



BREAKING THE MOULD
in Finance, Mortgage and Insurance Solutions

SELLERS CHECKLIST

BEFORE SELLING YOUR PROPERTY

There are a number of things that you should consider before you make that all important decision to place you property on the market including:

Researching the market:

Find out what price you can expect to sell your property for considering the current market conditions.

Costs:

Find out costs are involved in the sale of your property. These costs can add up and some require up-front payment. These costs include (but are not limited to): Agents commissions, advertising and marketing fees, auction fees and legal fees. Be aware that some of the prices you will be quoted will not include the 10% GST payable.

Finance:

Do you have a mortgagee – finance over your property? If yes, how much do you owe? This is how much you will have to pay back after the sale of your property.

Will you be selling the property for less than you owe? If you are, you may not be able to pay out the balance of your mortgage. This may be a breach of contract (between you and the buyer) and you may be liable to pay damages!

APPOINTMENT OF AGENTS

Once you have decided on the Agency you wish to sell you property, you will be required to sign a PAMD Form 22a (under the Property and Motor Dealers Act 2000). This form gives the Agent the right to market your property.

TYPES OF APPOINTMENTS

There are three types of appointment you can engage in with an Agent. You may appoint an Agent to sell a property on the basis of an open listing, sole agency or an exclusive agency. Details of the appointment are found in the PAMD Form 22a.

MATTERS AFFECTING THE PROPERTY

You must advise the Agent if you are aware of any matter affecting the property. These may include:

- Easements
- Registered Covenants on title (imposed by the local authority and affecting your use of the property).
- Building Covenants from the original Developer of the land.
- Tenants
- Encroachments
- Building Envelopes
- Vegetation Orders
- Incomplete or non complying Pool Fences
- Contaminated Land
- Heritage Listings
- Pest Infestation
- Sewers
- If an approved electrical safety switch is fitted to the property
- If an approved smoke alarm installed (You are required by law to fit an approved smoke alarm).
- And even Murders which have occurred on the property!

TOWNHOUSE AND UNITS

If you are selling a property under Community Title Scheme (a Unit or Town house), you are required to provide the agent with a Disclosure Statement from the Body Corporate setting out the Administration and Sinking Levies. You are also required to advise of any other Levies which affect the property such as special levies and any matter which could lead to a special levy being introduced by the Body Corporate in the future of which you are aware.

OWNER BUILDERS

If you have performed any work on the property under an Owner Builder's Licence, you are required to give, prior to a buyer entering into a contract with you, a Notice of any work undertaken by you on the property as an Owner Builder. A special condition is required to be included in contract that the buyer acknowledges the work performed by you as an owner builder. Such work is not covered by insurance cover provided for in the Queensland Building Services Authority Act.

CONTRACTS OF SALE

Once you and the buyer have agreed on the terms of the contract and all parties have signed and initialled any alterations, the contract is then dated and signed by the Agent as Deposit holder. You can ask the Agent to send the contract to your solicitor for checking before you sign it.

Solicitors Advice: Your Solicitor will diarise the specific dates in the contract and forward correspondence to you advising you of those details.

Mortgagee: If you have a Mortgagee, you are required to sign their specific authority for the discharge of your mortgage. This is required to be done as soon as possible as delay in notifying your financier could lead to them not being able to settle on the due date.

You will be required to sign a Transfer which will be lodged in the Department of Natural Resources (Titles Office) after settlement to record the change of ownership of the property.

PRACTICAL MATTERS

To ensure a smooth transition after the sale of your property you will need to ensure that you do the following:

- All keys, remotes and detail of security systems to be left with Agent
- Arrange removalists
- Arrange for telephone, 'cable' TV and internet disconnection
- Notify change of address to all appropriate parties, Electoral Office, Post Office, Banks, Accountants, Department of Transport (driver's licences and car registrations)

Please Note: This information has been kindly provided to auscredits from

MDRN Conveyancing

www.mdrn.com.au