



HOME BUYER'S CHECKLIST

If you are buying property, complete this simple check list to make sure everything is in order

- Measure the property
Get a tape measure and accurately measure the boundaries of the property, even if it's an apartment. One of the most common occurrences is that properties have old laneways at the rear of the property which is not on the title. If there are any discrepancies, then see a solicitor!
- Check the title to see if there are there any easements or covenants affecting the property?
- Check the title to see if there any other restrictions affecting the property?
- What titles will you obtain at settlement?
- Does the plan correspond with measurement of the property being purchased?
- Are there family court orders, caveats or other interests registered on the title which will stop settlement from occurring?
- How much are the council rates?
- What value has the local council assessed the property at?
How does the council valuation correspond with the asking price?
- Will you have to pay land tax? How much?
- Are there planning or zoning controls affecting the property?
This is also very important for commercial property.
- Are there any heritage listings or overlays which may affect what you might do with the property?
A listing or overlay may stop you from demolishing all or part of the property or may affect any renovation plans you may have.
- Are all of the services (water, sewerage, gas, electricity & telephone) connected to the property?
- Does the property have any contamination?
- Does the property have heating and cooling? Does it work?
- Has there been any unlawful or illegal building over the property?

Hendersons Legal- Buyer's Checklist-01.10.15

www.hendersonslegal.com

Level 7 Suite 712/530 Little Collins Street

Melbourne VIC 3000

(03) 9629 2211

- Have there been any renovations to the property and if so, was a permit issued?
- Is there a certificate of final inspection relating to the renovations?
- If the building is a new home, is there an occupancy certificate?
- Is there any builders warranty insurance or owner-builder insurance over the property?
- Are there any building defects?
Consider engaging a reputable building inspector to provide you with a report about the property.
- Is the property affected by termites?
- Is the property affected by owners corporation or strata title?
- How much are the owners corporation charges per annum (not quarterly)?
Also, does the certificate or minutes of the last AGM indicate any prospective special levy which will increase the OC charges that all lot owners will have to pay? Enquire with neighbours in the same lot if there is some doubt.
- Does the property have any other charges such as growth area infrastructure contribution?
- Are your finances in order?
Do you have immediate access to funds to pay the deposit and the balance at settlement? Has your bank given you unconditional approval of finance or is it subject to conditions such as valuation, completion of your taxation return, a clean credit reference etc? If you cannot pay for the property, then don't buy it and don't sign the contract.
- Is the purchase price ok?
Have you considered recent comparisons of sales in the area? Check the real estate websites for comparisons.
- Who is going to be the purchaser?
Have you considered the right entity to buy the property? Should it be you; your partner; a company; or other person?
- Check the terms of payment
Is the settlement period long enough? Settlement within, say, 14 days is unrealistic, unless you have cash in the bank to pay for the full deposit and the balance of the purchase price. In the current market it is difficult to get banks to complete settlement within 30 days let alone a period less than that. Although difficult, Hendersons Legal have completed conveyances within 14 days!

If there is any doubt or you have questions or concerns about any of these issues
you should get legal advice immediately.

Once a contract of sale is signed, it is difficult to walk away if things aren't what they seemed.

Call **HENDERSONS LEGAL** on 9629 2211

This checklist is intended to provide a summary and general overview. It does not intend to be comprehensive or specific to individual circumstances. All attempts have to been made to ensure that the contents are correct and current, but this is not guaranteed and you should seek specific legal advice from a qualified practitioner in relation to any legal issue of concern.

Hendersons Legal- Buyer's Checklist-01.10.15

www.hendersonslegal.com

Level 7 Suite 712/530 Little Collins Street

Melbourne VIC 3000

(03) 9629 2211