Strata Titles Act 1985 — Form 28(A)
Statement by Vendor
Sale of Strata Lot by Non-Original Owner

When must you receive this form?

The vendor or their agent must give you this information BEFORE you enter into a contract to purchase the lot.

This statement applies to a lot which is part of a BUILT STRATA SCHEME and must be completed by every vendor who is not the original owner of the lot.

You should read the information incorporated in this statement as it —

- identifies the lot which you are proposing to purchase; and
- sets out what your rights and obligations will be in relation to the lot and common property if you go ahead with the purchase.

WARNING If you are uncertain about any matter mentioned below you should obtain independent advice from a lawyer or other expert BEFORE signing an offer to purchase or sell or entering into a contract to purchase a strata titled lot.

What is Strata?

You’ve been given this form because you’re thinking of buying a strata title lot.

There are advantages in owning a property in a strata scheme but there are also extra responsibilities. When you buy a strata lot you are becoming part of a community. You get a say in how that community is run and how much money is spent on running it, but you also have responsibilities. These responsibilities include abiding by the rules of the strata (often called by-laws), voting at the Annual General Meeting and contributing towards the community funds. If you intend to have tenants in the property, then they too have to abide by the rules. You may also choose to be part of the council of owners, which is the committee which makes decisions about the running of the strata. You should be aware that a strata titled scheme can be ended by agreement amongst the owners or through a court or SAT order.

This form gives you an idea of what’s involved.
Where can I get further information?

This form discloses key information you need to know before buying a strata lot. For further information please see Landgate’s *A Guide to Strata Titles*. The guide is available on the Landgate website at [www.read-me.com](http://www.read-me.com).

This form authorises you to apply to the Strata Company for additional information. It is recommended that you do so as the information may clarify your obligations and how you can use your lot. There is a fee for the information from the Strata Company.

If you are using the standard REIWA Contract for Sale of Land or Strata Title by Offer and Acceptance (including the Joint Form of General Conditions for the Sale of Land) in the purchase of this property you should also carefully read through clause 10 which deals specifically with strata title and relates to warranties that the vendor makes.

Attachments

Attached to this form are copies of –

1. The strata plan
2. The schedule of unit entitlement
3. A copy of the most recent budget for the scheme (s47(2)(e))
4. A copy of the minutes of the most recent annual general meeting (if applicable*)
5. The by-laws (rules) for the scheme
6. The developer disclosure document (if applicable**)
7. An application form for further information from the strata company

* See page 3 if your scheme has 5 lots or less
** see page 7 if you are buying into a staged strata development

The information in this statement is believed to be correct as at __________ / __________ / 20________
Parties

Vendor(s) name .................................................................................................................................................................
Vendor(s) Address(es) ...........................................................................................................................................................

Prospective purchaser(s) name ....................................................................................................................................................
Prospective Purchaser(s) address ..................................................................................................................................................

What am I buying?

You are buying a strata title lot AND a share in the common property.

You will own the lot outright and will have joint management and ownership of the common property with the other owners in the scheme. There is a unit entitlement attached to your lot which dictates how much of the common property you will own.

The Lot

The Lot

This is a strata title lot. The lot is shown on the strata plan. There may also be ‘part lot’s’ such as parking spaces and storage which are sold with the lot. You should check whether parking spaces etc. are shown as part lots on the plan or are exclusive use rights only. The vendor or their agent will identify the lot on the plan as well as any information which relates especially to the lot.

The Unit Entitlement

There will also be a ‘unit entitlement’ for your lot. The unit entitlement shows what proportion of the scheme your lot makes up. The unit entitlement is usually based on the market value of the lot compared with the market value of other lots in the scheme (unless the scheme has passed a by-law to vary this). For example what floor your unit is on, the view and size of your lot. The unit entitlement will be used to calculate how much you must pay in levies and what your share is in any common property. The unit entitlement is shown in a schedule to the strata plan.

Lot .................................................................................. on strata plan No. ..................................................................................

Street address ..............................................................................................................................................................................

Name of Scheme (Building) ...........................................................................................................................................................

Unit Entitlement for the Lot ................ Aggregate (Total) Unit Entitlement for the scheme

Number of lots in the scheme ...........................................................................................................................................................
If the scheme has **5 lots or less** the Strata Company may not keep certain records.

**If your scheme has 2 lots**
The Strata Company is automatically exempt from keeping some financial records including books of account, statement of accounts, details about an administrative fund, a roll of proprietors or meeting minutes. However, your scheme may still keep these records if the Strata Company has passed a by-law to do so. You should read the by-laws attached to this form to find out.

**If your scheme has 3, 4 or 5 lots**
The Strata Company is not automatically exempt from keeping records but the Strata Company may pass a by-law to exempt itself from keeping some financial records including, books of account, statement of accounts, details about an administrative fund, a roll of proprietors or meeting minutes. You should read the by-laws attached to this form to find out whether they have done so.

**Lot Boundary**

You may or may not own the walls, floor or ceiling of your lot. The boundary of your lot will impact your insurance obligations and changes you can make to your lot. The strata plan attached to this form should include a statement about whether or not you own your walls, floor or ceiling. You should also check your by-laws to see if the lot boundaries have been varied from the plan at all.

A COPY OF THE STRATA PLAN IS ATTACHED.

A COPY OF THE SCHEDULE OF UNIT ENTITLEMENT IS ATTACHED.

**The Common Property**

The common property is everything on the strata plan which is not marked as a lot, and potentially includes your walls, floor or ceiling (see lot boundary above). The common property is jointly owned by all the lot owners as tenants in common. This means that you will own a share of the common property proportionate to the unit entitlement of your lot. The Strata Company may have given a particular person or group of people special rights over some or all of the common property.

- Has the Strata Company -
  - □ Granted any right to an owner or other person over the common property [ ]
    (including right of exclusive-use, lease, license, special privilege etc.) YES [ ] NO [ ]

For details about which areas of common property have been granted to a particular person and who those people are, you should read through the by-laws and strata plan attached to this statement.
What is the cost of owning this lot?

Levies / Contributions

You will be accountable to pay a contribution (often called a ‘levy’) to the strata company. Your levy will go towards expenses for maintaining the scheme such as day-to-day running expenses including cleaning, gardening, insurance premiums, strata manager costs and repairs to the common property. Annual levies may increase over time as maintenance costs increase. Your scheme may also have a reserve fund for major expenses such as major repairs to the building, roof or painting. If there are any sudden major expenses to the scheme you may be required to pay an additional one-off ‘special levy’. The unit entitlement of your lot will be used to calculate what percentage of the levies you pay in relation to other owners (unless your scheme has passed a by-law which may affect this).

- The scheme has an administrative fund  
  YES [ ]  NO [ ]

- Current amount in the administrative fund  
  $.................................

- Current annual administrative fund levy payable by this lot  
  $.................................

- The scheme has a reserve fund  
  YES [ ]  NO [ ]

- Current amount in the reserve fund  
  $.................................

- Current annual reserve fund levy payable by this lot  
  $.................................

- The TOTAL current annual levy payable by this lot  
  $.................................

- Payable in instalments of $................. *annually / half yearly / quarterly / other (specify) .......
  (*Delete whichever is inapplicable)

If there are any amounts outstanding against the strata lot you are considering, you will become responsible for paying these if you buy the property. However, outstanding amounts are typically paid out prior to settlement. You can find out exactly how much is owing to the Strata Company in a Strata Company certificate (sometimes called a ‘section 43 certificate’). It is recommended that you do this, or make sure your settlement agent does this, prior to settlement so that any adjustments can be made.

The levies you pay to the Strata Company will be spent on maintenance, services, insurance and other scheme requirements. The levies are based on the annual budget for the scheme. The annual budget must be presented at every Annual General Meeting (AGM) of the Strata Company (s47(2)(e)). You should read the budget as it will show you what the scheme spends its money on and what sort of service and maintenance you may get. You should also read the meeting minutes as these will give you a ‘snap shot’ of the strata and highlight any issues or proposed changes.
What are the rules I will have to follow?

By-Laws

The by-laws for the scheme are the rules you will have to live by. You should read these before you sign because they will dictate what you can and can’t do, for example whether you can keep a pet and what changes you can make to your lot.

The by-laws for the scheme are one of the following:

□ The default by-laws (found in schedule 1 & 2 STA) YES [ ] NO [ ] OR
□ The default by-laws with amendments YES [ ] NO [ ] OR
□ A strata management statement (including any amendments) YES [ ] NO [ ]

Note in the case of amendments to the default by-laws or the management statement; you must receive a copy of any amendments which have been registered as well as any unregistered amendments which are less than 3 months old.

A COPY OF THE BY-LAWS IS ATTACHED

What are my insurance obligations?

The Strata Company is usually responsible for maintaining insurance over the common property. The common property will be shown on the plan and may or may not include the walls, floor and ceiling (depending on whether your lot stops at the interior or exterior surface, see ‘Lot Boundary’ above). The common property may also include the fixtures in your lot; you should check whether this is the case with the vendor or their agent. If your Strata Company has opted not to take out insurance over the common property, the common property may either be uninsured or you as an individual owner may be responsible for insurance. You may want to consider the implications of buying into an uninsured or underinsured scheme. You should insure anything which is not required to be insured by the Strata Company.

□ Is the Strata Company responsible for insuring the building? YES [ ] NO [ ]
You can obtain a s43 Strata Company certificate which will provide the details of the insurance policies that the Strata Company maintains. The scheme may have taken out insurance above the minimum requirements. You should check whether your scheme has taken out sufficient insurance. Please read Landgate’s ‘A guide to strata titles’ for information about the insurance obligations on the Strata Company and the owners, as well as what you can do if your scheme is not insured.

**Am I buying into a Staged Strata Development?**

A staged strata development is where a portion of the strata scheme is set aside to be developed in the future. Usually this will mean that as each ‘stage’ is completed the construction or work on the next stage will begin.

If the lot is part of an incomplete staged strata development the vendor must supply you with a copy of the developer disclosure document. The developer disclosure document will show what the developer is planning to build and how many ‘stages’ there are in the development. There may be some changes to the planned development as it progresses and the final construction may vary from what is in the developer disclosure document. Be aware there may also be some disruption to occupants while construction activities continue.

| Is the lot part of a continuing staged strata development | YES [ ] | NO [ ] |

**Variations and Termination of the Contract**

If there are changes to some parts of this information after you sign the contract for the lot, the vendor must tell you. These include changes to the by-laws, the strata plan, any service agreements, your unit entitlement and any rights in relation to the common property.

You may have the right to terminate this contract in certain circumstances. This may be where the vendor does not supply you with relevant disclosure, the relevant disclosure is supplied late, or any variations to the initial disclosure cause you material prejudice. You will not have the right to terminate in every instance. You may want to consider seeking advice in this situation.
Where can I get further information about the scheme?

The Strata Company can give you additional information about the lot and scheme under s43 of the *Strata Titles Act 1985*. The vendor must authorise you to apply to the Strata Company or its agent for further information. An application form which authorises you or your agent to apply to the Strata Company is attached to this form. It is recommended that you or your agent obtain this information before you sign the contract.

What can you request from the Strata Company?

- A s43 Strata Company Certificate
- Access to or copies of Strata Company documents
- Executive and council member details (including the president, secretary and treasurer)

Contact for requesting additional information -

*Strata Company OR Strata Managing Agent .................................................................
(*Delete whichever is inapplicable)

Contact Person (if known) ...........................................................................................................

Telephone ........................................... Email ............................................................ Fax ...................................

Address ...........................................................................................................................................

Purchasers Checklist

☐ Do you know you will be part of a strata company?
☐ What is your unit entitlement?
☐ Do you know the boundary of your lot?
☐ Are there any parts of the common property you can / can’t use?
☐ What are your levies?
☐ Does the strata have a strata manager or a caretaker?
☐ Do you know what your by-laws are?
☐ Are there any restrictions on your lot that might cause you problems?
☐ What insurance will you need to take out?
☐ Are you part of a staged strata development?
Vendor’s Checklist

What needs to be highlighted to the purchaser on the plan (s69A(b) STA)

☐ Any exclusive-use by-laws affecting the lot
☐ Any part lots attached to the lot (for example parking spaces and storage areas)
☐ Any easements over the lot
☐ Any rights of way running through the lot
☐ Where the boundary line of the lot is (in built strata whether or not this includes the walls, floor and ceiling surrounding the lot)
☐ Any other aspect affecting the lot

Vendor’s Certification

Vendor

I/We, the Vendor(s) of the above lot(s), hereby certify that the notifiable information in relation to the Strata lot as described in this form has been supplied to the prospective purchaser before the offer or contract to purchase this property was signed by the purchaser as required by section 69 of the Strata Titles Act 1985.

Vendor(s) signature(s) ……………………………………………………………………………………………………………………………
Date …………………………………………………………………………………………………………………………………………………

Vendors agent

I, ……………………………………………………………………………………………………………………… [name of agent], of ……………………………………………………………………………………………………………………… [name of firm] the agent for the above lot(s) hereby certify that the notifiable information in relation to the Strata lot as described in this form has been supplied to the prospective purchaser before the offer or contract to purchase this property was signed by the purchaser as required by section 69 of the Strata Titles Act 1985.

