (b) During the term of the Seller's ownership have you or any other person caused to be made any additions or alterations to the Property or connections or installations in relation to water, sewage, gas, or electricity supplies?
 Details
27. Are there any leases, licences, rights of way, interests, estates, easements, mortgages, encumbrances, restrictive covenants or claims affecting the Property and not referred to in the certificate of title?
 Details

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YES	NO	UNKNOWN	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	28. Are there any soil or drainage defects in the Property? Details <input type="text"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	29. Are there any prohibitions or restrictions on the use of the Property by virtue of statute, proclamation or by-law, development order or planning scheme? e.g. special zoning, heritage. Details <input type="text"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	30. Are there any hazardous substances (including but not limited to, asbestos or lead based paints) in or about the Property? Details <input type="text" value="High likelihood that the shed contains asbestos, although this has not been tested or verified"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	31. (a) If practice of completion of any residential building works for more than \$20,000.00 have been done by a builder in the last six (6) years, has the statutory Home Indemnity insurance been taken out by the builder? (b) Provide details: Builder <input type="text"/> Insurer <input type="text"/> Policy Number <input type="text"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	32. Does the Property have insulation? If so, what sort and where? Details <input type="text" value="Ceiling insulation"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	33. Does the Property have air-conditioning? If so, what sort and where? Details <input type="text" value="2 split air conditioners: kitchen/dining area; bedroom"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	34. (a) Was the Property built, or plumbing renovations undertaken, between mid-2017 and mid-2022? (b) If so, who was the builder? Details <input type="text"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	(c) Does the Property contain Iplex Pro-fit Typlex 1050 resin Polybutylene plumbing pipes?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(d) Have there been any leaks of Iplex Pro-fit Typlex 1050 resin Polybutylene plumbing pipes in the Property?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(e) Does the Property have a leak detection unit installed?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(f) Has a legal or insurance claim been made and compensation, settlement, judgement, or another remedy been received in relation to previous leaks? Details <input type="text"/>

The following questions relate to the sale of a Strata or Community property only. These questions are a reflection of the representations and warranties that the Seller makes to a Buyer in a contract for the sale of all Strata or Community property pursuant to condition 10.2 of the 2022 General Conditions.

<input type="checkbox"/>	<input type="checkbox"/>	35. Has the Seller paid: (a) each Scheme Contribution levied by the Strata Corporation in respect of the Scheme Lot? If not, then give details <input type="text"/>
<input type="checkbox"/>	<input type="checkbox"/>	(b) all other money due to the Strata Corporation in respect of the Scheme Lot?
<input type="checkbox"/>	<input type="checkbox"/>	(c) all interest due to the Strata Corporation on any such money?
<input type="checkbox"/>	<input type="checkbox"/>	36. Has an administrator been appointed for the Strata Corporation? Details <input type="text"/>
<input type="checkbox"/>	<input type="checkbox"/>	37. Do you know of anything which will materially affect the Buyer's use or enjoyment of the Scheme Lot or of the common property comprised in the Strata/Community Scheme? If yes then give details <input type="text"/>
<input type="checkbox"/>	<input type="checkbox"/>	38. Do you know of any proposal or application to terminate the Strata/Community Scheme? Details <input type="text"/>
<input type="checkbox"/>	<input type="checkbox"/>	39. Is there a current, proposed or pending proceeding or application or unsatisfied orders or judgement in relation to the Strata/Community Scheme, Scheme Company, or Scheme Lot in a court or tribunal? Details <input type="text"/>
<input type="checkbox"/>	<input type="checkbox"/>	40. Is there any judgment or order of the State Administrative Tribunal, a court, tribunal or judicial or administrative body in respect to the Strata Corporation, Strata/Community Scheme, or Scheme Lot which has not been satisfied or complied with? Details <input type="text"/>
<input type="checkbox"/>	<input type="checkbox"/>	41. Is there any money owing to the Strata Corporation for work carried out by the Strata Corporation in relation to the Scheme Lot? Details <input type="text"/>
<input type="checkbox"/>	<input type="checkbox"/>	42. (a) Is there any proposed change to the by-laws of the Strata Corporation other than changes recorded on the Strata/Community Scheme? (b) Other than changes recorded on the Scheme Plan are there any changes to the Strata Corporation by-laws that have been voted on by the Strata Corporation or ordered by a court or tribunal? Details <input type="text"/>

