

Western Australia's only Quality Endorsed Settlement Agency

AMAZING AUTUMN SPECIAL*



By choosing Vicki Philipoff Settlements, the ***one and only*** awarded **Quality Endorsed Settlement Agency** in Western Australia, you are assured of the highest possible standard that a company can achieve to look after your conveyancing.

Purchase of ANY
Property over \$400,000:

50% Discount off the Government Scale
Plus Government & out of pocket expenses

Sale of ANY
Property over \$400,000:

Flat Fee of \$670.00 (including GST)
Plus Government & out of pocket expenses

*** Special Conditions**

1. Applies only to contracts dated within these months and received in our office by 31st May 2008.
2. This is not an automatic special price that applies to all of our clients. The Amazing Autumn Special rate must be noted in writing on your covering letter or on the offer and acceptance for these rates to apply.
3. The property does not need to settle by the 31st May 2008.

*MARCH, APRIL, MAY

Great settlement savings for all your clients - Here's how we compare

When Selling	WA Government Scale Fee	Vicki Philipoff Settlements Fee	When Purchasing	WA Government Scale Fee	Vicki Philipoff Settlements Fee
\$450,000 Strata Title House	\$1,050.00	\$670.00	Strata House Value of \$450,000	\$1,619.00	\$809.50
\$650,000 Green Title House	\$1,231.50	\$670.00	Green Title House of \$650,000	\$1,866.50	\$933.25
\$750,000 Green Title House	\$1,341.50	\$670.00	Green Title House of \$750,000	\$2,031.50	\$1,015.75

Meet Karen Rekowski



Karen Rekowski, Group General Manager, is the newest member of our team. She brings a wealth of experience to Vicki Philipoff Settlements. Karen thoroughly enjoys interacting with people and is looking forward to establishing a strong relationship with Finance Brokers, Real Estate Agents and Real Estate Sales People.

1. What was your first job in the industry?

A trainee conveyancer with a large Perth based legal firm.

2. How long have you been in the industry?

13 years.

3. Your greatest personal achievement?

My most recent achievement is lecturing in conveyancing @ Perth Central TAFE. It was a very rewarding experience as I enjoy sharing my knowledge and experiences.

4. What do you do on Friday nights?

Well, it starts with a cold drink to unwind, then.....?

5. What's the best thing about your job?

Client and staff interaction. I like to talk!

6. What vehicle do you drive?

Audi A4.

7. What about hobbies or passions?

Keeping fit, enjoying our stunning beaches here in Perth and cooking.

Carbon offset settlement

Vicki Philipoff Settlements has established a relationship with "Carbon Neutral" a WA based company committed to reducing carbon dioxide emissions into the atmosphere and winner of the State's WA Environment Awards in 2007.

We are pleased to offer this environmentally conscious option to our clients:

Once your contract is received in our office, rather than receiving a conventional settlement pack via Australia Post, you can elect to support the environment by receiving an online settlement pack via email.

Should you nominate the latter option we will reward the environment with a \$3 donation to Carbon Neutral who will plant a native tree on your behalf.

Having achieved SAI's International Quality Accreditation in 2005, we hope to achieve the 5 Green Ticks of Environmental Accreditation this coming year.

We are delighted to be associated with both Carbon Neutral and SAI Global; through utilising modern technology and the implementation of good systems we can move toward energy efficient business procedures.



Almost!

Morning Tea Anyone? Free settlement knowledge for your Reps

Do you have agents in your office who might appreciate a refresher course in areas such as writing up contracts, agency relationships or wording special conditions etc? If so, we'd be happy to attend your next sales meeting.

We'd be delighted to run an expert presentation for your staff on any settlement issue which may help your team understand the process better.

If you have specific areas of enquiry, be sure to let us know.

We can clarify the common technicalities that trip up Real Estate agents and give you tips on what you can do to speed up the settlement process.

If you'd like to arrange a presentation, simply contact our Group General Manager Karen Rekowski on 6311 4888.



This newsletter has been printed on an environmentally friendly paper and is recyclable.

