



## Loose Fill Asbestos Insulation Eradication Scheme

### Buyback Program: Application Form

This application is made under the Loose Fill Asbestos Insulation Eradication Scheme (the Scheme) Buyback Program. All applications will be assessed in accordance with *The Loose Fill Asbestos Insulation Eradication Scheme – A Guide to the Voluntary Buyback Program* or *The Loose Fill Asbestos Insulation Eradication Scheme – Voluntary Unit Buyback Program – Policy*, as applicable.

This application cannot be processed unless it is signed by all registered owners and lodged with all sections completed. You may also be required to provide additional information.

Part 1 – Applicant details		
<i>List all registered owners for the affected property</i>		
Name(s):		Year of Birth e.g. 1976
Residents at the Affected Property: <i>List all residents living at the Affected Property, noting any dependants. Dependant as defined in 'Fact Sheet: Dependant Child Definition'</i>		
Name(s):	Dependant Yes/No	Year of Birth e.g. 1976
Is anyone within the household a member of any of the following groups: <input type="checkbox"/> Aboriginal or Torres Strait Islander <input type="checkbox"/> Person with Disability <input type="checkbox"/> Person from non-English speaking background If you have ticked any of the boxes above, please provide details, including which household member this applies to:		
Postal address of Applicant:		
Telephone(s):		
Email:		
Preferred method of contact: <i>Please mark as appropriate</i>	<input type="checkbox"/> Email <input type="checkbox"/> Telephone <input type="checkbox"/> Post	

**Part 2 – Affected property details**

The property affected by loose fill asbestos insulation is:

a house

a unit in a Units Plan

Address: \_\_\_\_\_

Unit:	_____	Block:	_____	Section:	_____	Division:	_____
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Interest in the affected property:

Crown Lessee (Owner/s)

Trustee (including of a deceased estate or in bankruptcy)

Mortgagee in possession  
*This is where a lender has taken possession of the property due to mortgage default*

Liquidator, Receiver or Administrator of Crown Lessee

Other

Did you purchase the property under a contract for sale entered into after 18 February 2014?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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If yes, what was the purchase price:	\$ _____
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**Part 3 – Declaration in relation to sale of the property**

I have never entered into a contract of sale for the affected property as a seller.

or

I have entered into the following contract(s) for sale as seller:

*Please provide details below. If there is more than one contract, please provide details for each contract.*

Date of Contract:	_____
Buyer(s) listed on Contract:	_____
Address:	_____
Telephone:	_____
Purchase Price:	_____
Deposit Paid:	_____
Was the deposit returned to the buyer(s)?	<input type="checkbox"/> Yes <input type="checkbox"/> No

**Part 4 – Declaration in relation to tenancy of the affected property**

The affected property is not the subject of a current residential tenancy agreement  
 or  
 The affected property is the subject of the following residential tenancy agreement:  
*Copy of the tenancy agreement must be provided with this application*

Date of Agreement:	
Tenant(s): <i>Please list all tenants named in the residential tenancy agreement</i>	
Address:	
Telephone:	
Email:	
Has the tenant(s) vacated?	<input type="checkbox"/> Yes <input type="checkbox"/> No

**Part 5 – Declaration of advice to vacate the property**

Were you advised to vacate the property prior to <u>28 October 2014</u> ?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If yes, date the property was vacated:
Was your tenant advised to vacate the property prior to <u>28 October 2014</u> ?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If yes, date the property was vacated:

**Part 6 – First right of refusal to repurchase block (not applicable to Unit Buyback Program)**

Do you wish to retain a first right of refusal to purchase the affected block at future market value when it becomes available?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Undecided
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**Part 7 – Declarations by Applicant(s)**

I acknowledge the information in this form is being collected to enable my/our application to participate in the Buyback Program to be processed.

I have read and understood the information in *The Loose Fill Asbestos Insulation Eradication Scheme – A Guide to the Voluntary Buyback Program* and *The Loose Fill Asbestos Insulation Eradication Scheme – Voluntary Unit Buyback Program – Policy* (where appropriate) and understand my application will be assessed in accordance with the guidelines.

I acknowledge my participation in the Buyback Program will require the information in this application to be given to the Australian Property Institute (and any appointed valuers) together with any legal representative(s) of the Territory.

I acknowledge that the Territory may provide any asbestos assessment report for the affected property to valuers.

I acknowledge and agree that valuers may be required to enter the affected property for the purpose of conducting valuations under the Buyback Program.

I acknowledge the Territory may provide information contained in this application to any Commonwealth, State, Territory or Local government and any statutory authority, agency or other government organisation for the purpose of administering the Scheme and any related matters including managing asbestos contamination.

The Privacy Policy of the Environment, Planning and Sustainable Development Directorate (of which the Taskforce is a part) is at: [www.environment.act.gov.au/about/privacy](http://www.environment.act.gov.au/about/privacy).

**Part 8 – Provision of legal documents**

In the event that the Territory approves my application, I wish the Territory to provide legal documents to:

me, at my address above; or

my solicitor:

Name of Solicitor/Firm:

Address:

**Part 9 – Further information**

Is there any other relevant information that you would like to provide in relation to your application? If so please provide below (attach additional page if necessary).

**Part 10 – Signing**

I/we declare that I/we have read and understood the above information and that the information contained in this application is true and correct.

Note: The application must be signed by all applicants.

Name:	Name:
Signature:	Signature:
Date:	Date:

Note: The *Criminal Code 2002* provides for significant penalties, including fines and imprisonment, for making a false or misleading statement to the Territory in the hope of obtaining a financial benefit.