Vendor’s agent signature(s) ……………………………………………………………………………………………………………………………
Date …………………………………………………………………………………………………………………………………………………

Purchaser’s Acknowledgement

Prospective purchaser

I/We, the prospective purchaser(s) of the above lot(s), acknowledge that *I/we have received notifiable information in respect of the lot described in Part 1 of this form and understand that the disclosure given by the vendor(s) or by the selling agent is not an offer or a contract to purchase a strata titled lot, but only provides information to *me/us.

Prospective purchaser(s) signature(s) ……………………………………………………………………………………………………………………………
Date …………………………………………………………………………………………………………………………………………………
APPLICATION TO STRATA COMPANY FOR INFORMATION UNDER S43

Strata Titles Act 1985


CONTACT DETAILS FOR THE * STRATA COMPANY / STRATA MANAGING AGENT

Contact Person ____________________________________________________________
Telephone ___________________ Email ________________________________ Fax __________
Address ___________________________________________________________________

LOT DETAILS

Lot ___________________ on *strata/survey-strata plan no. ______________________________
Street address of lot _______________________________________________________________
Name of Scheme (Building) __________________________________________________________________

AUTHORISATION BY REGISTERED PROPRIETOR OR MORTGAGEE OF THE LOT

*I/we ___________________________________________ the *registered proprietor / mortgagee of the above lot, authorise the below named person and/or their agent to obtain the strata scheme information and records of the Strata Company of which the above lot is a part, available under s43.

SIGNED BY the*registered proprietor / mortgagee _______________________________________

(*Delete whichever is inapplicable)

AUTHORISED PERSON

Authorised Persons name ____________________________________________________________
Authorised persons agent ____________________________________________________________

FEES

Strata Company Certificate $100
Access to Strata Company documents $40
Copies of Strata Company documents $40 for the first 5 pages and $1 for each additional page
Executive and council member details $10
Strata Titles Act 1985 — Form 28(B)
Statement by Vendor
Sale of Strata Lot by Original Owner

When must you receive this form?

The vendor or their agent must give you this information BEFORE you enter into a contract to purchase the lot.

This statement applies to a lot which is part of a BUILT STRATA SCHEME. You must receive a copy of this form if you are buying the lot from the ORIGINAL PROPRIETOR and one of the following applies:

- □ You are buying OFF-THE-PLAN (before the strata plan is registered) YES [ ] NO [ ]
- □ The first Annual General meeting (AGM) has not been held YES [ ] NO [ ]
- □ The original proprietor still owned 50% OR MORE of the lots or unit entitlement YES [ ] NO [ ]

You should read the information incorporated in this statement as it —

- identifies the lot which you are proposing to purchase; and
- sets out what your rights and obligations will be in relation to the lot and common property if you go ahead with the purchase.

WARNING If you are uncertain about any matter mentioned below you should obtain independent advice from a lawyer or other expert BEFORE signing an offer to purchase or sell or entering into a contract to purchase a strata titled lot.

What is Strata?

You’ve been given this form because you’re thinking of buying a strata title lot. There are advantages in owning a property in a strata scheme but there are also extra responsibilities. When you buy a strata lot you are becoming part of a community. You get a say in how that community is run and how much money is spent on running it, but you also have responsibilities. These responsibilities include abiding by the rules of the strata (often called by-laws), voting at the Annual General Meeting and contributing towards the community funds. If you intend to have tenants in the property, then they too have to abide by the rules. You may also choose to be part of the council of owners, which is the committee which makes decisions about the running of the strata. You should be aware that a strata titled scheme can be ended by agreement amongst the owners or through a court or SAT order. This form gives you an idea of what’s involved.
Where can I get further information?

This form discloses key information you need to know before buying a strata lot. For further information please see Landgate’s *A Guide to Strata Titles*. The guide is available on the Landgate website at [www.read-me.com](http://www.read-me.com).

This form authorises you to apply to the Strata Company for additional information. It is recommended that you do so as the information may clarify your obligations and how you can use your lot. There is a fee for the information from the Strata Company.

If you are using the standard REIWA Contract for Sale of Land or Strata Title by Offer and Acceptance (including the Joint Form of General Conditions for the Sale of Land) in the purchase of this property you should also carefully read through clause 10 which deals specifically with strata title and relates to warranties that the vendor makes.

Attachments

Attached to this form are copies of –

1. The strata plan
2. The schedule of unit entitlement
3. Any disposition of the common property
4. A 12 month estimate of scheme receipts and expenses
5. A copy of the minutes of the most recent annual general meeting (if applicable*)
6. The by-laws (rules) for the scheme
7. Copies or details of any agreement(s) or contract(s) for service
8. Details of the vendor’s pecuniary interest in those agreements or contract(s)
9. The developer disclosure document (if applicable**)
10. An application form for further information from the strata company

* See page 3 if your scheme has 5 lots or less, or page 7 if you are buying off-the-plan
** see page 7 if you are buying into a staged strata development

The information in this statement is believed to be correct as at __________ / __________ / 20________
Parties

Vendor(s) name ………………………………………………………………………………………………………………………………………………..
Vendors Address(es) ………………………………………………………………………………………………………………………………………………..

Prospective purchaser(s) name ………………………………………………………………………………………………………………………………………
Prospective Purchaser(s) address ………………………………………………………………………………………………………………………………………

What am I buying?

You are buying a strata title lot AND a share in the common property. You will own the lot outright and will have joint management and ownership of the common property with the other owners in the scheme. There is a unit entitlement attached to your lot which dictates how much of the common property you will own.

The Lot

The Lot

This is a strata title lot. The lot is shown on the strata plan. There may also be ‘part lot’s’ such as parking spaces and storage which are sold with the lot. You should check whether parking spaces etc. are shown as part lots on the plan or are exclusive use rights only. The vendor or their agent will identify the lot on the plan as well as any information which relates especially to the lot.

The Unit Entitlement

There will also be a ‘unit entitlement’ for your lot. The unit entitlement shows what proportion of the scheme your lot makes up. The unit entitlement is usually based on the market value of the lot compared with the market value of other lots in the scheme (unless the scheme has passed a by-law to vary this). For example what floor your unit is on, the view and size of your lot. The unit entitlement will be used to calculate how much you must pay in levies and what your share is in the common property. The unit entitlement is shown in a schedule to the strata plan.

Lot ……………………………………………………………. on strata plan No. ………………………………………………………………………………………………………………………………..
Street address ………………………………………………………………………………………………………………………………………………………………..
Name of Scheme (Building) ………………………………………………………………………………………………………………………………………………………………..
Unit Entitlement for the Lot …………… Aggregate (Total) Unit Entitlement for the scheme ……………………………………………………………………………………………………………………..
Number of lots in the scheme ………………………………………………………………………………………………………………………………………………………………..

Where the lot is sold off-the-plan (before the plan is registered) the above refers to a proposed lot on a proposed strata plan, and the proposed unit entitlement.
If the scheme has **5 lots or less** the Strata Company may not keep certain records.

**If your scheme has 2 lots**

The Strata Company is automatically exempt from keeping some financial records including books of account, statement of accounts, details about an administrative fund, a roll of proprietors or meeting minutes. However, your scheme may still keep these records if the Strata Company has passed a by-law to do so. You should read the by-laws attached to this form to find out.

**If your scheme has 3, 4 or 5 lots**

The Strata Company is not automatically exempt from keeping records but the Strata Company may pass a by-law to exempt itself from keeping some financial records including, books of account, statement of accounts, details about an administrative fund, a roll of proprietors or meeting minutes. You should read the by-laws attached to this form to find out whether they have done so.

**Lot Boundary**

You may or may not own the walls, floor or ceiling of your lot. The boundary of your lot will impact your insurance obligations and changes you can make to your lot. The strata plan attached to this form should include a statement about whether or not you own your walls, floor or ceiling. You should also check your by-laws to see if the lot boundaries have been varied from the plan at all.

A COPY OF THE *STRATA PLAN / PROPOSED STRATA PLAN IS ATTACHED

(*Delete whichever is inapplicable)

A COPY OF THE *SCHEDULE / PROPOSED SCHEDULE OF UNIT ENTITLEMENT IS ATTACHED

(*Delete whichever is inapplicable)

**The Common Property**

The common property is everything on the strata plan **which is not marked as a lot**, and potentially includes your walls, floor or ceiling (see lot boundary above). The common property is jointly owned by all the lot owners as tenants in common. This means that you will own a share of the common property proportionate to the unit entitlement of your lot. The Strata Company may have given a particular person or group of people special rights over some or all of the common property.

Has the Strata Company or Original Proprietor -

- [ ] **Granted any right to an owner or other person over the common property**
  - (including right of exclusive-use, lease, license, special privilege etc.)

IF SO A *COPY OR DETAILS OF EVERY SUCH AGREEMENT IS ATTACHED

(*Delete whichever is inapplicable)
What is the cost of owning this lot?

Levies / Contributions

You will be accountable to pay a contribution (often called a ‘levy’) to the strata company. Your levy will go towards expenses for maintaining the scheme such as day-to-day running expenses including cleaning, gardening, insurance premiums, strata manager costs and repairs to the common property. Annual levies may increase over time as maintenance costs increase. Your scheme may also have a reserve fund for major expenses such as major repairs to the building, roof or painting. If there are any sudden major expenses to the scheme you may be required to pay an additional one-off ‘special levy’. The unit entitlement of your lot will be used to calculate what percentage of the levies you pay in relation to other owners (unless your scheme has passed a by-law which may affect this).

- The scheme has an administrative fund [YES] [NO]
- Current amount in the administrative fund $…………………………
- Current annual administrative fund levy payable by this lot $…………………………
- The scheme has a reserve fund [YES] [NO]
- Current amount in the reserve fund $…………………………
- Current annual reserve fund levy payable by this lot $…………………………
- The TOTAL current annual levy payable by this lot $…………………………
- Payable in instalments of $……………….. *annually / half yearly / quarterly / other (specify) ……..
  (*Delete whichever is inapplicable)

Where the lot is sold off-the-plan (before the plan is registered) the above refers to a proposed administrative fund, proposed reserve fund and proposed levies.

ATTACHED IS A 12 MONTH ESTIMATE OF THE RECEIPTS AND EXPENDITURE OF THE STRATA COMPANY BEGINNING FROM THE POINT OF

- Registration of the strata plan Date ……………….. OR
- The first annual general meeting of the Strata Company Date ……………….. OR
- The date of settlement designated in the contract Date ……………….. / TBA

The vendor warrants that the levies listed above are realistic and appropriate for the short term and long term maintenance costs of the scheme and have not been understated.
What are the rules I will have to follow?

By-Laws

The by-laws for the scheme are the rules you will have to live by. You should read these before you sign because they will dictate what you can and can’t do, for example whether you can keep a pet and what changes you can make to your lot.

The by-laws for the scheme are one of the following:

- The default by-laws (found in schedule 1 & 2 STA)
- The default by-laws with amendments
- A strata management statement (including any amendments)

Note in the case of amendments to the default by-laws or the management statement; you must receive a copy of any amendments which have been registered as well as any unregistered amendments which are less than 3 months old.

A COPY OF THE BY-LAWS IS ATTACHED

What are my insurance obligations?

The Strata Company is usually responsible for maintaining insurance over the common property. The common property will be shown on the plan and may or may not include the walls, floor and ceiling (depending on whether your lot stops at the interior or exterior surface, see ‘Lot Boundary’ above). The common property may also include the fixtures in your lot; you should check whether this is the case with the vendor or their agent. If your Strata Company has opted not to take out insurance over the common property, the common property may either be uninsured or you as an individual owner may be responsible for insurance. You may want to consider the implications of buying into an uninsured or underinsured scheme. You should insure anything which is not required to be insured by the Strata Company.

Is the Strata Company responsible for insuring the building? 

The scheme may have taken out insurance above the minimum requirements. You should check whether your scheme has taken out sufficient insurance. Please read Landgate’s ‘A guide to strata titles’ for information about the

ATTACHED IS A COPY OF THE MINUTES OF THE MOST RECENT ANNUAL GENERAL MEETING *IF APPLICABLE.*
insurance obligations on the Strata Company and the owners, as well as what you can do if your scheme is not insured.

Are there any service contracts in place?

The Strata Company or original proprietor may have entered into agreement(s) or contract(s) for services to the scheme.

<table>
<thead>
<tr>
<th>Has the Strata Company or original proprietor on behalf of the scheme</th>
</tr>
</thead>
<tbody>
<tr>
<td>entered into any contract or agreement for service or amenity</td>
</tr>
<tr>
<td>proposing to enter into any contract or agreement for service or amenity</td>
</tr>
<tr>
<td>Does the original proprietor have any direct (or indirect) pecuniary interest in the above contracts or agreements, other than as a proprietor of a lot</td>
</tr>
</tbody>
</table>

A COPY OF ANY SUCH EXISTING OR PROPOSED AGREEMENT OR CONTRACT IS ATTACHED
A COPY OF ANY PECUNIARY INTEREST IN ANY SUCH AGREEMENT OR CONTRACT IS ATTACHED

Am I buying into a Staged Strata Development?