Recycled content... 55% recycled, 45% FSC virgin fibre - ISO 14001 Environmental Accreditation - Elemental Chlorine Free (ECF) - ISO 9072. Pulp is bleached using processes that do not use elemental chlorine gas, reducing significantly the amount of toxins released.

Buying or Selling without a Title Deed?

Congratulations are always in order when a seller and buyer agree to do a deal.

After the initial rush of blood to the head, the seller and buyer need to work out with their Selling Agent or Settlement Representative specific dates that need to be met for a successful settlement to occur.

Just because an agreement has been signed, it doesn't necessarily mean a Certificate of Title has been issued or will be issued. This is where Clause 13 of the Joint Form of General Conditions for Sale comes into effect.

Time frames are stipulated for various matters in this clause to be completed. This protects both the buyer and the seller.

Sometimes a buyer or seller may not wish to proceed to settlement if the dates are not met as specified. Therefore it's important for all parties to be aware of specific time frames so everyone can make informed decisions.

If it becomes apparent that some time frames may not be met by the stipulated dates, in some instances, the buyer and the seller may make an agreement in writing to extend these dates which must be signed by all parties.

If on the other hand, an agreement has not been made extending any of the time frames, then the buyer will be entitled to be repaid the deposit monies and any other monies paid by them and the contract may come to an end.

At Vicki Philipoff Settlements, we use our best endeavours to monitor the progress of the title being issued.

Sometimes, Buyers who require finance to complete their proposed purchase will have obtained a pre-approval from a lending authority.

As time progresses, the buyer will need to ensure the lending arrangements are kept current and can be converted to a formal loan approval in order to settle on the property when titles issue.

Facts about dividing fences

Owners of adjoining land are each required to pay half the cost of erecting or repairing a "sufficient fence" between their properties.

This will apply to vacant land and to lots on which there are pre-established dwellings. In order that one person doesn't outlay the full cost of the construction of a fence, it is advisable to have a written agreement with the adjoining owner or a court order prior to commencing construction.

Whats a 'sufficient fence'?

The Dividing Fence Act 1961 describes a 'sufficient fence' as

- a) one that is described by a local government local law
- b) a fence of any standard agreed upon by adjoining owners provided that it does not fall below the standard prescribed by the relevant local government law
- c) a substantial fence ordinarily capable of resisting the trespass of cattle or sheep
- d) a fence determined by a Magistrate in a Court of Petty Sessions to be a sufficient fence

Common questions

FAQ's - Issues on Dividing Fences When Buying & Selling Property

Q. I built a fence when the adjoining land was vacant. I have sold my house and since then a house has been built on the vacant land. Can I still claim payment for a share of the fence that I built?

A. The right to claim exists while the person who built the fence continues to own the property, however it is doubtful whether this right exists after the property is sold. The

commonly held legal view is that the right does not continue.

Q. I built a fence when the adjoining land was vacant. I have sold my house and since then a house has been built on the vacant land. Can I pass my claim for payment for a share of the fence that I built to the person who I sold my house to?

A. No. The right to claim cannot be passed on from the owner who erected the fence to another owner who buys the house.

Q. The land next door is vacant but they have started building on it. How much of the building must be constructed before I can make a claim for half the cost of the fence.

A. Under s 13 of The Dividing Fences Act, you can make a claim when a substantial building has been completed. This should not be confused with a building substantially completed. You may make a claim under s 13 of the Act once the building is complete.

Q. My neighbour has claimed from me half the cost of the dividing fence he erected. I am the second owner of the property and feel he should have got his money from the previous owner. Am I liable to pay the money claimed?

A. Yes. An owner of adjoining land is liable to pay even if not the owner of the land when the fence was constructed, provided no previous adjoining owner has paid a claim to the owner who erected the fence.

This information was gleaned from Dividing Fences - Rights & Responsibilities, published by Department of Housing & Works September 2003. Visit http://www.dhw.gov.au/policy/policy_dividing_fences.cfm or your local authority for more information.

The Winning Formula



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