

Residential and Commercial Existing Owner Title Insurance 4 Easy Steps for Existing Owners

The Residential & Commercial Existing Owner Policy is available to owners of residential or commercial property and can be applied for at any time during the ownership of your property.

Please find attached a copy of the Policy Order Form.

To determine the applicable premium, refer to our website www.stewartau.com or contact us on **1800 300 440** for a quote.

Where you elect for Stewart Title to obtain the title search for you:

1. Complete all details in the Policy Order Form and return it to us together with your latest Rates Notice and photo I.D.
2. Once we have processed your order, we will issue a Policy Order Confirmation. This confirms that we will provide cover for your property and sets out any exceptions and/or qualifications to our standard cover. The premium payable is specified in Schedule A.
3. Send a cheque made payable to Stewart Title Limited for the full amount.
4. The final policy together with a tax invoice will be sent to your email or mailing address.

Where you elect to obtain your own title search:

1. Complete all details in the Policy Order Form and return to us with a current title search and photo I.D
2. Once we have processed your order, we will issue a Policy Order Confirmation. This confirms that we will provide cover for your property and sets out any exceptions and/or qualifications to our standard cover. The premium payable is specified in Schedule A.
3. Send a cheque for the premium made payable to Stewart Title Limited.
4. The final policy together with a tax invoice will be sent to your email or mailing address.

There will be ***no legally binding contract*** of insurance until we receive notification of settlement and full payment of the premium.

Please note your obligations with respect to your duty of disclosure set out below. In accordance with these obligations, please notify us of any defects or matters with respect to the property of which you have knowledge.

We thank you for choosing Stewart Title Limited.

Duty of Disclosure

Before you enter into a contract of general insurance with an insurer, you have a duty, under the ***Insurance Contracts Act 1984***, to disclose to the insurer every matter that you know, or could reasonably be expected to know, is relevant to the insurer's decision whether to accept the risk of the insurance and, if so, on what terms.

Your duty however does not require disclosure of any matter:

- f* that diminishes the risk to be undertaken by the insurer;
- f* that is of common knowledge;
- f* that your insurer knows, or in the ordinary course of business, ought to know;
- f* as to which compliance with your duty is waived by the insurer.

Non disclosure

If you fail to comply with your duty of disclosure, the insurer may be entitled to reduce its liability under the contract in respect of a claim or may cancel the contract. If your non disclosure is fraudulent, the insurer may also have the option of avoiding the contract from its beginning.

Residential and Commercial Existing Owner Policy Order Form

Please submit this form to Stewart Title Limited, Underwriting Department

FAX | 1300 898 175 | OrderAU@stewart.com | GPO Box 527 Sydney NSW 2001 or DX 10504 North Sydney, NSW

Your order will be processed promptly. Business hours are Monday to Friday, 8:30am to 5:00pm AEST

YOUR DETAILS (PLEASE USE BLOCK CAPITALS)

Please list the full name of all owners of the property

Name(s)	<input type="text"/>		
ABN/CAN (if applicable)	<input type="text"/>		
Postal Address	<input type="text"/>		
Email	<input type="text"/>		
Telephone	<input type="text"/>	Facsimile	<input type="text"/>

YOUR SOLICITOR / CONVEYANCER DETAILS (PLEASE USE BLOCK CAPITALS)

Company	<input type="text"/>		
Contact person	<input type="text"/>		
Street Address	<input type="text"/>		
Postal Address	<input type="text"/>		
Telephone	<input type="text"/>	Facsimile	<input type="text"/>
Email of Contact	<input type="text"/>		

PROPERTY DETAILS (PLEASE USE BLOCK CAPITALS)

Property Address	<input type="text"/>		
Title Reference	<input type="text"/>	Date of Purchase	<input type="text"/>

Type of Zoning (please check one of the following)

Residential Commercial Mixed Use Industrial

Rural – is the property going to be used as a commercial enterprise? Yes No

Other _____ (specify)