A staged strata development is where a portion of the strata scheme is set aside to be developed in the future. Usually this will mean that as each ‘stage’ is completed the construction or work on the next stage will begin.

If the lot is part of an incomplete staged strata development the vendor must supply you with a copy of the developer disclosure document. The developer disclosure document will show what the developer is planning to build and how many ‘stages’ there are in the development. There may be some changes to the planned development as it progresses and the final construction may vary from what is in the developer disclosure document. Be aware there may also be some disruption to occupants while construction activities continue.

| Is the lot part of a continuing staged strata development | YES [ ] NO [ ] |

IF SO, A COPY OF THE DEVELOPER DISCLOSURE DOCUMENT IS ATTACHED
Am I buying before the Strata Plan is Registered (Off-the-Plan)?

If the strata plan for the lot(s) you are interested in has not yet been registered, it is recommended that you undertake additional research into the lot before you sign the contract. There are added risks in buying a lot for which the plan has not yet been registered. The vendor may still have to apply for approval(s) in relation to the scheme before development is able to commence or be completed. These approvals may impact how long the development takes, and whether any changes must be made to the design of the scheme and potentially the lot you are interested in.

If you buy off-the-plan, the vendor must register the strata plan at Landgate within 6 months of the date you sign the contract (unless the contract outlines another period for the original proprietor to register the plan). Any deposit you pay when you buy a lot off-the-plan must be held in trust for you until the strata plan is registered. Once the plan is registered the vendor can access the deposit even if construction isn’t completed yet (unless there is a term in the contract to prevent this).

If the plan has not yet been registered have the following approvals been granted

☐ Subdivision approval  
YES [ ]  NO [ ]

☐ Development approval  
YES [ ]  NO [ ]

☐ Are there any reviews in relation to the approvals  
YES [ ]  NO [ ]

Please read Department of Commerce; Consumer Protection brochure ‘Buying land or property off-the-plan’ for information about the risks and benefits of buying a lot before the plan has been registered. This is available online via the Department of Commerce website www.readme.com.

Variations and Termination of the Contract

If there are changes to some parts of this information after you sign the contract for the lot, the vendor must tell you. These include changes to the by-laws, the strata plan, any service agreements, your unit entitlement and any rights in relation to the common property.

You may have the right to terminate this contract in certain circumstances. This may be where the vendor does not supply you with relevant disclosure, the relevant disclosure is supplied late, or any variations to the initial disclosure cause you material prejudice. You will not have the right to terminate in every instance. You may want to consider seeking advice in this situation.
Where can I get further information about the scheme?

The Strata Company can give you additional information about the lot and scheme under s43 of the *Strata Titles Act 1985*. The vendor must authorise you to apply to the Strata Company or its agent for further information. An application form which authorises you or your agent to apply to the Strata Company is attached to this form. It is recommended that you or your agent obtain this information before you sign the contract.

What can you request from the Strata Company?

- A s43 Strata Company Certificate and/or
- Access to or copies of Strata Company documents and/or
- Executive and council member details (including the president, secretary and treasurer)

Contact for requesting additional information -

*Strata Company OR Strata Managing Agent .................................................................

(*Delete whichever is inapplicable)

Contact Person (if known) ........................................................................................................

Telephone ........................................... Email ......................................................... Fax ...................................

Address ................................................................................................................................

Purchasers Checklist

- Do you know you will be part of a strata company?
- What is your unit entitlement?
- Do you know the boundary of your lot?
- Are there any parts of the common property you can / can’t use?
- What are your levies?
- Does the strata have a strata manager or a caretaker?
- Do you know what your by-laws are?
- Are there any restrictions on your lot that might cause you problems?
- What insurance will you need to take out?
- Are you part of a staged strata development?
**Vendor’s Checklist**

What needs to be highlighted to the purchaser on the plan (s69A(b) STA)

- [ ] Any exclusive-use by-laws affecting the lot
- [ ] Any part lots attached to the lot (for example parking spaces and storage areas)
- [ ] Any easements over the lot
- [ ] Any rights of way running through the lot
- [ ] Where the boundary line of the lot is (in built strata whether or not this includes the walls, floor and ceiling surrounding the lot)
- [ ] Any other aspect affecting the lot

---

**Vendor’s Certification**

**Vendor**

I/We, the Vendor(s) of the above lot(s), hereby certify that the notifiable information in relation to the Strata lot as described in this form has been supplied to the prospective purchaser before the offer or contract to purchase this property was signed by the purchaser as required by section 69 of the *Strata Titles Act 1985*.

Vendor(s) signature(s) ………………………………………………………………………………………………………………………………………………

Date ………………………………………………………………………………………………………………………………………………

**Vendors agent**

I, ……………………………………………………………………………………………………………………………………………… [name of agent], of ……………………………………………………………………………………………………………………………………………… [name of firm] the agent for the above lot(s) hereby certify that the notifiable information in relation to the Strata lot as described in this form has been supplied to the prospective purchaser before the offer or contract to purchase this property was signed by the purchaser as required by section 69 of the *Strata Titles Act 1985*.

Vendor’s agent signature(s) ………………………………………………………………………………………………………………………………………………

Date ………………………………………………………………………………………………………………………………………………

---

**Purchaser’s Acknowledgement**

**Prospective purchaser**

I/We, the prospective purchaser(s) of the above lot(s), acknowledge that "I/we have received notifiable information in respect of the lot described in Part 1 of this form and understand that the disclosure given by the vendor(s) or by the selling agent is not an offer or a contract to purchase a strata titled lot, but only provides information to "me/us.

Prospective purchaser(s) signature(s) ………………………………………………………………………………………………………………………………………………

Date ………………………………………………………………………………………………………………………………………………

---
APPLICATION TO STRATA COMPANY FOR INFORMATION UNDER S43

Strata Titles Act 1985


CONTACT DETAILS FOR THE * STRATA COMPANY / STRATA MANAGING AGENT

Contact Person ____________________________________________________________

Telephone __________________ Email __________________________ Fax ______________

Address ______________________________________________________________________

LOT DETAILS

Lot __________________ on *strata/survey-strata plan no. ____________________________

Street address of lot ____________________________________________________________

Name of Scheme (Building) ______________________________________________________

AUTHORISATION BY REGISTERED PROPRIETOR OR MORTGAGEE OF THE LOT

*I/we _____________________________ the *registered proprietor / mortgagee

of the above lot, authorise the below named person and/or their agent to obtain the strata scheme

information and records of the Strata Company of which the above lot is a part, available under s43.

SIGNED BY the*registered proprietor / mortgagee ______________________________________

(*Delete whichever is inapplicable)

AUTHORISED PERSON

Authorised Persons name _________________________________________________________

Authorised persons agent ________________________________________________________

FEES

Strata Company Certificate $100

Access to Strata Company documents $40

Copies of Strata Company documents $40 for the first 5 pages and

$1 for each additional page

Executive and council member details $10

Sale of Strata Lot by Original owner
When must you receive this form?

The vendor or their agent must give you this information BEFORE you enter into a contract to purchase the lot.

This statement applies to a lot which is part of a SURVEY-STRATA SCHEME and must be completed by every vendor who is not the original owner of the lot.

You should read the information incorporated in this statement as it —

- identifies the lot which you are proposing to purchase; and
- sets out what your rights and obligations will be in relation to the lot and common property if you go ahead with the purchase.

WARNING If you are uncertain about any matter mentioned below you should obtain independent advice from a lawyer or other expert BEFORE signing an offer to purchase or sell or entering into a contract to purchase a strata titled lot.

What is Survey-Strata?

You’ve been given this form because you’re thinking of buying a survey-strata lot.

There are advantages in owning a property in a strata scheme but there are also extra responsibilities. When you buy a survey-strata lot you are becoming part of a community. You get a say in how that community is run and how much money is spent on running it, but you also have responsibilities. These responsibilities include abiding by the rules of the strata (often called by-laws), voting at the Annual General Meeting and contributing towards the community funds. If you intend to have tenants in the property, then they too have to abide by the rules. You may also choose to be part of the council of owners, which is the committee which makes decisions about the running of the strata. You should be aware that a strata titled scheme can be ended by agreement amongst the owners or through a court or SAT order.

This form gives you an idea of what’s involved.
**Where can I get further information?**

This form discloses key information you need to know before buying a strata lot. For further information please see Landgate’s *A Guide to Strata Titles*. The guide is available on the Landgate website at [www.read-me.com](http://www.read-me.com).

This form authorises you to apply to the Strata Company for additional information. It is recommended that you do so as the information may clarify your obligations and how you can use your lot. There is a fee for the information from the Strata Company.

If you are using the standard REIWA Contract for Sale of Land or Strata Title by Offer and Acceptance (including the Joint Form of General Conditions for the Sale of Land) in the purchase of this property you should also carefully read through clause 10 which deals specifically with strata title and relates to warranties that the vendor makes.

**Attachments**

Attached to this form are copies of -

1. The survey-strata plan Attachment No __________
2. The schedule of unit entitlement Attachment No __________
3. A copy of the most recent budget for the scheme (s47(2)(e)) Attachment No __________
4. A copy of the minutes of the most recent annual general meeting (if applicable*) Attachment No __________
5. The by-laws (rules) for the scheme Attachment No __________
6. The developer disclosure document (if applicable**) Attachment No __________
7. An application form for further information from the strata company Attachment No __________

* See page 3 if your scheme has 5 lots or less

**See page 7 if you are buying into a staged strata development

The information in this statement is believed to be correct as at __________ / __________ / 20_________
Parties

Vendor(s) name ...............................................................................................................................................................................................................
Vendors Address(es) ........................................................................................................................................................................................................................................

Prospective purchaser(s) name .............................................................................................................................................................................................................
Prospective Purchaser(s) address ........................................................................................................................................................................................................................................

What am I buying?

You are buying a strata title lot AND a share in the common property.

You will own the lot outright and will have joint management and ownership of the common property with the other owners in the scheme. There is a unit entitlement attached to your lot which dictates how much of the common property you will own.

The Lot

This is a survey-strata title lot. The lot is shown on the survey-strata plan. There may also be ‘part lot’s’ such as parking spaces and storage which are sold with the lot. The vendor or their agent will identify the lot on the plan as well as any information which relates especially to the lot.

The Unit Entitlement

There will also be a ‘unit entitlement’ for your lot. The unit entitlement shows what proportion of the scheme your lot makes up. The unit entitlement is usually based on the market value of the lot compared with the market value of other lots in the scheme (unless the scheme has passed a by-law to vary this). The unit entitlement will be used to calculate how much you must pay in levies and what your share is in the common property. The unit entitlement is shown in a schedule to the survey-strata plan.

Lot ................................................ on survey-strata plan No. .................................................................
Street address ........................................................................................................................................................................................................................................
Name of Scheme (Building) ........................................................................................................................................................................................................................................
Unit Entitlement for the Lot ............... Aggregate (Total) Unit Entitlement for the scheme........................
Number of lots in the scheme ........................................................................................................................................................................................................................................
If the scheme has **5 lots or less** the Strata Company may not keep certain records.

**If your scheme has 2 lots**
The Strata Company is automatically exempt from keeping some financial records including books of account, statement of accounts, details about an administrative fund, a roll of proprietors or meeting minutes. However, your scheme may still keep these records if the Strata Company has passed a by-law to do so. You should read the by-laws attached to this form to find out.

**If your scheme has 3, 4 or 5 lots**
The Strata Company is not automatically exempt from keeping records but the Strata Company may pass a by-law to exempt itself from keeping some financial records including, books of account, statement of accounts, details about an administrative fund, a roll of proprietors or meeting minutes. You should read the by-laws attached to this form to find out whether they have done so.

**Lot Boundary**
You will own your lot up to the lot boundary shown on the survey-strata plan. The boundary of your lot will impact your insurance obligations and amendments you can make to your lot. You may or may not be responsible for the fences surrounding your property. You should check the by-laws to confirm whether or not the Strata Company has responsibility for the fences. The *Dividing Fences Act 1961* will still apply to your lot, subject to the by-laws of the scheme (*Strata Titles Act 1985* section 123B).

A COPY OF THE SURVEY STRATA PLAN IS ATTACHED.

A COPY OF THE SCHEDULE OF UNIT ENTITLEMENT IS ATTACHED.

**The Common Property**
The common property will be marked on the plan as a *common property lot*. There may also be common property such as fences and any building on the common property lot. The common property is jointly owned by all the lot owners as tenants in common. This means that you will own a share of the common property proportionate to the unit entitlement of the lot. The Strata Company may have given a particular person or group of people special rights over some or all of the common property.

<table>
<thead>
<tr>
<th>Has the Strata Company -</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ Granted any right to an owner or other person over the common property (including right of exclusive-use, lease, license, special privilege etc.) YES [ ] NO [ ]</td>
</tr>
</tbody>
</table>

For details about which areas of common property have been granted to a particular person and who those people are, you should read through the by-laws and survey-strata plan attached to this statement.
What is the cost of owning this lot?

