

QUEENSLAND'S **NEW** SELLER'S DISCLOSURE RULES

What Every Homeowner Needs to Know

At Caroline Brown Property, we know that buying and selling a home is more than just a transaction, it's about people, community, and making the right choices for your future. That's why we want to ensure you're fully informed about Queensland's new Seller's Disclosure requirements, coming into effect on 1st August 2025 under the Property Law Act 2023.

This change is designed to provide buyers with important information upfront, ensuring transparency in every property transaction.

Here's what you need to know:

Sellers

You are now legally required to provide a Form 2 Seller's Disclosure Statement before a buyer signs the contract. If this isn't done correctly, the buyer may have the right to terminate the contract.

Buyers

You'll receive more property details upfront, but this form does not replace your due diligence. Make sure to still conduct building and pest inspections and review council planning information.

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What's in the Form 2 Seller's Disclosure Statement?

This document includes key legal and property-related details that the seller must disclose before a contract is signed. If the disclosure is incomplete or incorrect, the buyer may have the right to exit the contract before settlement.

What's NOT Included?

While the Form 2 provides vital information, it does not cover:

- Flooding or natural hazard history
- Structural soundness or pest infestations
- Current or past building approvals
- Planning restrictions
- Connected utilities and services
- Asbestos presence

Buyers should always conduct their own investigations into these areas.



KEY DETAILS COVERED IN FORM 2

1. Seller & Property Details

- Seller's name and contact details
- Property address
- Lot and plan description
- Confirmation if the property is in a Community Titles Scheme (CTS) or BUGTA Scheme

2. Title & Encumbrances

- A title search issued under the Land Title Act 1994
- A plan of survey for the property
- Details of registered encumbrances (easements, covenants, leases, mortgages)
- Unregistered encumbrances such as underground services
- Any unregistered leases, including rental details
- Statutory encumbrances affecting the property

** Failure to disclose could make the contract voidable*.*

3. Land Use, Planning & Environmental Factors

- Zoning under the local planning scheme
- Notices regarding transport resumptions or infrastructure projects affecting the property
- Environmental contamination disclosures (if the property is listed on the Contaminated Land Register)
- Tree protection orders
- Heritage listings under the Queensland Heritage Act 1992
- Buyers should conduct independent checks on flood risk and natural hazards



4. Buildings & Structures

- Swimming pool compliance must be declared:
 - Either a pool safety certificate**OR**
 - A notice of no pool safety certificate
- Owner-builder work completed within the last six years must be disclosed
- Any unsatisfied local government or court orders relating to repairs or modifications

5. Rates & Utilities

- The seller must disclose current council rates & water charges
- If part of a body corporate, the seller must provide additional financial disclosures

6. Community Titles Schemes (CTS) & BUGTA Properties

For units, townhouses, and apartments:

- The seller must provide a Community Management Statement (CMS)
- A Body Corporate Certificate detailing financial obligations and by-laws
- Buyers should review by-laws carefully—these may include restrictions on pets, Airbnb, or renovations

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What Happens if Something is Incorrect or Missing?

For Sellers

- If Form 2 is not provided before contract signing, buyers can withdraw
- Errors or omissions in disclosure may give the buyer a right to terminate
- Sellers may be held legally liable for any incorrect disclosures

For Buyers

- Always review Form 2 carefully before signing
- Consider seeking legal advice if unsure
- Conduct independent due diligence - don't assume Form 2 covers everything

How Caroline Brown Property Can Support You

At Caroline Brown Property, we believe real estate is more than just transactions, it's about people, homes, and the community. Whether you're selling, buying, or simply trying to make sense of these changes, our team is here to provide guidance, clarity, and confidence every step of the way.

If you have questions, please get in touch. We're here to make the process smooth and stress-free as possible.

For personalised advice

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TAP TO BOOK