## Completing the Buyback Program Application Form

This document is designed to assist you to complete the Application Form for the Buyback Program. The application is made under the Loose Fill Asbestos Insulation Eradication Scheme (the Scheme) Buyback Program or Unit Buyback Program.

All applications will be assessed in accordance with *The Loose Fill Asbestos Insulation Eradication Scheme – A Guide to the Voluntary Buyback Program* (the Guidelines) or *The Loose Fill Asbestos Insulation Eradication Scheme – Voluntary Unit Buyback Program – Policy* as appropriate. Please ensure that you have read and understood the Guidelines and Policy.

### Part 1 – Applicant details

You must list all Eligible Homeowners of the affected property at 28 October 2014 (the date the Buyback Program was announced) and contact (and preferred method of contact) details. Please refer to **'Who is an Eligible Homeowner?'** in the Guidelines.

If there are more than two Eligible Homeowners include them on this application form.

Please ensure you include an appropriate address for mailing documents and update these details with the Taskforce should they change. Otherwise correspondence will be sent to the address of the affected property.

### Part 2 – Affected property details

Provide the current address and title details of the property that is affected by loose fill asbestos insulation – unit (if applicable)/ block/section/ division (suburb). You can find this information in a number of places, including your contract for sale or on your rates notice.

To be eligible for the Buyback Program or Unit Buyback Program you must be an Eligible Homeowner. You are required to specify your interest in the affected property to ensure your eligibility.

Please indicate whether you entered into a contract to purchase (exchanged contracts) the property on or after 18 February 2014 (this is the date the Work Safety Commissioner's letter reminding homeowners about loose fill asbestos insulation in the home was sent). If you exchanged contracts on or after this date the

purchase amount is the value for the purpose of the Buyback Program or Unit Buyback Program

### Part 3 – Declaration in relation to sale of the Property

Please refer to the **'Statutory Declarations'** section in the Guidelines. You must disclose whether you have ever entered into a contract for sale of the affected property or unit (at any time). If you have attempted to sell the property or unit and have exchanged contracts with one or more potential buyers (at any time) you must mark the box "I have entered into the following contracts for sale as seller) and provide the details requested for each contract.

You must disclose this information regardless of where the sale process is up to (currently exchanged or settled) or whether it has fallen through (for example, it has been terminated or rescinded).

If you have kept any payment in relation to the failed sale (such as the deposit) your surrender or sale sum in the contract with the Territory may be reduced by that amount.

Depending on the information you provide, you may be provided with a statutory declaration to be completed prior to the surrender or sale to the Territory.

### Part 4 – Declaration in relation to tenancy of the affected property

Please refer to the **'Statutory Declarations'** section in the Guidelines. You must disclose whether the property is the subject of a current residential tenancy agreement.

If the property is currently tenanted the Taskforce will need to confirm that vacant possession will be provided to the Territory on the surrender or sale settlement date.

Depending on the information you provide you may be provided with a statutory declaration to be completed prior to the surrender or sale to the Territory.

### Part 5 – Declaration of advice to vacate the property

Please indicate whether you or your tenant was advised to vacate the property (by a licensed asbestos assessor, WorkSafe ACT or the Taskforce)

before 28 October 2014. And, if so, please specify the date the property was vacated. This information is necessary to calculate rates and land tax adjustments on completion of the surrender or sale to the Territory.

#### **Part 6 – First right of refusal to repurchase block**

*Not applicable to the Unit Buyback Program.*

Please indicate whether you would like the option of first right of refusal to purchase the affected block at future market value when it becomes available.

Providing this information will assist the Taskforce to provide you with details about the likely future use of your block (and if applicable, your neighbours) and intended timing for its demolition, valuation and resale.

If you want this option it is *essential* that you update your contact details with the Taskforce if they change as it may be some time before the block becomes available for purchase.

#### **Part 7 – Declarations**

Please ensure that you read and understand the information in this section. By signing and submitting the application you will be taken to have accepted/acknowledged the matters listed in this section.

#### **Part 8 – Provision of legal documents**

Complete this part to provide details of where legal documents should be sent if your application is approved. This could be you at your mailing address, or your solicitor.

#### **Part 9 – Further information**

Please provide any further information supporting your application. This might include:

- reasons for priority approval or processing (including personal circumstances, health issues, financial reasons, commitment to purchase a new property)
- dates you may be away or unavailable
- if you have a preferred date for settlement (e.g. a delayed settlement or a date to coincide with settlement on another property)
- personal circumstances where the timing of settlement is critical for other reasons, such as eligibility for pensions.

This information will be taken into account in the processing of your application. Please contact the

Taskforce if you wish to discuss any of the additional information provided.

#### **Part 10 – Signing**

**All applicants must sign the application form.**

All registered owners must have read and understood all of the details completed on the application form. A scanned copy of a signed document is acceptable but the form must be signed.

Please ensure all supporting documentation is attached with your application – including any residential tenancy agreement for the property, and any additional information to assist in processing your application.

Failure to complete the form or produce the relevant documentation may result in delays in processing.

Please note that the *Criminal Code 2002* provides for significant penalties, including fines and imprisonment, for making a false or misleading statement to the Territory in the hope of obtaining a financial benefit.

#### **Important reminders**

- All applications will be assessed in accordance with the Guidelines. Please ensure that you have read and understood the Guidelines.
- Failure to complete all parts and provide all relevant information may result in delays in processing your application or may result in your application being rejected.
- The Buyback Program is only open to Eligible Homeowners of properties affected by loose fill asbestos insulation as at 28 October 2014. You must still be an Eligible Homeowner at the date of this application, and the date of surrender of the Crown Lease for the property or sale of the Affected Unit.
- Giving false or misleading information is a serious offence under the *Criminal Code 2002*.