**Renovations and exclusive use by-law order form – owners**

\*Send your completed form, payment confirmation and all attachments to info@fixedcostbylaws.com.au

**Your details**

**1**|Name

**2**|Home Address

**3**|Email

**4**|Phone number

**5**|If owner of a lot, lot number

**6**| If owner of a lot, names of all owners

**Strata scheme details**

**7**|Strata plan number

**8**|Address of the strata scheme

**9**|Name of strata manager and company

**10**|Email address of strata manager

**By-law details**

**11**| Type of by-law required

**A**|  Past renovations with exclusive use  Past renovations without exclusive use

Future renovations with exclusive use  Future renovations without exclusive use

Nature of renovation:

|  |  |  |
| --- | --- | --- |
| Air conditioning | Awnings, shutters and pergolas | Bathrooms |
| Balcony enclosure | Doors | Fencing |
| Floor coverings | Foxtel and satellite dishes | Gas installation |
| Gardens | Hot water systems | Kitchen |
| Security systems | Signage | Skylights |
| Solar panels | Storage cages | Wall removal |
| Windows | OTHER (please specify) | |

**B|** Exclusive Use only – please specify area

**12**|What outcome do you want from the by-law?

**13**|Will compensation be provided to the owners corporation and if so how much?

**14**|Please provide any other information or details you want included in the by-law

**The works**

**15**|Please provide a thorough description of the renovations and any other information or details

you want included in the by-law

The better the description, the better the terms of the by-law and your chance of the by-law being made and not challenged in the future.

**16**|Is/was development consent required for the works? Yes No Don’t know

**Have you included:**

**17**|A copy of the strata plan? Yes No N/A

**18**|A copy of any strata plans of subdivision? Yes No N/A

**19**|A copy of any strata management statement? Yes No N/A

**20**|A copy of all current by-laws? Yes No Only some

**NOTE**: If you do not have all of the above, we can obtain them by undertaking online searches and paying a third party provider. If we do not have the above documents the by-law we draft may be inconsistent with other by-laws or may not be valid or enforceable. There is a fee of $27.50 inclusive of GST for each search. For example, there may be one strata plan, one common property certificate of title, and three registered by-laws. This will incur a fee of $137.50.

Please tick the box to confirm if we can undertake relevant searches if you do not have all of the above documents. We will send you a tax invoice for the searches when we complete the work and before releasing the draft by-law.

**21**|Plans, drawings and specifications? Yes No N/A

**22**|Quotes or contracts of the proposed/ completed works? Yes No N/A

**23**|Development consent from Council or a certifier? Yes No N/A

**24**|Certification from an expert (e.g. structural engineer)

that the proposed/completed works are compliant? Yes No N/A

**25|**Any other documents you consider relevant?

**26|**Acknowledgement:

I have read and acknowledged the terms and conditions attached to this form and instruct Fixed Cost By-Laws to prepare the by-law as outlined above. I confirm I have the authority to instruct Fixed Cost By-Laws to undertake the work. I understand that the fee must first be paid before the text of the by-law and all other documents are released.

If not printing out, please check box to confirm before sending

If printing out:

Sign \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Your name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**27|**Bank account details:

BSB: 302 162

Account No.: 096 4266

Account Name: Colin Cunio Solicitors Pty Ltd

Reference: *please provide your surname as a payment reference*

**Terms and Conditions**

1. In these terms and conditions:
   1. “**FCBL”** means Colin Cunio Solicitors Pty Ltd trading as Fixed Cost By-Laws.
   2. “**Fee”** means $550.00 inclusive of GST.
   3. “**Form”** means the form to which these terms and conditions are attached which requests that the Work be carried out and includes all attachments.
   4. “**Search Fee**” means the total amount of searches we conduct to obtain the strata plan, common property certificate of title, and current by-laws, as instructed by You on the Form.
   5. “**Work”** means the provision of all the following:
      1. A motion or motions to make a by-law.
      2. A consent form to the making of the by-law.
      3. A draft communication to the owners corporation requesting the inclusion of the motion/s.
      4. An email to You enclosing the motions/s and form and communication to the owners corporation and providing an outline of the process of making a by-law and an explanation of parts of the by-law.
   6. “**You/ Your**” means the person, company, or other legal entity that has engaged FCBL to undertake the Work.
2. Upon proceeding with the submission of the Form and payment of the Fee, you agree to be bound by these terms and conditions.
3. FCBL is regulated by the *Legal Profession Uniform Law*. That law does not require a costs disclosure to be given to You because the cost of these legal services is below the relevant threshold.
4. FCBL will complete the Work within 2 business days of receiving the duly completed Form and Fee.
5. In the event You have requested we conduct searches then we will send you an email when the Work is completed with an invoice for the Search Fee. The Work will be released upon payment of any Search Fee.
6. The Fee or Search Fee or any part thereof is not refundable under any circumstances, including but not limited to circumstances where the owners corporation does not make the by-law.
7. You acknowledge that:

* 1. You are responsible for providing FCBL with all information required to undertake the Work.
  2. The quality, validity and enforceability of any by-law made from motions drafted by FCBL depends on the information You provide to us in the Form.
  3. FCBL will not be responsible for any deficiency in the Work arising as a result of You failing to provide all information requested in the Form or providing inaccurate information.
  4. The validity and enforceability of part or all of any by-law can be challenged in a Tribunal or Court.

1. The motion/s to make the by-law and any request to consider the motion/s are subject to copyright. You agree not to alter, copy, distribute or use in any way part or all of that material without the express written consent of FCBL.