Levies / Contributions

You will be accountable to pay a contribution (often called a ‘levy’) to the strata company. Your levy will go towards expenses for maintaining the scheme such as day-to-day running expenses including cleaning, gardening, insurance premiums, strata manager costs and repairs to the common property. Annual levies may increase over time as maintenance costs increase. Your scheme may also have a reserve fund for major expenses such as major repairs to the building, roof or painting. If there are any sudden major expenses to the scheme you may be required to pay an additional one-off ‘special levy’. The unit entitlement of your lot will be used to calculate what percentage of the levies you pay in relation to other owners (unless your scheme has passed a by-law which may affect this).

- The scheme has an administrative fund
- Current amount in the administrative fund
- Current annual administrative fund levy payable by this lot
- The scheme has a reserve fund
- Current amount in the reserve fund
- Current annual reserve fund levy payable by this lot
- The TOTAL current annual levy payable by this lot

Payable in instalments of $........................................... annually / half yearly / quarterly / other (specify) ........

(*Delete whichever is inapplicable)

If there are any amounts outstanding against the survey-strata lot you are considering, you will become responsible for paying these if you buy the property. However, outstanding amounts are typically paid out prior to settlement. You can find out exactly how much is owing to the Strata Company in a Strata Company certificate (sometimes called a ‘section 43 certificate’). It is recommended that you do this, or make sure your settlement agent does this, prior to settlement so that any adjustments can be made.

The levies you pay to the Strata Company will be spent on maintenance, services, insurance and other scheme requirements. The levies are based on the annual budget for the scheme. The annual budget must be presented at every Annual General Meeting (AGM) of the Strata Company (s47(2)(e)). You should read the budget as it will show you what the scheme spends its money on and what sort of service and maintenance you may get. You should also read the meeting minutes as these will give you a ‘snap shot’ of the scheme and highlight any issues or proposed changes.
A COPY OF THE MOST RECENT SCHEME BUDGET IS ATTACHED

A COPY OF THE MINUTES OF THE MOST RECENT ANNUAL GENERAL MEETING IS ATTACHED (WHERE APPLICABLE)

What are the rules I will have to follow?

By-Laws

The by-laws for the scheme are the rules you will have to live by. You should read these before you sign because they will dictate what you can and can’t do, for example whether you can keep a pet and what changes you can make to your lot.

The by-laws for the scheme are one of the following:

- The default by-laws (found in schedule 1 & 2 STA)
- The default by-laws with amendments
- A strata management statement (including any amendments)

Note in the case of amendments to the default by-laws or the management statement; you must receive a copy of any amendments which have been registered as well as any unregistered amendments which are less than 3 months old.

What are my insurance obligations?

The Strata Company is usually responsible for maintaining insurance over the common property. The common property will be shown on the plan as a common property lot. There may also be fences and other areas which are common property. If your Strata Company has opted not to take out insurance over the common property, the common property may either be uninsured or you as an individual owner may be responsible for insurance. You may want to consider the implications of buying into an uninsured or underinsured scheme. You should insure anything which is not required to be insured by the Strata Company.

You can obtain a s43 Strata Company certificate which will provide the details of the insurance policies that the Strata Company maintains. The scheme may have taken out insurance above the minimum requirements. You should check whether your scheme has taken out sufficient insurance. Please read Landgate’s ‘A guide to strata titles’ for information about the insurance obligations on the Strata Company and the owners, as well as what you can do if your scheme is not insured.
Am I buying into a Staged Strata Development?

A staged strata development is where a portion of the strata scheme is set aside to be developed in the future. Usually this will mean that as each ‘stage’ is completed the construction or work on the next stage will begin.

If the lot is part of an incomplete staged strata development the vendor must supply you with a copy of the developer disclosure document. The developer disclosure document will show what the developer is planning to build and how many ‘stages’ there are in the development. There may be some changes to the planned development as it progresses and the final construction may vary from what is in the developer disclosure document. Be aware there may also be some disruption to occupants while construction activities continue.

Is the lot part of a continuing staged strata development

YES [ ] NO [ ]

IF SO, A COPY OF THE DEVELOPER DISCLOSURE DOCUMENT IS ATTACHED

Variations and Termination of the Contract

If there are changes to some parts of this information after you sign the contract for the lot, the vendor must tell you. These include changes to the by-laws, the survey-strata plan, any service agreements, your unit entitlement and any rights in relation to the common property.

You may have the right to terminate this contract in certain circumstances. This may be where the vendor does not supply you with relevant disclosure, the relevant disclosure is supplied late, or any variations to the initial disclosure cause you material prejudice. You will not have the right to terminate in every instance. You may want to consider seeking advice in this situation.

Where can I get further information about the scheme?

The Strata Company can give you additional information about the lot and scheme under s43 of the Strata Titles Act 1985. The vendor must authorise you to apply to the Strata Company or its agent for further information. An application form which authorises you or your agent to apply to the Strata Company is attached to this form. It is recommended that you or your agent obtain this information before you sign the contract.

What can you request from the Strata Company?

- A s43 Strata Company Certificate and/or
- Access to or copies of Strata Company documents and/or
- Executive and council member details (including the president, secretary and treasurer)
Contact for requesting additional information -

*Strata Company OR Strata Managing Agent

(*Delete whichever is inapplicable)

Contact Person (if known)

Telephone Email Fax

Address

Purchasers Checklist

☐ Do you know you will be part of a strata company?
☐ What is your unit entitlement?
☐ Do you know the boundary of your lot?
☐ Are there any parts of the common property you can / can’t use?
☐ What are your levies?
☐ Does the strata have a strata manager or a caretaker?
☐ Do you know what your by-laws are?
☐ Are there any restrictions on your lot that might cause you problems?
☐ What insurance will you need to take out?
☐ Are you part of a staged strata development?

Vendor’s Checklist

What needs to be highlighted to the purchaser on the plan (s69A(b) STA)

☐ Any exclusive-use by-laws affecting the lot
☐ Any part lots attached to the lot (for example parking spaces and storage areas)
☐ Any easements over the lot
☐ Any rights of way running through the lot
☐ Where the boundary line of the lot is
☐ If you have received a survey-strata plan no buildings will be shown only your lot boundary
☐ Any other aspect affecting the lot
### Vendor’s Certification

**Vendor**

I/We, the Vendor(s) of the above lot(s), hereby certify that the notifiable information in relation to the Strata lot as described in this form has been supplied to the prospective purchaser before the offer or contract to purchase this property was signed by the purchaser as required by section 69 of the *Strata Titles Act 1985*.

Vendor(s) signature(s) ……………………………………………………………………………………………………………

Date ……………………………………………………………………………………………………………………………..

**Vendors agent**

I, …………………………………………………………………………………………………………………………….. [name of agent], of ……………………………………………………………………………………………………………... [name of firm] the agent for the above lot(s) hereby certify that the notifiable information in relation to the Strata lot as described in this form has been supplied to the prospective purchaser before the offer or contract to purchase this property was signed by the purchaser as required by section 69 of the *Strata Titles Act 1985*.

Vendor’s agent signature(s) ……………………………………………………………………………………………………………

Date …………………………………………………………………………………………………………………………………

### Purchaser’s Acknowledgement

**Prospective purchaser**

I/We, the prospective purchaser(s) of the above lot(s), acknowledge that *I/we have received notifiable information in respect of the lot described in Part 1 of this form and understand that the disclosure given by the vendor(s) or by the selling agent is not an offer or a contract to purchase a strata titled lot, but only provides information to *me/us.*

Prospective purchaser(s) signature(s) ……………………………………………………………………………………………

Date …………………………………………………………………………………………………………………………………
APPLICATION TO STRATA COMPANY FOR INFORMATION UNDER S43

Strata Titles Act 1985


CONTACT DETAILS FOR THE * STRATA COMPANY / STRATA MANAGING AGENT

Contact Person ____________________________________________________________________________
Telephone ___________________ Email ___________________ Fax ___________________
Address ___________________________________________________________________________________

LOT DETAILS

Lot ___________________ on *strata/survey-strata plan no. ________________________________
Street address of lot _________________________________________________________________
Name of Scheme (Building) ____________________________________________________________

AUTHORIZATION BY REGISTERED PROPRIETOR OR MORTGAGEE OF THE LOT

*I/we ___________________________________________ the *registered proprietor / mortgagee
of the above lot, authorise the below named person and/or their agent to obtain the strata scheme
information and records of the Strata Company of which the above lot is a part, available under s43.

SIGNED BY the*registered proprietor / mortgagee _________________________________________

(*Delete whichever is inapplicable)

AUTHORISED PERSON

Authorised Persons name ________________________________________________________________
Authorised persons agent ______________________________________________________________

FEES

Strata Company Certificate $100
Access to Strata Company documents $40
Copies of Strata Company documents $40 for the first 5 pages and
$1 for each additional page
Executive and council member details $10
Strata Titles Act 1985 — Form 28(D)
Statement by Vendor
Sale of Survey-Strata Lot by Original Owner

When must you receive this form?

The vendor or their agent must give you this information BEFORE you enter into a contract to purchase the lot. This statement applies to a lot which is part of a SURVEY-STRATA SCHEME. You must receive a copy of this form if you are buying the lot from the ORIGINAL PROPRIETOR and one of the following applies:

- You are buying OFF-THE-PLAN (before the survey-strata plan is registered) □ YES [ ] NO [ ]
- The first Annual General meeting (AGM) has not been held □ YES [ ] NO [ ]
- The original proprietor still owned 50% OR MORE of the lots or unit entitlement □ YES [ ] NO [ ]

You should read the information incorporated in this statement as it —

- identifies the lot which you are proposing to purchase; and
- sets out what your rights and obligations will be in relation to the lot and common property if you go ahead with the purchase.

WARNING If you are uncertain about any matter mentioned below you should obtain independent advice from a lawyer or other expert BEFORE signing an offer to purchase or sell or entering into a contract to purchase a strata titled lot.

What is Survey-Strata?

You’ve been given this form because you’re thinking of buying a survey-strata lot. There are advantages in owning a property in a strata scheme but there are also extra responsibilities. When you buy a survey-strata lot you are becoming part of a community. You get a say in how that community is run and how much money is spent on running it, but you also have responsibilities. These responsibilities include abiding by the rules of the strata (often called by-laws), voting at the Annual General Meeting and contributing towards the community funds. If you intend to have tenants in the property, then they too have to abide by the rules. You may also choose to be part of the council of owners, which is the committee which makes decisions about the running of the strata. You should be aware that a strata titled scheme can be ended by agreement amongst the owners or through a court or SAT order. This form gives you an idea of what’s involved.
Where can I get further information?

This form discloses key information you need to know before buying a strata lot. For further information please see Landgate’s *A Guide to Strata Titles*. The guide is available on the Landgate website at [www.read-me.com](http://www.read-me.com).

This form authorises you to apply to the Strata Company for additional information. It is recommended that you do so as the information may clarify your obligations and how you can use your lot. There is a fee for the information from the Strata Company.

If you are using the standard REIWA Contract for Sale of Land or Strata Title by Offer and Acceptance (including the Joint Form of General Conditions for the Sale of Land) in the purchase of this property you should also carefully read through clause 10 which deals specifically with strata title and relates to warranties that the vendor makes.

Attachments

Attached to this form are copies of –

1. The survey-strata plan
2. The schedule of unit entitlement
3. Any disposition of the common property
4. A 12 month estimate of scheme receipts and expenses
5. A copy of the minutes of the most recent annual general meeting, and any subsequent EGM (if applicable*)
6. The by-laws (rules) for the scheme
7. Copies or details of any agreement(s) or contract(s) for service
8. Details of the vendors pecuniary interest in those agreements or contract(s)
9. The developer disclosure document (if applicable**)
10. An application form for further information from the strata company

* See page 3 if your scheme has 5 lots or less, or page 7 if you are buying off-the-plan

**see page 7 if you are buying into a staged strata development

The information in this statement is believed to be correct as at __________ / __________ / 20________
**Parties**

Vendor(s) name ..................................................................................................................................................
Vendors Address(es) ..........................................................................................................................................

Prospective purchaser(s) name ..........................................................................................................................
Prospective Purchaser(s) address .........................................................................................................................

**What am I buying?**

You are buying a strata title lot AND a share in the common property. You will own the lot outright and will have joint management and ownership of the common property with the other owners in the scheme. There is a unit entitlement attached to your lot which dictates how much of the common property you will own.

**The Lot**

The Lot

This is a survey-strata title lot. The lot is shown on the survey-strata plan. There may also be ‘part lot’s’ such as parking spaces and storage which are sold with the lot. The vendor or their agent will identify the lot on the plan as well as any information which relates especially to the lot.

The Unit

Entitlement

There will also be a ‘unit entitlement’ for your lot. The unit entitlement shows what proportion of the scheme your lot makes up. The unit entitlement is usually based on the market value of the lot compared with the market value of other lots in the scheme (unless the scheme has passed a by-law to vary this). The unit entitlement will be used to calculate how much you must pay in levies and what your share is in the common property. The unit entitlement is shown in a schedule to the survey-strata plan.

Lot .......................................................... on strata plan No. .................................................................

