

## **VENDOR QUESTIONNAIRE DETAILS**

*This Questionnaire must be completed and signed by the Vendor(s) to enable preparation of the Form 1 which must be served on any prospective Purchaser. The Purchaser may be able to avoid the sale or claim compensation from you if the information is incorrect or incomplete. This questionnaire is in addition to the questionnaire completed with regard to the listing of the property for sale by your real estate agent.*

Agent: \_\_\_\_\_

Vendor/s Full Name/s: \_\_\_\_\_

Property Address: \_\_\_\_\_

Certificate of Title Reference (if known): Volume \_\_\_\_\_ Folio \_\_\_\_\_

### **MORTGAGES, CHARGES AND PRESCRIBED ENCUMBRANCES (DIVISION I – FORM 1)**

Is the property subject to any loan or charge that is not registered on the title? Yes  No

Are you aware of any unregistered rights (e.g. a right of way, easement or party wall rights) relating to the property? Yes  No

Is there an unregistered restrictive covenant affecting the land? Yes  No

Is there a lease, agreement for lease, tenancy agreement or licence to occupy relating to the property? Yes  No

*If yes, please provide details:*

Name of Parties: \_\_\_\_\_

Period of Lease: \_\_\_\_\_ Amount of Rent \$ \_\_\_\_\_ per \_\_\_\_\_ (period)

Is the lease/agreement for lease in writing? If yes please provide a copy. Yes  No

Has there been any notice issued under Section 5 of the *Fences Act* 1975? Yes  No

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

- a. An order to do works?
- b. A notice from an adjoining owner or Council detailing future building works?
- c. Any legal action or Notice?

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

*If yes to any of the above, please provide all details and documents:*

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Are there any conditions that continue to apply from an approval or authorisation under any of the following repealed Acts:

- a. Building Act 1971
- b. City of Adelaide Development Control Act 1976
- c. Planning and Development Act 1976
- d. Planning Act 1982

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

**MATTERS AFFECTING LAND (DIVISION II – FORM 1)**

Have there been any transactions including options or assignments or completed contracts affecting the title in the last twelve (12) months?

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

Is there any building Indemnity insurance for building works on the property?

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

Is there a commercial building on the land (not residential) that contains asbestos?

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

Are there any court or tribunal process current or underway relating to the property?

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

**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. The keeping of a dangerous substance pursuant to a licence under the *Dangerous Substances Act 1979*
- b. A manufacturing activity
- c. The distribution of chemicals or fuels
- d. The management *disposal* of any waste materials, including contaminated land fill

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

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

**OTHER MATTERS AFFECTING THE LAND**

Are any of the appliances or other fixtures or fittings which are to be sold with the property subject to any hire or rental agreement? (for example, satellite dish, alarms, gas bottles or hire solar panels). If yes, please provide all details and/or documents.

Yes  No

Are all appliances in good working condition?

Yes  No

If not provide details below:

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Are the following services supplied to the land:

	Yes	No		Yes	No
a. Water	<input type="checkbox"/>	<input type="checkbox"/>	d. Telephone	<input type="checkbox"/>	<input type="checkbox"/>
b. Sewer	<input type="checkbox"/>	<input type="checkbox"/>	e. Gas	<input type="checkbox"/>	<input type="checkbox"/>
c. Common Effluent	<input type="checkbox"/>	<input type="checkbox"/>	f. Cable Television	<input type="checkbox"/>	<input type="checkbox"/>

Do you intend to remove any fixtures prior to settlement?

Yes  No

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

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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

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Have all improvements on the property (including pergolas, verandas, extensions, fences, sheds, pool or spa etc) been erected in accordance with the plans and specifications approved by the local Council?

Yes  No

Does any swimming pool or spa erected or placed on the land comply with current safety regulations?

Yes  No  N/A

Is the property a Strata or Community Title?

Yes  No

If the property is a Strata or Community Title, please provide the name, address and telephone number of the Corporation Secretary.

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Address: \_\_\_\_\_

**Important notice to the Vendor, or the person signing this Questionnaire for the Vendor**

Sections 7 and 9 of the *Land and Business (Sale and Conveyancing) Act 1994* require the agent to provide certain information to the purchaser of the land by way of service of the Form 1. This document together with statutory searches will be used to prepare the Form 1 and then provide that information to the purchaser.

**Acknowledgement by Vendor**

I/We, \_\_\_\_\_ the Vendor/s

DO HEREBY DECLARE that to the best of my/our knowledge and after inquiry by me/us the above information supplied is true and correct and is a full disclosure of all required information and I/we will advise the Agent immediately upon becoming aware of any changes to the information herein supplied and any further information arising in relation to the property. I/we am/are aware that incorrect or incomplete information will place the proposed sale of the property at risk and I/we may be liable for incorrect or incomplete information in relation to damages claims which I/we might incur to the Purchaser and or to third parties relying on the information given by me/us.

Vendor Print Name Vendor Signature Date

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