



## How the legal mechanism operates when a property is registered with Homes for Homes

To recognise a property's participation in Homes for Homes, Homes for Homes lodges a caveat over the land title. The caveat acts as a simple reminder to the registered proprietor when selling their property of their promise to donate 0.1% of the sale proceeds to Homes for Homes.

### Lodgement process



The type of caveat lodged in NSW is as follows:

#### Caveat

NSW Land Registry Services Form 08X-e (Electronic Lodgement).

#### Estate or interest claimed

Charge

**By virtue of:** Agreement

**Between:** Homes for Homes Limited

**And:** <Proprietor/s>

**Details Supporting the Claim:** Equitable interest as chargee pursuant to a charge granted under the Homes for Homes Donation Deed in respect of the land between the Registered Proprietor, as chargor, and the chargee dated *[Day Month Year]* to secure payment of 0.1% of the sale proceeds upon sale of the land.

#### Action prohibited affected by this caveat

The recording in the Register of any dealing other than a plan effecting the estate or interest claimed by the Caveator.

**Qualification:** In relation to any transfer of the land only.

### Transfer settlement process



At settlement, Homes for Homes is required to provide a letter of consent. This letter can be provided at any time prior to settlement.

#### Consent

NSW Land Registry Services require a Homes for Homes Consent letter be submitted as part of the transfer settlement lodgement case.

#### Requesting party

Consent will be provided by Homes for Homes upon request by emailing [enquiries@homesforhomes.org.au](mailto:enquiries@homesforhomes.org.au).

### Withdrawal process

#### Withdrawal of caveat

Land Registry Services Form 08WX-e (Electronic Lodgement). Standalone Withdrawal of Caveats or as part of mainstream dealings signed on or after 1 July 2019 must be lodged electronically using an Electronic Lodgement Network provider.

Where a Withdrawal of Caveat is excluded from electronic lodgement or circumstances allow the Registrar General to waive electronic lodgement under Conveyancing Rule 8.7, the incoming Withdrawal of Caveat must be included with the Conveyancing Rules Exceptions form indicating the exemption.

#### Requesting Party

Withdrawal will be provided upon request by emailing [enquiries@homesforhomes.org.au](mailto:enquiries@homesforhomes.org.au).

#### Lodgement

For standalone Withdrawal of Caveats, Homes for Homes legal representative will lodge the Caveat Withdrawal via PEXA upon receipt of request.

If the Withdrawal of Caveat is to be lodged as part of a settlement transaction electronically, Homes for Homes will confirm its legal representative acting on behalf of Homes for Homes and request vendors representative or lender invite Homes for Homes' legal representative into the PEXA workspace. Homes for Homes' legal representative will prepare and execute the Withdrawal of Caveat on behalf of Homes for Homes.

If the Withdrawal of Caveat is to be lodged as part of a settlement transaction that is excluded from electronic lodgement or circumstances that allow the Registrar General to waive electronic lodgement under Conveyancing Rule 8.7, a paper Withdrawal of Caveat Form 08WX will be provided to the requesting party.