Street address .........................................................................................................................................................

Name of Scheme (Building) ..................................................................................................................................

Unit Entitlement for the Lot .................. Aggregate (Total) Unit Entitlement for the scheme ..................

Number of lots in the scheme ..................................................................................................................................

Where the lot is sold off-the-plan (before the plan is registered) the above refers to a proposed lot on a proposed strata plan, and the proposed unit entitlement.
If the scheme has **5 lots or less** the Strata Company may not keep certain records.

**If your scheme has 2 lots**

The Strata Company is automatically exempt from keeping some financial records including books of account, statement of accounts, details about an administrative fund, a roll of proprietors or meeting minutes. However, your scheme may still keep these records if the Strata Company has passed a by-law to do so. You should read the by-laws attached to this form to find out.

**If your scheme has 3, 4 or 5 lots**

The Strata Company is not automatically exempt from keeping records but the Strata Company may pass a by-law to exempt itself from keeping some financial records including, books of account, statement of accounts, details about an administrative fund, a roll of proprietors or meeting minutes. You should read the by-laws attached to this form to find out whether they have done so.

**Lot Boundary**

You will own your lot up to the lot boundary shown on the survey-strata plan. The boundary of your lot will impact your insurance obligations and amendments you can make to your lot. You may or may not be responsible for the fences surrounding your property. You should check the by-laws to confirm whether or not the Strata Company has responsibility for the fences. The *Dividing Fences Act 1961* will still apply to your lot, subject to the by-laws of the scheme (*Strata Titles Act 1985* section 123B).

A COPY OF THE *SURVEY-STRATA PLAN / PROPOSED SURVEY-STRATA PLAN IS ATTACHED* (*Delete whichever is inapplicable*)

A COPY OF THE *SCHEDULE / PROPOSED SCHEDULE OF UNIT ENTITLEMENT IS ATTACHED* (*Delete whichever is inapplicable*)

**The Common Property**

The common property will be marked on the plan as a *common property lot*. There may also be common property such as fences and any building on the common property lot. The common property is jointly owned by all the lot owners as tenants in common. This means that you will own a share of the common property proportionate to the unit entitlement of the lot. The Strata Company may have given a particular person or group of people special rights over some or all of the common property.

<table>
<thead>
<tr>
<th>Has the Strata Company or Original Proprietor -</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ Granted any right to an owner or other person over the common property (including right of exclusive-use, lease, license, special privilege etc.)</td>
</tr>
<tr>
<td>YES [ ] NO [ ]</td>
</tr>
</tbody>
</table>

IF SO A *COPY OR DETAILS OF EVERY SUCH AGREEMENT IS ATTACHED* (*Delete whichever is inapplicable*)
### Levies / Contributions

You will be accountable to pay a contribution (often called a ‘levy’) to the strata company. Your levy will go towards expenses for maintaining the scheme such as day-to-day running expenses including cleaning, gardening, insurance premiums, strata manager costs and repairs to the common property. Annual levies may increase over time as maintenance costs increase. Your scheme may also have a reserve fund for major expenses such as major repairs to the building, roof or painting. If there are any sudden major expenses to the scheme you may be required to pay an additional one-off ‘special levy’. The unit entitlement of your lot will be used to calculate what percentage of the levies you pay in relation to other owners (unless your scheme has passed a by-law which may affect this).

- The scheme has an administrative fund
  - Current amount in the administrative fund: $\ldots\ldots\ldots\ldots$
  - Current annual administrative fund levy payable by this lot: $\ldots\ldots\ldots\ldots$

- The scheme has a reserve fund
  - Current amount in the reserve fund: $\ldots\ldots\ldots\ldots$
  - Current annual reserve fund levy payable by this lot: $\ldots\ldots\ldots\ldots$

- The TOTAL current annual levy payable by this lot: $\ldots\ldots\ldots\ldots$

Payable in instalments of $\ldots\ldots\ldots$ annually / half yearly / quarterly / other (specify) \ldots\ldots

(*Delete whichever is inapplicable)

Where the lot is sold off-the-plan (before the plan is registered) the above refers to a proposed administrative fund, proposed reserve fund and proposed levies.

ATTACHED IS A 12 MONTH ESTIMATE OF THE RECEIPTS AND EXPENDITURE OF THE STRATA COMPANY BEGINNING FROM THE POINT OF

- Registration of the survey-strata plan
  - Date \ldots\ldots\ldots\ldots OR

- The first annual general meeting of the Strata Company
  - Date \ldots\ldots\ldots\ldots OR

- The date of settlement designated in the contract
  - Date \ldots\ldots\ldots\ldots / TBA

The vendor warrants that the levies listed above are realistic and appropriate for the short term and long term maintenance costs of the scheme and have not been understated.
ATTACHED IS A COPY OF THE MINUTES OF THE MOST RECENT ANNUAL GENERAL MEETING *IF APPLICABLE.

**What are the rules I will have to follow?**

**By-Laws**

The by-laws for the scheme are the rules you will have to live by. You should read these before you sign because they will dictate what you can and can’t do, for example whether you can keep a pet and what changes you can make to your lot.

The by-laws for the scheme are one of the following:

- □ The default by-laws (found in schedule 1 & 2 STA)  
  YES [ ] NO [ ] OR
- □ The default by-laws with amendments  
  YES [ ] NO [ ] OR
- □ A strata management statement (including any amendments)  
  YES [ ] NO [ ]

Note in the case of amendments to the default by-laws or the management statement; you must receive a copy of any amendments which have been registered as well as any unregistered amendments which are less than 3 months old.

A COPY OF THE BY-LAWS IS ATTACHED

**What are my insurance obligations?**

The Strata Company is usually responsible for maintaining insurance over the common property. The common property will be shown on the plan as a common property lot. There may also be fences and other areas which are common property. If your Strata Company has opted not to take out insurance over the common property, the common property may either be uninsured or you as an individual owner may be responsible for insurance. You may want to consider the implications of buying into an uninsured or underinsured scheme. You should insure anything which is not required to be insured by the Strata Company.

The scheme may have taken out insurance above the minimum requirements. You should check whether your scheme has taken out sufficient insurance. Please read Landgate’s ‘A guide to strata titles’ for information about the insurance obligations on the Strata Company and the owners, as well as what you can do if your scheme is not insured.
Are there any service contracts in place?

The Strata Company or original proprietor may have entered into agreement(s) or contract(s) for services to the scheme.

- Has the Strata Company or original proprietor on behalf of the scheme entered into any contract or agreement for service or amenity
  - YES [ ]  NO [ ]

- Has the Strata Company or original proprietor on behalf of the scheme proposing to enter into any contract or agreement for service or amenity
  - YES [ ]  NO [ ]

- Does the original proprietor have any direct (or indirect) pecuniary interest in the above contracts or agreements, other than as a proprietor of a lot
  - YES [ ]  NO [ ]

A COPY OF ANY SUCH EXISTING OR PROPOSED AGREEMENT OR CONTRACT IS ATTACHED
A COPY OF ANY PECUNIARY INTEREST IN ANY SUCH AGREEMENT OR CONTRACT IS ATTACHED

Am I buying into a Staged Strata Development?

A staged strata development is where a portion of the strata scheme is set aside to be developed in the future. Usually this will mean that as each ‘stage’ is completed the construction or work on the next stage will begin.

If the lot is part of an incomplete staged strata development the vendor must supply you with a copy of the developer disclosure document. The developer disclosure document will show what the developer is planning to build and how many ‘stages’ there are in the development. There may be some changes to the planned development as it progresses and the final construction may vary from what is in the developer disclosure document. Be aware there may also be some disruption to occupants while construction activities continue.

- Is the lot part of a continuing staged strata development
  - YES [ ]  NO [ ]

IF SO, A COPY OF THE DEVELOPER DISCLOSURE DOCUMENT IS ATTACHED
Am I buying before the Strata Plan is Registered (Off-the-Plan)?

If the survey-strata plan for the lot(s) you are interested in has not yet been registered, it is recommended that you undertake additional research into the lot before you sign the contract. There are added risks in buying a lot for which the plan has not yet been registered. The vendor may still have to apply for approval(s) in relation to the scheme before development is able to commence or be completed. These approvals may impact how long the development takes, and whether any changes must be made to the design of the scheme and potentially the lot you are interested in.

If you buy off-the-plan, the vendor must register the survey-strata plan at Landgate within 6 months of the date you sign the contract (unless the contract outlines another period for the original proprietor to register the plan). Any deposit you pay when you buy a lot off-the-plan must be held in trust for you until the survey-strata plan is registered. Once the plan is registered the vendor can access the deposit even if construction isn’t completed yet (unless there is a term in the contract to prevent this).

If the plan has not yet been registered have the following approvals been granted

- [ ] Subdivision approval
  - YES [ ] NO [ ]
- [ ] Development approval
  - YES [ ] NO [ ]
- [ ] Are there any reviews in relation to the approvals
  - YES [ ] NO [ ]

Please read Department of Commerce; Consumer Protection brochure “Buying land or property off-the-plan' for information about the risks and benefits of buying a lot before the plan has been registered. This is available online via the Department of Commerce website [www.readme.com](http://www.readme.com)

Variations and Termination of the Contract

If there are changes to some parts of this information after you sign the contract for the lot, the vendor must tell you. These include changes to the by-laws, the survey-strata plan, any service agreements, your unit entitlement and any rights in relation to the common property.

You may have the right to terminate this contract in certain circumstances. This may be where the vendor does not supply you with relevant disclosure, the relevant disclosure is supplied late, or any variations to the initial disclosure cause you material prejudice. You will not have the right to terminate in every instance. You may want to consider seeking advice in this situation.
Where can I get further information about the scheme?

The Strata Company can give you additional information about the lot and scheme under s43 of the *Strata Titles Act 1985*. The vendor must authorise you to apply to the Strata Company or its agent for further information. An application form which authorises you or your agent to apply to the Strata Company is attached to this form. It is recommended that you or your agent obtain this information before you sign the contract.

What can you request from the Strata Company?

- A s43 Strata Company Certificate
- Access to or copies of Strata Company documents
- Executive and council member details (including the president, secretary and treasurer)

Contact for requesting additional information -

*Strata Company* OR *Strata Managing Agent* 

(*Delete whichever is inapplicable*)

Contact Person (if known) 

Telephone Email Fax

Address

Purchasers Checklist

- Do you know you will be part of a strata company?
- What is your unit entitlement?
- Do you know the boundary of your lot?
- Are there any parts of the common property you can / can’t use?
- What are your levies?
- Does the strata have a strata manager or a caretaker?
- Do you know what your by-laws are?
- Are there any restrictions on your lot that might cause you problems?
- What insurance will you need to take out?
- Are you part of a staged strata development?
Vendor’s Checklist

What needs to be highlighted to the purchaser on the plan (s69A(b) STA)

- □ Any exclusive-use by-laws affecting the lot
- □ Any part lots attached to the lot (for example parking spaces and storage areas)
- □ Any easements over the lot
- □ Any rights of way running through the lot
- □ Where the boundary line of the lot is
- □ If you have received a survey-strata plan no buildings will be shown only your lot boundary
- □ Any other aspect affecting the lot

Vendor’s Certification

Vendor

I/We, the Vendor(s) of the above lot(s), hereby certify that the notifiable information in relation to the Strata lot as described in this form has been supplied to the prospective purchaser before the offer or contract to purchase this property was signed by the purchaser as required by section 69 of the Strata Titles Act 1985.

Vendor(s) signature(s) ………………………………………………………………………………………………………………………………
Date …………………………………………………………………………………………………………………………………………………………

Vendors agent

I, ………………………………………………………………………………………………………………………………………………………………………. [name of agent], of ……………………………………………………………………………………………………………………………………………………………………………………………. [name of firm] the agent for the above lot(s) hereby certify that the notifiable information in relation to the Strata lot as described in this form has been supplied to the prospective purchaser before the offer or contract to purchase this property was signed by the purchaser as required by section 69 of the Strata Titles Act 1985.

Vendor’s agent signature(s) ……………………………………………………………………………………………………………………………………………………………………………………………
Date ……………………………………………………………………………………………………………………………………………………………

Purchaser’s Acknowledgement

Prospective purchaser

I/We, the prospective purchaser(s) of the above lot(s), acknowledge that *I/we have received notifiable information in respect of the lot described in Part 1 of this form and understand that the disclosure given by the vendor(s) or by the selling agent is not an offer or a contract to purchase a strata titled lot, but only provides information to *me/us.

Prospective purchaser(s) signature(s) ………………………………………………………………………………………………………………………………………………………………………
Date ………………………………………………………………………………………………………………………………………………………………………
APPLICATION TO STRATA COMPANY FOR INFORMATION UNDER S43

Strata Titles Act 1985


CONTACT DETAILS FOR THE * STRATA COMPANY / STRATA MANAGING AGENT

Contact Person ________________________________________________________________

Telephone _______________ Email _____________________________ Fax __________________

Address ______________________________________________________________________

LOT DETAILS

Lot ___________________ on *strata/survey-strata plan no. ______________________________

Street address of lot _____________________________________________________________

Name of Scheme (Building) _____________________________________________________

AUTHORISATION BY REGISTERED PROPRIETOR OR MORTGAGEE OF THE LOT

*I/we ___________________________________________ the *registered proprietor / mortgagee

of the above lot, authorise the below named person and/or their agent to obtain the strata scheme

information and records of the Strata Company of which the above lot is a part, available under s43.