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	YES	NO	UNKNOWN	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		43. Do you know of any action taken or any proposal to:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		(a) vary the schedule of unit entitlement recorded on the Scheme Plan; or
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		(b) grant, vary or surrender any easement or restrictive covenant affecting the Scheme Lot or any other part of the parcel; or
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		(c) transfer, lease, licence or resume any part of the Scheme Lot or the common property; or
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		(d) obtain or take a lease of land outside the parcel; or
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		(e) vary or surrender a lease of land outside the parcel; or
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		(f) obtain an expenditure approval under section 102(6)(b) of the Strata Titles Act?
				Details <input style="width: 70%; border: 1px solid black;" type="text"/>
<input type="checkbox"/>	<input type="checkbox"/>			44. Do you know of any proposal by the Strata Corporation to pass any resolution which will adversely affect the use and enjoyment by the buyer of the Scheme Lot or of the common property or increase the outgoings in respect to the Scheme Lot?
				Details <input style="width: 70%; border: 1px solid black;" type="text"/>
<input type="checkbox"/>	<input type="checkbox"/>			45. Are you aware of any fact or circumstance which may result in court proceedings; or proceedings before a Court or State Administrative Tribunal, being instituted against the registered proprietor of the Scheme Lot in respect to any matter relating to the common property, the Scheme Lot, or any action or liability?
				Details <input style="width: 70%; border: 1px solid black;" type="text"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		46. Can residents keep pets on the Scheme Lot?
				Details <input style="width: 70%; border: 1px solid black;" type="text"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		47. (a) Is there a strata corporation bank account?
				(b) The balance of the strata corporation bank account is \$ <input style="width: 15%; border: 1px solid black;" type="text"/> on <input style="width: 5%; border: 1px solid black;" type="text"/> / <input style="width: 5%; border: 1px solid black;" type="text"/> / <input style="width: 5%; border: 1px solid black;" type="text"/>
<input type="checkbox"/>	<input type="checkbox"/>			48. What are the Strata contributions
				(a) Administrative fund Contribution \$ <input style="width: 15%; border: 1px solid black;" type="text"/> frequency <input style="width: 20%; border: 1px solid black;" type="text"/>
				(b) Reserve Fund Contribution \$ <input style="width: 15%; border: 1px solid black;" type="text"/> frequency <input style="width: 20%; border: 1px solid black;" type="text"/>
				(c) Reserve Fund Contributions passed but not yet payable
				Details <input style="width: 70%; border: 1px solid black;" type="text"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		(d) Is the Strata Corporation considering any works that will result in an additional levy?
				Details <input style="width: 70%; border: 1px solid black;" type="text"/>
<input type="checkbox"/>	<input type="checkbox"/>			49. Does the Scheme Lot have its own
				(a) water meter
				(b) electricity meter
				(c) hot water system (i.e. not shared)
				(d) parking
				Details <input style="width: 70%; border: 1px solid black;" type="text"/>
<input type="checkbox"/>	<input type="checkbox"/>			50. Does any person other than lot owners have access and usage rights to the common property. For example swimming pool, tennis courts.
				Details <input style="width: 70%; border: 1px solid black;" type="text"/>
<input type="checkbox"/>	<input type="checkbox"/>			51. Is there a caretaker? Details <input style="width: 60%; border: 1px solid black;" type="text"/>
<input type="checkbox"/>	<input type="checkbox"/>			52. Visitor Parking
				(a) Is there visitor parking?
				Details <input style="width: 70%; border: 1px solid black;" type="text"/>
<input type="checkbox"/>	<input type="checkbox"/>			(b) Do lot owners have access to visitor parking?
				Details <input style="width: 70%; border: 1px solid black;" type="text"/>
<input type="checkbox"/>	<input type="checkbox"/>			(c) How long can visitor parking be used by lot owners and/or visitors?
				Details <input style="width: 70%; border: 1px solid black;" type="text"/>

Owner Builder Questions

<input type="checkbox"/>	<input checked="" type="checkbox"/>		53. (a) Was the residence or any alterations or additions to the residence done by an "owner-builder" within the seven (7) years preceding the proposed date of the contract to sell? (An owner builder is a person who is not a builder and has been issued a Local Authority building permit to build a building, or work, for themselves).
			(b) If the answer is "YES" then -
<input type="checkbox"/>	<input type="checkbox"/>		(i) has the "owner-builder" taken out a policy of insurance that complies with the Home Building Contracts Act 1991 as amended;
<input type="checkbox"/>	<input type="checkbox"/>		(ii) the "owner-builder" must give the buyer of the Property a valid Home Indemnity insurance certificate, that evidences the taking out of the policy for the remainder of the seven (7) year period from when the building permit was issued, prior to finalising any contract to sell or otherwise disposing of the Property.
			Do you have this certificate?
			Details <input style="width: 70%; border: 1px solid black;" type="text"/>

Smoke Alarms

<input checked="" type="checkbox"/>	<input type="checkbox"/>		54. Does the Property have hard wired smoke alarms?
			Details <input style="width: 70%; border: 1px solid black;" type="text" value="Yes, one hard wired alarm to cover three bedrooms"/>

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YES
NO
UNKNOWN

Residual Current devices (RCDs)

55. Are the RCDs required by law (usually a minimum of 2) installed to the residential premises?
Details
56. Do the RCDs protect all power point and lighting final subcircuits to comply with the Electricity Regulations?
Details
57. If the Property is a Strata Lot, then does the Common Property have the RCDs required by law?
Details

Working Order

58. Is the Seller aware of anything on the Property that is not in working order?
Details

National Broadband Network

59. Is NBN connected to the Property?
60. If Yes: Fibre to the Premises or
 Fibre to the distribution point or
 Fibre to the curb

General

61. Is there anything a buyer would want to know about the Property, the neighbours or the area?
Details

These disclosures by the Seller are correct as at the date of signing

Dated

Seller's Signature
Seller's Signature

SIGN
HERE

OPTIONAL

The Seller(s) authorises the agent to pass this Seller's Disclosure Statement on to prospective buyers.

Warning- The Buyer may rely upon these disclosures made by the seller in any action against the seller if any of the disclosures are incorrect or misleading.

Seller's Signature
Seller's Signature

SIGN
HERE