



This specimen due diligence checklist sets out some of the documents and information which a vendor may wish to compile before selling or a purchaser may wish to check before buying a commercial property.

This checklist is intended as a guide only – each property is unique and the information which may be relevant will depend on the specific property.

1. Title and Related Matters

- Title Reference for Property and Title Search
- Details of any easements, covenants, restrictions on use or encroachments affecting the Property
- Details of any rights of way or shared access arrangements
- Title Reference for Property

2. Council/Town Planning

- Copy all Council Development Consents and Conditions
- Copy Construction Certificates
- Copy Final Occupation Certificates
- Copy Building Certificates
- Copy Fire Safety Certificates
- Details of any Heritage Listing or other heritage or conservation affectations

3. Survey

- Copy Survey Reports by Licensed Surveyor showing each of the Buildings as currently built

4. Occupational Health & Safety

- Copies of any Hazardous Materials Register or Reports
- Details of any hazardous materials used in the construction of the Property or stored on the Property or any remediation work carried out on the Property

5. Drainage/Sewerage Services

- Copies of drainage diagrams showing current connections

6. Tenancy Matters (if Property tenanted)

- Copies of all Leases, Licences and Car Parking Licences
- Details of current rents and outgoing payments payable by tenants
- Copies of all licences, permits, Development Approvals for tenant's business
- Copies of Bank Guarantees or details of other Lease securities

7. Fixtures and Inclusions

- List of Owner's fixtures and fittings to be sold
- Depreciation schedule and capital allowances report
- List of Tenant's fixtures and fittings
- Evidence of payment by the Vendor for Tenant's Fixtures (if applicable)

8. Building Construction

- Details of Builder and date of construction in respect of any work undertaken within the last 5 years
- Evidence of Builder's warranties and defects liability insurance (if recent work done)
- History of claims against Builder, if any
- Copies of Engineering Certification for concrete slabs (including load bearing capacity) – eg for warehouse, factory or car park areas
- Copies of all Council approved Plans and Specifications for the construction of the Buildings on the Property.

9. Building Maintenance

- Details of all maintenance contract for the Building, including fire safety, lifts, air-conditioner (including cooling towers) and other significant contracts for the maintenance or provision of services to the building.
- Details of any outstanding orders, recommendations or reports regarding work which should be undertaken to the Buildings in order to comply with BCA, Council or Fire laws and regulations and any proposals or quotes received in respect of such works.

This document is provided for the use of clients and prospective clients of Teece Hodgson & Ward in relation to buying and selling property in New South Wales. Different information and considerations may be relevant in other jurisdictions and depending on your particular circumstances.

This document should not be used or relied other than for the purpose of instructing our firm.