SIGNED BY the*registered proprietor / mortgagee ______________________________________

(*Delete whichever is inapplicable)

AUTHORISED PERSON

Authorised Persons name _________________________________________________________

Authorised persons agent _________________________________________________________

FEES

Strata Company Certificate $100

Access to Strata Company documents $40

Copies of Strata Company documents $40 for the first 5 pages and

$1 for each additional page

Executive and council member details $10
When must you receive this form?

The vendor must give you this information BEFORE you enter into a contract to purchase the lot.

You must receive a copy of this form if you are buying ANY LOT that is part of a COMMUNITY TITLE SCHEME.

This form discloses information about the COMMUNITY SCHEME and COMMUNITY CORPORATION. The information in this form relates to the overarching management of the community scheme. This information applies to every lot owner within the community scheme. If you are buying a strata lot which is within a community scheme you will receive an additional disclosure form with information that applies to your strata scheme only.

You should read the information incorporated in this statement as it —

- identifies the community scheme which contains the lot you are proposing to purchase; and
- sets out what your rights and obligations will be in relation to the community lot and community common property if you go ahead with the purchase.

WARNING If you are uncertain about any matter mentioned below you should obtain independent advice from a lawyer or other expert BEFORE signing an offer to purchase or sell or entering into a contract to purchase a lot in a community title scheme.

What is a Community Title Scheme?

You’ve been given this form because you’re thinking of buying a lot in a community title scheme. When you buy a lot in a community scheme you are becoming part of a community. You get a say in how that community is run and how much money is spent on running it, but you also have responsibilities. These responsibilities include abiding by the rules of the community (often called by-laws), being represented at the Annual General Meeting and contributing towards the community funds. If you intend to have tenants in the property, then they too have to abide by the rules.

This form gives you an idea of what’s involved.

For more information on community titles you should read Landgate Guide to Community Titles at www.read-me.com
How is a community title scheme different to a strata title scheme?

A community scheme is an organisation that binds a group of subordinate strata titled schemes together. A community scheme might contain a mix of strata lots, survey-strata lots and community title lots which all form part of the overarching community scheme. Community schemes are usually used in larger developments to make running the facilities simpler. A Community scheme may be either over a parcel of land and / or over a building. This means that if you are buying into a community scheme you are buying a lot in a scheme that has at least two layers of management (larger community schemes may have three layers of management).

Note: the above are examples only and may not represent your scheme. You should read the community plan to find out what your scheme actually contains.

Where can I get further information?

This form discloses key information you need to know before buying a lot within a community scheme.

Please see Landgate’s A Guide to Strata Titles for additional general information. The guide is available on the Landgate website at www.read-me.com. This form authorises you to apply to the Community Corporation for additional information. It is recommended that you do so as the information may clarify your obligations and how you can use your lot. There is a fee for the information from the Community Corporation.

If you are buying a lot ‘off-the-plan’ (before the plan is registered) there won’t be a community corporation. If you are buying a lot before the community corporation is established you may contact the original proprietor of the lot if you would like additional information. The original proprietor may or may not be able to supply you with the additional records.

If you are buying a strata titled lot which is part of a community scheme you should read this form to find out about the community scheme rules. You will also receive a separate disclosure form that relates specifically to your strata titled scheme. You should read both as your strata titled scheme will sit within the community scheme.
EVERY PURCHASER must receive a copy of the following

1. The registered community plan
2. The schedule of unit entitlement for the community scheme
3. The registered Community Management Statement
4. A copy of the minutes of the most recent AGM and EGM (if applicable)*
5. A copy of the most recent budget for the scheme (if applicable)*
6. The registered Community Development Statement (if applicable)**
7. Application form for information from the community corporation

*You will only receive a copy of the minutes of the AGM (and subsequent EGM), as well as the budget for the scheme where the community corporation has held at least one AGM and the scheme is required to keep these records.

**You will only receive a copy of the community development statement if you are buying a lot in a community scheme which is being developed in stages and there is still development which has not been completed.

If you are buying the lot from the ORIGINAL PROPRIETOR and one of the following applies

□ You are buying OFF-THE-PLAN (before the community plan is registered) YES [ ] NO [ ]
□ The first Annual General meeting (AGM) has not been held YES [ ] NO [ ]
□ The original proprietor still owned 50% OR MORE of the lots or unit entitlement YES [ ] NO [ ]

IN ADDITION TO THE ABOVE you will also receive

8. A copy of any disposition of the community common property
9. Agreements or contracts for service to the community scheme
10. A 12 month estimate of scheme receipts and expenses

If you are buying a strata titled or secondary community title lot within a THREE TIERED community scheme you will also receive

11. The above documents as they relate to the secondary community title scheme (if applicable)

*Where the lot is sold off-the-plan (before the plan is registered) the above refers to a proposed lot on a proposed plan, the proposed unit entitlement, and proposed management statement.

The information in this statement is believed to be correct as at __________ / __________ / 20_______
Parties

Vendor(s) name ..............................................................................................................................................

Vendors Address(es) ........................................................................................................................................

Prospective purchaser(s) name ......................................................................................................................

Prospective Purchaser’s address ....................................................................................................................

What am I buying?

You are buying a lot AND a share in the common property. You will own the lot outright and will have joint
management and ownership of the community common property with the other owners in the community scheme.

The Lot

You are buying one of the following lots. The type of lot you buy will impact on what common property you can use,
how much you pay in levies and what issues you can directly vote on.

- **A strata titled lot** within a Community Title Scheme (or a strata titled development lot)
  - YES [ ] NO [ ]
  - Strata / Survey-Strata Lot ........................................ on Strata / Survey-Strata plan No. .........................

- **A secondary community title lot**
  - YES [ ] NO [ ]
  - Secondary Community Lot ................................. on Community plan No. ............................

- **A community title lot**
  - YES [ ] NO [ ]
  - Community Lot ................................................ on community plan No. ............................
  *Where the lot is sold off-the-plan (before the plan is registered) the above refers to a proposed community lot
  on a proposed community plan*

How many Layers / Tiers are in this community scheme?

- **Two Tiers**
  - there is a community scheme AND a strata or survey/strata scheme ...........................
    - YES [ ] NO [ ]

- **Three Tiers**
  - there is a community scheme AND a secondary community scheme AND a strata or survey-strata scheme
  - YES [ ] NO [ ]
The Community Lot

The lot you are buying (indicated above) is contained within a community lot on a community plan. The following details relate to the community lot.

*The strata titled lot / secondary community title lot / community title lot is located within –
(*Delete whichever is inapplicable)

*Community Lot ………………………. on community plan No. ……………………………………………………

Street address of community lot …………………………………………………………………………………………….

Name of Community Scheme …………………………………………………………………………………………………

Unit Entitlement for the Community Lot ……. Aggregate (Total) Unit Entitlement for the scheme ………

Number of community lots in the community scheme …………………………………………………………………

*Where the lot is sold off-the-plan (before the plan is registered) the above refers to a proposed community lot on a proposed community plan

A COPY OF THE COMMUNITY PLAN IS ATTACHED.

A COPY OF THE SECONDARY COMMUNITY PLAN IS ATTACHED (WHERE RELEVANT).

A COPY OF THE SCHEDULE OF UNIT ENTITLEMENT FOR THE COMMUNITY SCHEME IS ATTACHED.

The Common Property

Depending on what level of the scheme you are buying into you may have access to different portions of the common property. Because you are buying a lot within a community scheme you are ALSO buying a share in any community common property. The community common property is jointly owned by every lot owner in the community scheme as tenants in common.

If your lot is also part of a secondary community scheme and/or strata scheme you will also be buying a share of the common property in that scheme as well. However, you don’t automatically have a share in every part of common property within the community scheme.

The common property belonging to the community scheme will be shown on the community plan. You should check the community plan to find out if there is any community common property, and if so where it is. The community common property may either be a community common property lot or may include all the property in the community scheme which isn’t marked as part of a lot or subordinate scheme.
Has the Community Corporation or Original Proprietor -

☐ Granted, or is proposing to grant, any right to an owner or other person over the community common property (including right of exclusive-use, lease, license, special privilege etc.)

YES [ ] NO [ ]

For details about which areas of community common property have been disposed of, and to whom, you should read the following documents attached to this statement the community management statement (by-laws) and the community plan.

IF YOU ARE BUYING THE LOT FROM THE ORIGINAL PROPRIETOR

A "COPY / DETAILS OF ANY DISPOSITION OF COMMON PROPERTY INCLUDING ANY EXISTING OR PROPOSED LEASE, LICENSE, RIGHT OF EXCLUSIVE USE OR SPECIAL PRIVILEGE IS ATTACHED. (*Delete whichever is inapplicable)

What is the cost of owning this lot?

Levies / Contributions

You will be liable to pay a contribution (often called a ‘levy’) to the Community Corporation. Your levy will go towards expenses for maintaining the community scheme such as day-to-day running expenses including cleaning, gardening, insurance premiums, manager costs and repairs to the common property. Annual levies may increase over time as maintenance costs increase. Your scheme may also have a reserve fund for major expenses such as major repairs to the building or roof. If there are any sudden major expenses to the scheme you may be required to pay an additional one-off ‘special levy’. The levies are based on the annual budget for the community scheme. The annual budget must be presented at every Annual General Meeting (AGM) of the Community Corporation.

If you are purchasing a strata titled lot or a secondary community lot; your contribution to the community corporation is in addition to the contribution you pay to the strata company or a secondary community corporation. You will pay both contributions to the strata company or secondary community corporation, who will manage the community corporation payment.
The community scheme has an administrative fund  

Current annual administrative fund levy payable by this lot  

The community scheme has a reserve fund  

Current annual reserve fund levy payable by this lot  

The TOTAL current annual contribution to the community scheme for this lot is  

Payable in instalments of $.................. *annually / half yearly / quarterly / other (specify) ..................

You can find out if there are any outstanding contributions through a community corporation certificate under s43.

A COPY OF THE MOST RECENT BUDGET FOR THE SCHEME IS ATTACHED (*IF APPLICABLE)

A COPY OF THE MINUTES FOR THE MOST RECENT AGM (AND ANY SUBSEQUENT EGM) ARE ATTACHED (*IF APPLICABLE)

IF YOU ARE BUYING THE LOT FROM THE ORIGINAL PROPRIETOR

ATTACHED IS A 12 MONTH ESTIMATE OF THE RECEIPTS AND EXPENDITURE OF THE STRATA COMPANY BEGINNING FROM THE POINT OF

- Registration of the community plan  
  Date .................. OR

- The first annual general meeting of the Community Corporation  
  Date .................. OR

- The date of settlement designated in the contract  
  Date .................. / TBA

What are the rules I will have to follow?

By-Laws

The By-laws for the scheme are the rules you will have to live by. You should read these before you sign because they will dictate what you can and can’t do. The buy laws for the community scheme are found in the Community Management Statement (CMS). These are the rules that will apply to the entire community scheme. If you are part of a strata titled scheme or secondary community scheme the by-laws for that scheme must align with the community scheme by-laws. If the community scheme by-laws and strata titled scheme by-laws contradict, the community scheme by-laws are the ones you should follow.

A COPY OF THE COMMUNITY MANAGEMENT STATEMENT IS ATTACHED.
What are my insurance obligations?

The Community Corporation is usually responsible for maintaining insurance over the community common property. The common property will be shown on the community plan. If the community corporation has opted not to take out insurance over the community common property, the common property may be uninsured. Alternatively you may be responsible for the insurance either as an individual lot owner or as part of a subordinate scheme. You may want to consider the implications of buying into an uninsured or underinsured scheme. If you are part of a subordinate strata company or secondary community corporation you may have additional disclosure requirements above the community corporation common property.

☐ Is the Community Corporation responsible for insuring the community common property? YES [ ] NO [ ]

You can obtain a s43 Community Corporation certificate which will provide the details of the insurance policies that the Community Corporation maintains. The scheme may have taken out insurance above the minimum requirements. You should check whether your scheme has taken out sufficient insurance. Please read Landgate’s ‘A guide to strata titles’ for information about the insurance obligations on the Community Corporation and the owners, as well as what you can do if your scheme is not insured.

Are there any service contracts in place?

IF YOU ARE BUYING THE LOT FROM THE ORIGINAL PROPRIETOR

The Community Corporation or original proprietor may have entered into agreement(s) or contract(s) for services to the community scheme.

☐ Has the Community Corporation or original proprietor on behalf of the scheme

☐ entered into any contract or agreement for service or amenity YES [ ] NO [ ]

☐ proposing to enter into any contract or agreement for service or amenity YES [ ] NO [ ]

☐ Does the original proprietor have any direct (or indirect) pecuniary interest in the above contracts or agreements, other than as a proprietor of a lot YES [ ] NO [ ]

A COPY OF ANY AGREEMENTS AND CONTRACTS IS ATTACHED.

