

VENDOR QUESTIONNAIRE

This Questionnaire must be filled out completely and signed by the Vendor to enable preparation of the Form 1 which is required be served on any prospective Purchaser to finalise any Contract with a Purchaser

Vendor: _____

Property Address: _____

Mortgages, Charges and Prescribed Encumbrances

(Division I – Form 1)

- Is the property subject to any loan or mortgage that is not registered on the title? Yes No
- Are you aware of any unregistered rights e.g. a right of way in relation to the property? Yes No
- Is there a PPS (Personal Property Security) charge under the PPS Act over or affecting any interest in the land? Yes No
- Is there any unregistered lease, agreement for lease, tenancy agreement or licence to occupy, (either written or verbal) relating to the property? Yes No
- Has there been any notice issued under Section 5 of the *Fences Act 1975*? Yes No

Development Act

Are there any of the following matters under the *Development Act*:

- a. An order to do works? Yes No
- b. A notice from an adjoining owner or council detailing future building works? Yes No
- c. Any legal action or Notice? Yes No

If so, give all details and documents.

Matters Affecting Land

(Division II – Form 1)

- Have there been any transactions affecting the title in the last 12 months? Yes No

- Is there any building indemnity insurance for building works on the property? Yes No

- Is there a commercial building on the land (not residential) that contains asbestos? Yes No

- Are there any court or tribunal processes current or underway relating to the property? Yes No

Particulars relating to Environment Protection

Are you aware of any of the following activities, other than domestic activities, occurring on the land since you acquired an interest in the land?

- a. a manufacturing activity; Yes No
- b. the keeping of a dangerous substance pursuant to a license under the *Dangerous Substances Act 1979*; Yes No
- c. the distribution of chemicals or fuels; Yes No
- d. the management or disposal of any waste materials, including any land fill that could be contaminated? Yes No

Are you aware that any of the above activities occurred on the land before you acquired an interest in the property or since you acquired the property? Yes No

Are you aware of any environmental assessment on the land or any part of the land carried out after you acquired the property? Yes No

Have you been advised by anyone that any environmental assessment was carried out before you acquired the property? Yes No

Are any of the appliances or other fixtures of fittings which are to be sold with the property subject to any hire or rental agreement? e.g. satellite dish, alarms, gas bottles Yes No

Are all appliances and services into the property in working condition? Yes No
If not provide details below:

Do you intend to remove any fixtures prior to settlement? Yes No

If "yes" to the above question, what work will you undertake to remedy any damage caused after removal?

Are you aware of any fences not on the true boundaries or any encroachment of any structure over the boundaries or over any easement or right of way? Please detail below: Yes No

Have all improvements on the property (including pergolas, verandahs, extensions, fences, sheds, etc) been erected in accordance with the plans and specifications approved by the local Council? Yes No

Does any swimming pool or spa comply with safety regulations? Yes No

If the property is a Strata or Community Title, please provide the name and address of the corporation secretary

Are you aware of any breach (by yourself or any other person) of the Strata Corporation or Community rules? If so, please detail. Yes No

Are there any other matters which are relevant to the property which the agent or purchaser should be made aware of or which will be apparent at settlement e.g. stained carpets or defects which are covered? Yes No

Is GST applicable on the sale of the property? Yes No

Commercial Property

By Law, if the building on the property was constructed prior to 31 December 2003 then **YOU ARE REQUIRED** to provide a purchaser with an Asbestos Register –

Do you have a current Asbestos Register for the subject property Yes No

If not, please contact your Sales Agent for a recommendation.

For any matter above give further details as necessary on page 3 or attach a separate Annexure

Details of any Additional Matters Affecting the Land

Notice to the Vendor, or the person signing this Questionnaire

Sections 7 and 9 of the *Land and Business (Sale and Conveyancing) Act 1994*, require the Vendor and the agent to provide certain information to the purchaser of the land. This document will be used to prepare the Form 1 and then provide that information to the purchaser and must be completed accurately.

Acknowledgement by Vendor

I, _____ *the Vendor / person representing Vendor

DO HEREBY STATE that to the best of my knowledge and after inquiry by me the above information supplied is true and correct and is a full disclosure of all required information and I will advise the Agent of any changes to this information and all further information arising in relation to the property. I am aware that incorrect or incomplete information may place the proposed sale of the property at risk and I may be liable for incorrect or incomplete information in relation to claims which I might incur to the Purchaser if arising from incorrect property information. If I sign as being authorised I warrant my authority to do so is in writing as appointee or attorney of the Vendor.

SIGNED _____ Dated _____