

# The Form 1 Company™

## Commercial Property FORM 1 AND SEARCH AUTHORITY

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### The Form 1 Company

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**Post:** Level 8, 420 King William Street, Adelaide SA 5000  
**www.form1.net.au**

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### DETAILS (Please complete all details)

Vendor's Name(s)

Vendor's Postal Address

Sale Property Address  as above, OR

Certificate of Title: Volume \_\_\_\_\_ Folio \_\_\_\_\_

Vendor's Mobile  Phone

Vendor's Email

Agency  Mobile

Salesperson  Email

I request, direct and authorise The Form 1 Company to undertake all property searches and prepare the Form 1 (the statutory disclosure statement) for the sale contract as required under the Land & Business (Sale and Conveyancing) Act. The Property Document Company Pty Ltd ("The Form 1 Company") is requested to prepare and deliver a certified Form 1 to the agent who is then to deliver and serve with the contract for the sale of my property. I will check, confirm and sign the Form 1 and I warrant that I am the registered owner (or attorney for the owner) and that I am liable for the costs of the searches and fees for preparation of the Form 1. I will also complete and sign the Form 1 Questionnaire and send to The Form 1 Company to enable it to complete the Form 1 for me. I acknowledge that the search costs may increase if additional searches are required and that a tax invoice will be sent to me. The authority to debit my credit card (if applicable) may increase depending on the search costs. If a company, I as a Director, guarantee the payment by the company.

#### Terms and Credit (if applicable)

Terms are payment in 7 days on Invoice. I acknowledge that The Form 1 Company will pay the search fees for me at my request and if unpaid within 7 days then the credit terms will apply and from the date of the Invoice. I acknowledge and accept that The Form 1 Company will charge interest of 18% and a further \$50 administrative fee for late payments. The Property Document Company Pty Ltd may assign this debt and all its interests herein and I consent and acknowledge any assignment or transfer. I charge any and all real property I and the company (if applicable) own with this debt (in addition to all recovery costs) and this charge may be registered. Executed as a deed.

Signed \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_

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### COSTS

Torrens Title: Searches \$446.33 + Preparation Cost \$495 = \$941.33

Community Lot: Searches \$539.17 + Preparation Cost \$550 = \$1,089.17

Strata Unit: Searches \$565.90 + Preparation Cost \$550 = \$1,115.90

**Note: Additional search and preparation costs may apply for multiple titles and documents**

#### Payment By (please tick):

- EFT – make payment to NAB BSB 085 005 Account 15 297 3872 (use your surname as payee reference)
- Cheque – please attach cheque payable to The Form 1 Company
- Payment on 7 day account
- Credit Card - **card processing fee of 1% applies. Please complete below:**

Credit Card Type:  VISA  MasterCard    Card No.

Expiry Date  /     Security Code    generally last 3 numbers on rear of card

Cardholder's Name     Signature

Amount \$  this will increase if search costs are more than set out above

**TAX INVOICE**  
ABN 37 162 112 441

## VENDOR QUESTIONNAIRE

**This Questionnaire must be filled out completely and signed by the Vendor to enable preparation of the Form 1.**

Agent:

Vendor:

Sale Property:

### Mortgages, Charges and Prescribed Enquiries

Is the property subject to any loan or mortgage that is **NOT** registered on the title?  Yes  No

If yes, please advise name of lender

Is there any tenancy or unregistered lease, agreement for lease, or licence to occupy, (either written or verbal) relating to the property?  Yes  No

If yes, will the tenancy be discharged at settlement?  Not Known  Yes  No  
**(Please provide copy of Tenancy Agreement and any extension even if it is to be discharged)** If not known Form 1 to state **NOT** being discharged

Current Rent \$

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

Have there been any changes of ownership (including options or assignments) affecting the title in the last 12 months? If yes, provide details below.  Yes  No

### Building Indemnity Insurance

1. Have you or a previous owner signed a Building Contract with a licensed builder for building works completed in the last 5 years for works over \$12,000?  Yes  No
2. If yes, did you require Building Indemnity Insurance (Builders' Warranty insurance)?  Yes  No

### General Questions

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

If yes, provide details below:

Are you aware of any fence not on the true boundary, any encroachment over any boundary or any encroachment over any easement or right of way? If yes, please detail below:  Yes  No

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

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

Are there any of the following matters under the Planning, Development and Infrastructure Act 2016 or the Development Act 1994:

- a. An order to do works?  Yes  No
- b. Any legal action or Notice?  Yes  No

If yes, provide all details and documents

### Particulars relating to Aluminium Composite Panels

Have you been notified that the property has been identified as part of a South Australian Building Cladding Audit as having Aluminium Composite Panels installed on the exterior of the building?  Yes  No

If yes, we will need to seek further information from you and the Community Corporation.

## VENDOR QUESTIONNAIRE

### Particulars relating to Environment Protection

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

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

Did the relevant activity occur  Before  After  Before and After you acquired the property

Are you aware of any environmental assessment having taken place on the land  Yes  No

If yes, did the environmental assessment occur  Before  After  Before and After you acquired the property

### Commercial Property Enquiries

Is the property used for, or has the property been used for commercial purposes?  Yes  No

If yes, provide details below of all the commercial uses that you are aware of and if those uses occurred before, after or before and after you purchased the property:

Use   Before  After  Before and After

Use   Before  After  Before and After

Use   Before  After  Before and After

- 1. Is there a "workplace" on the land as defined in the *Work Health and Safety Act 2012*?  Yes  No
- 2. If there is a "workplace" is there an asbestos register? If yes, please provide a copy  Yes  No
- 3. Is there an asbestos management register? If yes, please provide a copy  Yes  No
- 4. Is asbestos to be removed prior to settlement?  Yes  No

### Any other matters

Are there any other matters which are relevant to the property which the agent or purchaser should be made aware of?

If yes, provide details below:  Yes  No

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

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

### Acknowledgement by Vendor

I/WE, ..... \*being the Vendor/person representing Vendor  
DO HEREBY STATE that to the best of my knowledge and after inquiry by me the above information supplied is true and correct and is a full disclosure of all required information and I will advise the Agent of any changes to this information and all further information arising in relation to the property. I am aware that incorrect or incomplete information may place the proposed sale of the property at risk and I may be liable for incorrect or incomplete information in relation to claims which I might incur to the Purchaser and or to third parties relying on the information given by me. If I sign as an authorised person I warrant my authority to do so is valid and not withdrawn and is in writing as appointee or attorney of the Vendor.

Signed \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_