A COPY OF ANY PECUNIARY (‘ECONOMIC’) INTEREST THE VENDOR HAS IN THOSE AGREEMENTS IS ATTACHED.

Sale of Lot in a Community Titles Scheme
## Am I buying into a Staged Community Development?

A staged community development is where a portion of the community scheme is set aside to be developed in the future. Usually this will mean that as each ‘stage’ is completed the construction or work on the next stage will begin.

If the lot is part of an incomplete staged community development the vendor must supply you with a copy of the community development statement. The community development statement will show what the developer is planning to build, how many ‘stages’ there are in the development, and whether there are any proposed developments which the developer cannot be compelled to complete. Be aware there may also be some disruption to occupants while construction activities continue.

### Is the lot part of a continuing staged community development

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
</table>

If so, a copy of the community development statement is attached.

## Am I buying before the Community Plan is Registered (Off-the-Plan)

If the community plan for the lot(s) you are interested in has not yet been registered, it is recommended that you undertake additional research into the lot before you sign the contract. There are added risks in buying a lot for which the plan has not yet been registered. The vendor may still have to apply for approval(s) in relation to the scheme before it is able to commence or be completed. These approvals may impact how long the development takes, and whether any changes must be made to the design of the development and potentially the lot you are interested in.

If you buy off-the-plan the community plan must be registered with Landgate within [6 months] of the date that you sign the contract (unless the contract outlines another period for the original proprietor to register the plan). Any deposit you pay when you buy a lot off-the-plan must be held in trust for you until the community plan (and any other scheme your lot is part of) is registered. Once the plan is registered the vendor can access the deposit even if construction isn’t completed yet.

### If the community plan has not yet been registered have the following approvals been granted

<table>
<thead>
<tr>
<th>□ Subdivision approval</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ Development approval</td>
<td>YES</td>
<td>NO</td>
</tr>
<tr>
<td>□ Are there any reviews in relation to the approvals</td>
<td>YES</td>
<td>NO</td>
</tr>
</tbody>
</table>

Please read Department of Commerce; Consumer Protection brochure ‘Buying land or property off-the-plan’ for information about the risks and benefits of buying a lot before the plan has been registered. This is available online via the Department of Commerce website [www.readme.com](http://www.readme.com).
Variations and Termination of the Contract

If there are changes to some parts of this information after you sign the contract for the lot, the vendor must tell you. These include changes to the by-laws, the community plan, any service agreements, your unit entitlement and any rights in relation to the common property.

You may have the right to terminate this contract in certain circumstances. This may be where the vendor does not supply you with relevant disclosure, the relevant disclosure is supplied late, or any variations to the initial disclosure cause you material prejudice. You will not have the right to terminate in every instance. You may want to consider seeking advice in this situation.

Where can I get further information about the scheme?

The Community Corporation can give you additional information about the lot and scheme under [s43] of the Strata Titles Act 1985. The vendor must authorise you to apply to the Community Corporation or its agent for further information. An application form which authorises you to apply to the Community Corporation is attached to this form. It is recommended that you obtain this information before you sign the contract.

What can you request from the Community Corporation

- A Community Corporation Certificate and/or
- Access to or copies of Community Corporation documents and/or
- Executive and council member details (including the president, secretary and treasurer)

Contact for requesting additional information -

*Community Corporation OR Community Managing Agent ..............................................................

(*Delete whichever is inapplicable)

Contact Person (if known) .........................................................................................................................

Telephone ........................................ Email ................................................................. Fax ...........................................

Address ......................................................................................................................................................
Purchasers Checklist

☐ Do you know you will be part of a community corporation?
☐ What is your unit entitlement?
☐ Do you know where your lot or scheme is in relation to the community scheme as a whole?
☐ Are there any parts of the common property you can / can’t use?
☐ What are your levies?
☐ Does the community scheme have a manager or a caretaker?
☐ Do you know what your by-laws are?
☐ Are there any restrictions on your lot that might cause you problems?
☐ What insurance will you need to take out?
☐ Are you part of a staged development?

Vendor’s Certification

Vendor

I/We, the Vendor(s) of the above lot(s), hereby certify that the notifiable information in relation to the Strata lot as described in this form has been supplied to the prospective purchaser before the offer or contract to purchase this property was signed by the purchaser as required by section 69 of the *Strata Titles Act 1985*.

Vendor(s) signature(s) ........................................................................................................................................................................

Date ................................................................................................................................................................................................

Vendors agent

I, .............................................................................................................................................................................................. [name of agent], of
.............................................................................................................................................................................................. [name of firm] the agent for the above lot(s) hereby certify that the notifiable information in relation to the Strata lot as described in this form has been supplied to the prospective purchaser before the offer or contract to purchase this property was signed by the purchaser as required by section 69 of the *Strata Titles Act 1985*.

Vendor’s agent signature(s) ........................................................................................................................................................................

Date ................................................................................................................................................................................................

Purchaser’s Acknowledgement

Prospective purchaser

I/We, the prospective purchaser(s) of the above lot(s), acknowledge that *I/we have received notifiable information in respect of the lot described in Part 1 of this form and understand that the disclosure given by the vendor(s) or by the selling agent is not an offer or a contract to purchase a community titled lot, but only provides information to *me/us.

Prospective purchaser(s) signature(s) ........................................................................................................................................................................

Date ................................................................................................................................................................................................
APPLICATION TO COMMUNITY CORPORATION FOR INFORMATION UNDER S43

Strata Titles Act 1985


CONTACT DETAILS FOR THE * COMMUNITY CORPORATION / COMMUNITY MANAGING AGENT

Contact Person _____________________________________________________________________
Telephone ___________________ Email ___________________________ Fax __________________
Address ___________________________________________________________________________

LOT DETAILS

Lot _______________________ on community plan no. ____________________________________
Street address of lot _________________________________________________________________
Name of Scheme (Building) ___________________________________________________________

AUTHORIZATION BY REGISTERED PROPRIETOR OR MORTGAGEE OF THE LOT

*I/we ___________________________________________ the *registered proprietor / mortgagee of the above lot, authorise the below named person and/or their agent to obtain the community title scheme information and records available under s43.

SIGNED BY the*registered proprietor / mortgagee _______________________________________
(*Delete whichever is inapplicable)

AUTHORISED PERSON

Authorised Persons name ____________________________________________________________
Authorised persons agent ____________________________________________________________

FEES

Community Corporation Certificate $100
Access to Community Corporation documents $40
Copies of Community Corporation documents $40 for the first 5 pages and $1 for each additional page
Executive and council member details $10
When must you receive this form?

The vendor or their agent must give you this information BEFORE you enter into a contract to purchase the lot.

This statement applies to a lot which is part of a LEASEHOLD STRATA TITLED SCHEME.

You should read the information incorporated in this statement as it —
- identifies the lot which you are proposing to purchase; and
- sets out what your rights and obligations will be in relation to the lot and common property if you go ahead with the purchase; and
- Provides information about the leasehold title including the end date.

WARNING If you are uncertain about any matter mentioned below you should obtain independent advice from a lawyer or other expert BEFORE signing an offer to purchase or sell or entering into a contract to purchase a strata titled lot.

What is Strata?

You’ve been given this form because you’re thinking of buying a leasehold strata title lot.

There are advantages in owning a property in a strata scheme but there are also extra responsibilities. When you buy a strata lot you are becoming part of a community. You get a say in how that community is run and how much money is spent on running it, but you also have responsibilities. These responsibilities include abiding by the rules of the strata (often called by-laws), voting at the Annual General Meeting and contributing towards the community funds. If you intend to have tenants in the property, then they too have to abide by the rules. You may also choose to be part of the council of owners, which is the committee which makes decisions about the running of the strata.

This form gives you an idea of what’s involved.
How is Leasehold Strata different to Freehold Strata?

Freehold strata is strata title over a freehold parcel of land. In freehold strata the scheme will continue to exist until either the lot owners decide to terminate the scheme or a government authority requires the scheme to be terminated. In leasehold strata the scheme will be automatically terminated at the end of the lease.

You will still own a lot and hold a leasehold certificate of title for the lot. However, your leasehold certificate of title will expire at the same time as the lease over the whole parcel of land. A leasehold strata scheme may be able to be renewed if the other lot owners vote to renew and the land owner agrees. Or, on the other hand a leasehold strata scheme may be able to be converted to a freehold strata scheme (which does not have an automatic termination date). You should read your scheme documents to find out if there is any provision for renewal or conversion and if so, what the process is.

Where can I get further information?

This form discloses key information you need to know before buying a strata lot. For further information please see Landgate’s A Guide to Strata Titles. The guide is available on the Landgate website at www.read-me.com

This form authorises you to apply to the Strata Company for additional information. It is recommended that you do so as the information may clarify your obligations and how you can use your lot. There is a fee for the information from the Strata Company. If you are buying a lot off-the-plan (before the strata plan is registered) there won’t be a Strata Company. The Strata Company does not exist until the strata plan is registered. You may want to request additional information from the vendor if you have any questions.

If you are using the standard REIWA Contract for Sale of Land or Strata Title by Offer and Acceptance (including the Joint Form of General Conditions for the Sale of Land) in the purchase of this property you should also carefully read through clause 10 which deals specifically with strata title and relates to warranties that the vendor makes.
EVERY PURCHASER must receive a copy of the following

1. The registered plan
2. The schedule of unit entitlement
3. The registered by-laws
4. The minutes of the most recent AGM and EGM (if applicable)*
5. The most recent budget for the scheme (if applicable)*
6. The registered developer disclosure document (if applicable)**
7. A copy of the leasehold certificate of title
8. Application form for information from the strata company

*You will only receive a copy of the minutes of the AGM (and subsequent EGM), as well as the budget for the scheme where the strata company has held at least 1 AGM and the scheme is required to keep these records.

**You will only receive a copy of the developer disclosure document if you are buying a lot in a leasehold strata titled scheme which is being developed in stages and there is still development which has not been completed.

__________________________
If you are buying the lot from the ORIGINAL PROPRIETOR and one of the following applies

□ You are buying OFF-THE-PLAN (before the community plan is registered) YES [ ] NO [ ]
□ The first Annual General meeting (AGM) has not been held YES [ ] NO [ ]
□ The original proprietor still owned 50% OR MORE of the lots or unit entitlement YES [ ] NO [ ]

IN ADDITION TO THE ABOVE you will also receive

9. Any disposition of the common property
10. Agreements or contracts for service to the scheme
11. A 12 month estimate of scheme receipts and expenses

*Where the lot is sold off-the-plan (before the plan is registered) the above refers to a proposed lot on a proposed plan, and the proposed unit entitlement.
Parties

Vendor(s) name ..............................................................................................................................................

Vendors Address(es) ........................................................................................................................................

Prospective purchaser(s) name ...........................................................................................................................

Prospective Purchaser(s) address .........................................................................................................................

What am I buying?

You are buying a leasehold strata title lot AND a share in the leasehold common property. You will own the lot outright and will have joint management and ownership of the common property with the other owners in the scheme. There is a unit entitlement attached to your lot which dictates how much of the common property you will own.

The Lot

This is a leasehold strata titled lot. The lot is shown on the leasehold strata plan. There may also be ‘part lot’s’ such as parking spaces and storage which are sold with the lot. You should check whether parking spaces etc. are shown as part lots on the plan or are exclusive use rights only. The vendor or their agent will identify the lot on the plan as well as any information which relates especially to the lot.

The Unit Entitlement

There will also be a ‘unit entitlement’ for your lot. The unit entitlement shows what proportion of the scheme your lot makes up. The unit entitlement is usually based on the market value of the lot compared with the market value of other lots in the scheme (unless the scheme has passed a by-law to vary this). For example what floor your unit is on, the view and size of your lot. The unit entitlement will be used to calculate how much you must pay in levies and what your share is in the common property. The unit entitlement is shown in a schedule to the strata plan.

Lot ........................................... on leasehold *strata/survey-strata plan No. ..........................................................

(*Delete whichever is inapplicable)

Street address ....................................................................................................................................................

Name of Scheme (Building) ................................................................................................................................

Unit Entitlement for the Lot .............. Aggregate (Total) Unit Entitlement for the scheme ..................................

Number of lots in the scheme ................................................................................................................................

Where the lot is sold off-the-plan (before the plan is registered) the above refers to a proposed lot on a proposed strata plan, and the proposed unit entitlement.
If the scheme has **5 lots or less** the Strata Company may not keep certain records.

**If your scheme has 2 lots**

The Strata Company is automatically exempt from keeping some financial records including books of account, statement of accounts, details about an administrative fund, a roll of proprietors or meeting minutes. However, your scheme may still keep these records if the Strata Company has passed a by-law to do so. You should read the by-laws attached to this form to find out.

**If your scheme has 3, 4 or 5 lots**

The Strata Company is not automatically exempt from keeping records but the Strata Company may pass a by-law to exempt itself from keeping some financial records including books of account, statement of accounts, details about an administrative fund, a roll of proprietors or meeting minutes. You should read the by-laws attached to this form to find out whether they have done so.

