



## **Purchasing a Property**

### **Things to be aware of prior to signing a Real Estate Contract**

Purchasing a property is arguably one of the biggest and most important financial decisions you will make in your life. It can also be one of the most stressful. Avoid surprises by checking out the following points before signing.....

#### **Section 7 Statement ( Form 1)**

The Form 1 is a formal statement by the vendor about certain details relating to the property. Consulting M Kley Conveyancers – about the contents of the statement will ensure that you are aware of various details affecting the property.

**Ensure that you are aware of the details and understand all terms and conditions applicable.**

#### **Cooling off Rights**

Most purchasers have a statutory right to terminate a Contract (cool off). If you wish to terminate a contract you must give written notice to the Vendor of your intention to “Cool Off” during the Cooling off period. The Cooling off period is deemed to be a period of two clear business days after the later of both:-

- Receiving a complete and accurate Form 1, and
- Entering into the Contract

Importantly, Not all buyers have the right to Cool off. For example, the right does not exist if the property is purchased by way of auction, or even if you bid at auction but did not enter into the contract until later that day.

If the property is being auctioned, the Form1 must be available for inspection at the agent's office at least three business days prior to the auction and at the place of auction at least 30 minutes before the auction commences.

**You should be careful about waiving your rights to “cool off” if you have not received and understood all information that would be included in the Form 1.**

**If you are at all unsure of your rights to Cool Off, please don't hesitate to contact this office.**

## **Purchasing a Property – other things to consider:-**

### **Property Insurance:**

The property is at your risk from the making of the contract – hence you should insure the property as soon as possible after your offer has been accepted. Your lender will require a copy of the insurer's Certificate of Currency with their interest noted, before providing funds to settle.

### **Title Insurance:**

For a once off premium, this insurance is available to cover against various unknown risks that threaten ownership and use of the property until its resale.

### **Building and Pest Inspections:**

I recommend Building and Pest inspections be undertaken for every purchase and be completed as soon as possible. If it is not practical to have these inspections completed during the cooling off period, you should make the Contract subject to a satisfactory Building and Pest Inspection report.

### **Costs involved:**

These include Government Stamp Duty and Registration fees, Government Search Costs, Conveyancing Fees and Adjustment of Rates and Taxes. As fees vary depending on the purchase price, nature of your purchase and special matters which may need to be attended to as part of the process, please contact M Kley Conveyancers for an individual quote.

**For any further information regarding any of these matters, please contact M Kley Pty Ltd – Registered Conveyancers**

Monica Kley – Registered Conveyancer

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