

# LEGAL MATTERS

Cassab & Associates Solicitors E-Newsletter

Issue #9 - Sep '16



## Swimming pool crackdown

Back in our February newsletter, we looked at the new swimming pool laws which were due to come into effect on 29 April 2016. Since then, not only have these laws commenced, but they have been further amended by legislation.

*It is estimated that 1/3 of Sydney houses with pools currently up for sale are in breach of the new swimming pool regulations!!*

Originally, properties with a swimming pool had to have a certificate of compliance before being sold or leased. Under the new amendments, all contracts for **SALE** of properties with a swimming pool must attach one of the following documents:

1. A valid certificate of compliance (issued by the council or other private accredited certifier); or
2. A relevant occupation certificate and evidence that the swimming pool is registered; or
3. A certificate of non-compliance.

If a contract is entered into on, and from, the **29th of April 2016** and the vendor has failed to attach one of the above documents, the purchaser will

have the right to rescind the contract at any time within 14 days after the making of the contract. These requirements do not apply to a lot in a strata or community scheme with more than 2 lots or for any off-the-plan contracts.

**RENTING:** For owners renting out a property with a swimming pool or spa pool, the tenant must be provided with a copy of either document 1 or 2 as listed above. These requirements don't apply to a lot in a strata or community scheme if the scheme has more than 2 lots.

More information can be found [here!](#) This is also an interesting [article](#) if you are interested in further reading!

## I'm thinking of buying a franchise. Is it good or bad investment?

Buying a franchise is just like any other major investment—it has the potential to bring great success if it works but at the same time could be disastrous if it doesn't.

Some advantages include: access to established procedures; superior buying power; marketing methods which have proven successful; head office support upon request; access to the wisdom, knowledge and experience of other franchisees.

These are all benefits afforded to franchisee owners which a business owner of a new start up company does not have.

On the flip side, franchisee owners in the past have been known to lose large sums of money—whether it be from buying a franchise in the wrong suburb, lack of business acumen or simply because head office didn't provide them the support they needed.

In any case, it is important to carefully consider all angles of a decision to buy a franchise. Getting legal advice is essential before making the important decision of purchasing a franchise business.



## Buyer's Agent

New laws have passed on **15 August 2016** which require real estate agents to inform prospective buyers if they are aware of property reports which have been carried out on the particular property before and are available to them.

- Includes, for example, a pest or building inspection report.
- Makes it easier, quicker and cheaper for buyers to access information.
- Click [here](#) for more information, including approved exemptions.

- ⇒ E: [info@cassablegal.com.au](mailto:info@cassablegal.com.au)
- ⇒ [Subscribe](#) | [Unsubscribe](#)
- ⇒ Visit our [Website](#)
- ⇒ Catch up on [previous](#) issues!
- ⇒ Find us on social media!



**Suite 302/398  
Chapel Road,  
Bankstown, NSW 2200**

**Phone: 9793 2700  
Fax: 9793 2900**