**Lot Boundary**

If you own a leasehold strata titled lot, you may or may not own the walls, floor or ceiling of your lot. The boundary of your lot will impact your insurance obligations and changes you can make to your lot. The strata plan attached to this form should include a statement about whether or not you own your walls, floor or ceiling. You should also check your by-laws to see if the lot boundaries have been varied from the plan at all. If you own a leasehold survey-strata titled lot you will own the survey-lot shown on the strata plan, you should check the plan and by-laws in relation to your obligations towards the boundary fences.

**A COPY OF THE *REGISTERED / PROPOSED *STRATA / SURVEY-STRATA PLAN IS ATTACHED**

(*Delete whichever is inapplicable)

**A COPY OF THE *SCHEDULE / PROPOSED SCHEDULE OF UNIT ENTITLEMENT IS ATTACHED**

(*Delete whichever is inapplicable)

**The Common Property**

If you buy a leasehold strata titled lot, the common property is everything on the strata plan which is not marked as a lot, and potentially includes your walls, floor or ceiling (see lot boundary above). If you are buying a leasehold survey-strata titled lot the common property will be shown on the plan as a common property lot, your fences and driveway may also be common property (see lot boundary above). The common property is jointly owned by all the lot owners as tenants in common. This means that you will own a share of the common property proportionate to the unit entitlement of your lot. The Strata Company may have given a particular person or group of people special rights over some or all of the common property.

**Has the Strata Company or Original Proprietor -**

□ *Granted / proposing to grant any right to an owner or other person over the common property (including right of exclusive-use, lease, license, special privilege etc.)

(*Delete whichever is inapplicable)*
For details about which areas of common property have been granted to a particular person and who those people are, you should read through the by-laws and strata plan attached to this statement.

IF YOU ARE BUYING THE LOT FROM THE ORIGINAL PROPRIETOR

IF SO A *COPY OR DETAILS OF EVERY SUCH AGREEMENT IS ATTACHED
(*Delete whichever is inapplicable)

What is the cost of owning this lot?

Levies / Contributions

You will be accountable to pay a contribution (often called a ‘levy’) to the strata company. Your levy will go towards expenses for maintaining the scheme such as day-to-day running expenses including cleaning, gardening, insurance premiums, strata manager costs and repairs to the common property. Annual levies may increase over time as maintenance costs increase. Your scheme may also have a reserve fund for major expenses such as major repairs to the building, roof or painting. If there are any sudden major expenses to the scheme you may be required to pay an additional one-off ‘special levy’. The unit entitlement of your lot will be used to calculate what percentage of the levies you pay in relation to other owners (unless your scheme has passed a by-law which may affect this).

- The scheme has an administrative fund
  - Yes [ ] No [ ]
  - Current amount in the administrative fund
    - $………………………………
  - Current annual administrative fund levy payable by this lot
    - $………………………………

- The scheme has a reserve fund
  - Yes [ ] No [ ]
  - Current amount in the reserve fund
    - $………………………………
  - Current annual reserve fund levy payable by this lot
    - $………………………………
  - The TOTAL current annual levy payable by this lot
    - $………………………………
  - Payable in instalments of $……………….*annually / half yearly / quarterly / other (specify) ……..
  (*Delete whichever is inapplicable)

Where the lot is sold off-the-plan (before the plan is registered) the above refers to a proposed administrative fund, proposed reserve fund and proposed levies.
A COPY OF THE MOST RECENT BUDGET FOR THE SCHEME IS ATTACHED (WHERE APPLICABLE)

A COPY OF THE MINUTES OF THE MOST RECENT ANNUAL GENERAL MEETING IS ATTACHED (WHERE APPLICABLE)

IF YOU ARE BUYING THE LOT FROM THE ORIGINAL PROPRIETOR

ATTACHED IS A 12 MONTH ESTIMATE OF THE RECEIPTS AND EXPENDITURE OF THE STRATA COMPANY BEGINNING FROM THE POINT OF

☐ Registration of the strata plan Date ………………… OR
☐ The first annual general meeting of the Strata Company Date ………………… OR
☐ The date of settlement designated in the contract Date ……………… / TBA

What are the rules I will have to follow?

By-Laws

The by-laws for the scheme are the rules you will have to live by. You should read these before you sign because they will dictate what you can and can’t do, for example whether you can keep a pet and what changes you can make to your lot.

The by-laws for the scheme are one of the following:

☐ The default by-laws (found in schedule 1 & 2 STA) YES [ ] NO [ ] OR
☐ The default by-laws with amendments YES [ ] NO [ ] OR
☐ A strata management statement (including any amendments) YES [ ] NO [ ]

Note in the case of amendments to the standard by-laws or the management statement; you must receive a copy of any amendments which have been registered as well as any amendments which haven’t been registered if they are less than 3 months old.

A COPY OF THE BY-LAWS IS ATTACHED

What are my insurance obligations?

The Strata Company is usually responsible for maintaining insurance over the common property. If you are buying a leasehold strata titled lot the common property will be shown on the plan and may or may not include the walls, floor and ceiling (see ‘Lot Boundary’ above). The common property may also include the fixtures in your lot; you should check whether this is the case with the vendor or their agent. If you are buying a leasehold survey-strata, the common property will be shown on the plan as a common property lot. If your Strata Company has opted not to take out
insurance over the common property, the common property may either be uninsured or you as an individual owner may be responsible for insurance. You may want to consider the implications of buying into an uninsured or underinsured scheme. You should insure anything which is not required to be insured by the Strata Company.

**Are the Strata Company responsible for insuring the common property?**

- Yes [ ]
- No [ ]

The scheme may have taken out insurance above the minimum requirements. You should check whether your scheme has taken out sufficient insurance. Please read Landgate’s ‘A guide to strata titles’ for information about the insurance obligations on the Strata Company and the owners, as well as what you can do if your scheme is not insured.

**Are there any service contracts in place?**

**IF YOU ARE BUYING THE LOT FROM THE ORIGINAL PROPRIETOR**

The Strata Company or original proprietor may have entered into agreement(s) or contract(s) for services to the scheme.

- Has the Strata Company or original proprietor on behalf of the scheme
  - Entered into any contract or agreement for service or amenity [ ]
  - Proposing to enter into any contract or agreement for service or amenity [ ]
  - Does the original proprietor have any direct (or indirect) pecuniary interest in the above contracts or agreements, other than as a proprietor of a lot [ ]

A COPY OF ANY SUCH EXISTING OR PROPOSED AGREEMENT OR CONTRACT IS ATTACHED

A COPY OF ANY PECUNIARY INTEREST IN ANY SUCH AGREEMENT OR CONTRACT IS ATTACHED

**Am I buying before the Strata Plan is Registered (Off-the-Plan)?**

If the strata plan for the lot(s) you are interested in has not yet been registered, it is recommended that you undertake additional research into the lot before you sign the contract. There are added risks in buying a lot for which the plan has not yet been registered. The vendor may still have to apply for approval(s) in relation to the scheme before development is able to commence or be completed. These approvals may impact how long the development takes, and whether any changes must be made to the design of the scheme and potentially the lot you are interested in.
If you buy off-the-plan, the vendor must register the plan at Landgate within 6 months of the date you sign the contract (unless the contract outlines another period for the original proprietor to register the plan). Any deposit you pay when you buy a lot off-the-plan must be held in trust for you until the plan is registered. Once the plan is registered the vendor can access the deposit even if construction isn’t completed yet (unless there is a term in the contract to prevent this).

### If the plan has not yet been registered have the following approvals been granted

- **Subdivision approval**
  - YES [ ]
  - NO [ ]

- **Development approval**
  - YES [ ]
  - NO [ ]

- **Are there any reviews in relation to the approvals**
  - YES [ ]
  - NO [ ]

Please read Department of Commerce; Consumer Protection brochure ‘Buying land or property off-the-plan’ for information about the risks and benefits of buying a lot before the plan has been registered. This is available online via the Department of Commerce website [www.readme.com](http://www.readme.com).

### When does my title expire?

You are buying a lot in a leasehold strata titled scheme. This means that you will own a leasehold title to your lot. As it is a leasehold title it will have an expiry date. You should make sure you are aware what date your leasehold title expires because that is the date that your ownership of the lot ends. Your scheme may have an arrangement in place to extend the lease over the lots (if the owner of the parcel consents) or there may be an opportunity to convert the scheme to a freehold strata titled scheme. You should confirm with the vendor whether this is the case.

A COPY OF THE LEASEHOLD CERTIFICATE OF TITLE SHOWING THE TERMINATION DATE OF THE LEASEHOLD TITLE IS ATTACHED.

### Variations and Termination of the Contract

If there are changes to some parts of this information after you sign the contract for the lot, the vendor must tell you. These include changes to the by-laws, the strata plan, any service agreements, your unit entitlement and any rights in relation to the common property.

You may have the right to terminate this contract in certain circumstances. This may be where the vendor does not supply you with relevant disclosure, the relevant disclosure is supplied late, or any variations to the initial disclosure cause you material prejudice. You will not have the right to terminate in every instance. You may want to consider seeking advice in this situation.
Where can I get further information about the scheme?

The Strata Company can give you additional information about the lot and scheme under s43 of the *Strata Titles Act 1985*. The vendor must authorise you to apply to the Strata Company or its agent for further information. An application form which authorises you or your agent to apply to the Strata Company is attached to this form. It is recommended that you or your agent obtain this information before you sign the contract.

What can you request from the Strata Company?

- A s43 Strata Company Certificate and/or
- Access to or copies of Strata Company documents and/or
- Executive and council member details (including the president, secretary and treasurer)

Contact for requesting additional information -

*Strata Company OR Strata Managing Agent ............................................................................................................

(*Delete whichever is inapplicable)

Contact Person (if known) ........................................................................................................................................

Telephone ........................................... Email ...................................................... Fax ...........................................

Address ..................................................................................................................................................................

Purchasers Checklist

- Do you know you will be part of a strata company?
- What is your unit entitlement?
- Do you know the boundary of your lot?
- Are there any parts of the common property you can / can’t use?
- What are your levies?
- Does the strata have a strata manager or a caretaker?
- Do you know what your by-laws are?
- Are there any restrictions on your lot that might cause you problems?
- What insurance will you need to take out?
- Are you part of a staged strata development?
Vendor’s Checklist

What needs to be highlighted to the purchaser on the plan (s69A(b) STA)

☐ Any exclusive-use by-laws affecting the lot
☐ Any part lots attached to the lot (for example parking spaces and storage areas)
☐ Any easements over the lot
☐ Any rights of way running through the lot
☐ Where the boundary line of the lot is
☐ If you have received a survey-strata plan no buildings will be shown only your lot boundary

Vendor’s Certification

Vendor

I/We, the Vendor(s) of the above lot(s), hereby certify that the notifiable information in relation to the Strata lot as described in this form has been supplied to the prospective purchaser before the offer or contract to purchase this property was signed by the purchaser as required by section 69 of the Strata Titles Act 1985.

Vendor(s) signature(s) ........................................................................................................................................

Date ..............................................................................................................................................................

Vendors agent

I, ................................................................................................................................. [name of agent], of
............................................................................................................................................................ [name of firm] the agent for the
above lot(s) hereby certify that the notifiable information in relation to the Strata lot as described in this form has been supplied to the prospective purchaser before the offer or contract to purchase this property was signed by the purchaser as required by section 69 of the Strata Titles Act 1985.

Vendor’s agent signature(s) ................................................................................................................................

Date ..............................................................................................................................................................

Purchaser’s Acknowledgement

Prospective purchaser

I/We, the prospective purchaser(s) of the above lot(s), acknowledge that I/we have received notifiable information in respect of the lot described in Part 1 of this form and understand that the disclosure given by the vendor(s) or by the selling agent is not an offer or a contract to purchase a strata titled lot, but only provides information to me/us.

Prospective purchaser(s) signature(s) ...........................................................................................................

Date ..............................................................................................................................................................
APPLICATION TO STRATA COMPANY FOR INFORMATION UNDER S43

Strata Titles Act 1985


CONTACT DETAILS FOR THE * STRATA COMPANY / STRATA MANAGING AGENT

Contact Person _____________________________________________________________
Telephone __________________________ Email _____________________________ Fax __________________
Address ___________________________________________________________________________

LOT DETAILS

Lot ___________________ on *strata/survey-strata plan no. ________________________________
Street address of lot _________________________________________________________________
Name of Scheme (Building) _________________________________________________________

AUTHORISATION BY REGISTERED PROPRIETOR OR MORTGAGEE OF THE LOT

*I/we ___________________________________________ the *registered proprietor / mortgagee of the above lot, authorise the below named person and/or their agent to obtain the strata scheme information and records of the Strata Company of which the above lot is a part, available under s43.

SIGNED BY the*registered proprietor / mortgagee ______________________________________

(*Delete whichever is inapplicable)

AUTHORISED PERSON

Authorised Persons name ____________________________________________________________
Authorised persons agent ____________________________________________________________

FEES

<table>
<thead>
<tr>
<th>Service</th>
<th>Cost</th>
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<tbody>
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<td>Strata Company Certificate</td>
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Sale of Strata Lot by Original owner