Is the property Strata? Yes No

Is the property Vacant Land? Yes No

Is there a septic system on the property? Yes No

Please specify the Property Type (e.g. house, shop, office, warehouse): _____

Estimated property value \$

QUESTIONS ABOUT YOUR PROPERTY

Please answer all questions set out below. **For any questions answered YES, please provide further details to Stewart Title**

1. Did you obtain a professional survey report of the property at the time you purchased the property or subsequently? Yes No
2. Did you obtain a building certificate or final compliance certificate at the time you purchased the property or subsequently? Yes No
3. Have you been served with any correspondence, notice, or order or claim or are you aware of any proposed notice, order or claim relating to:
- a) any structure(s) on your property which encroach onto neighbouring property
 - b) any neighbouring structure(s) which encroach onto your property
 - c) a claim of adverse possession by any person
 - d) outstanding rates by previous owners or outstanding notices
4. Have you built any structures on the property since taking ownership? Yes No
5. Are you aware of any other defects or matters affecting title or use of the property? Yes No

TITLE SEARCH

Please elect whether you would like Stewart Title to obtain a title search on your behalf (additional fee charged) Yes No

If you selected 'NO' please attach your recent title search with this order form

Please also ensure you have attached your Photo I.D with this order form and Rates Notice if required.

ACKNOWLEDGMENT

I / We acknowledge that the information provided above is true and correct and I / we have notified Stewart Title Limited of all matters affecting the property of which I / we have knowledge.

Signature

X

Date

X

Privacy Statement

We are committed to handling your personal information in accordance with the Privacy Act. We recognise that any personal information we collect, use and disclose about you may only be collected, used and disclosed for the primary and related purposes for which it was collected and where you would reasonably expect us to.

We only collect information from you that is necessary for us to provide you with our services, including, but not limited to, assessing your request for title insurance, assessing any claim you may make under that policy and facilitating the payment or refund of premiums (if applicable).

Personal information is kept in a combination of paper and electronic format. Paper records, including general business records, are stored in our Australian head office. Access to personal information is restricted to Stewart employees and third party providers who require access for business purposes, such as:

- property valuers
- legal practitioners
- licensed conveyancers
- land surveyors
- building consultants
- other external and independent professional advisors who may be engaged by Stewart in the course of investigating, assessing and settling a claim

We transfer personal information (which may include electronic formats such as emails) for administrative, data back-up, processing (including claims administration) and reinsurance purposes to our head office, Stewart Title Limited United Kingdom, our affiliate, Stewart Title Guaranty Company Canadian Division, and/or our international head office, Stewart Title Guaranty, USA ("Other Jurisdiction Offices").

Personal information transferred outside of Australia may be accessible to regulatory authorities and enforcement agencies in accordance with the laws of the respective countries in the Other Jurisdiction Offices.

We take all reasonable steps to satisfy ourselves that our Other Jurisdiction Offices and our service providers are committed to complying with this Privacy Policy.

From time to time, certain information about your property, such as information about a known title defect or other adverse circumstances/issues affecting your property ("Known Risks"), may be disclosed to Stewart in the course of Stewart providing you with our services. Disclosure of Known Risks may result in Stewart issuing an exclusion, exception or condition on the cover it would normally provide to you. Such exclusions, exceptions and conditions are normally detailed in the Schedule B which forms part of your title insurance policy.

In the future, a prospective purchaser of your property may request similar services from Stewart. In those circumstances, Stewart may use the information relating to the Known Risks for the purposes of assessing any request for our services by a purchaser of your property. Stewart may for this purpose:

- disclose the existence of the Known Risks to the purchaser and/or their legal or conveyancing representatives
- apply the same exclusion, exception or condition on cover in respect of the Known Risks to any subsequent policy which is issued to a purchaser of your property by Stewart

By visiting our website, applying for any of our services, making a claim or providing us with your personal information, you consent to your personal information being collected, held, used and disclosed as set out in our Privacy Policy.

For a copy of our complete Privacy Policy (which may be amended from time to time), please visit our website at www.stewartau.com or contact our Privacy Officer at PrivacyAU@stewart.com