

Change Name due to a Simple Error

A guide to preparing the documents

Last updated September 2019



Preparing an Application to Change Name due to a simple error when the property was first transferred to your ownership

This step-by-step guide is designed to show you how to prepare and lodge an application to **change a name**, where a **simple error** was made in the spelling of a name shown on a Certificate of Title.

A simple error is one where an existing registered proprietor's name is being amended due to an error or omission that was made on the transfer or application document when the property was registered in the current ownership.

Examples of a simple error include:

- » Where a proprietor's name has been incorrectly spelt on the title (eg Stephen being incorrectly shown as Steven, Allan being incorrectly shown as Alan, Maree being incorrectly shown as Marie or White being incorrectly shown as Whyte).
- » Where the order of the names shown on the title is incorrect (e.g. Jeffery Robert Brown being incorrectly shown as Robert Jeffery Brown or Mye Nguyen has been incorrectly shown as Nguyen Mye).
- » Where a Christian name has not been shown on the title (e.g. Brendan Philip Jones being incorrectly shown as Brendan Jones or Anne Joy Smith being incorrectly shown as Anne Smith).

If you are completing the forms yourself, we advise you to exercise care as the documents involved are legally binding. A competent professional, such as a solicitor or settlement agent, should always be considered when preparing any land transaction document.

It is important to read through the whole of this information guide. Being familiar with the information provided will assist if you need to contact Landgate to clarify any part of the process. Useful contacts are listed on the back page.

What you should know about Certificate of Title

Certificates of Title, otherwise known as Title Deeds, are issued by Landgate with one original and the option to have a duplicate title issued. Original titles are always kept at Landgate. The duplicate title (if issued) would usually be kept by the proprietor/owner or by a lending institution as security for a loan.

Many lending institutions request the non-issue of a duplicate title when they register a mortgage. This means that when a property is under mortgage, there is a possibility that a duplicate title has not been issued.

Where a duplicate title has not been issued, the original title would include a note in the statements section indicating the non-issue of the duplicate title. The note in the statements section would be shown as 'DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUESTED BY DEALING M149404'.

There are important differences between the original title and the duplicate title. The duplicate title does not show all limitations and encumbrances. For example, caveats, notifications, memorials and property seizure and sale orders are only shown on the original title held by Landgate and not on the duplicate title.

It is recommended that a copy of the original Certificate of Title be obtained from Landgate, to assist in completing the application form and statutory declaration. We commonly refer to this as a 'title search'. A title search will show if a title has been issued or is non-issue and will show the spelling of the names of the registered proprietors/owners.

For a fee, you can conduct a title search and [obtain a copy of a Certificate of Title](#).

What do I need for my application?

- Title Search (recommended) – used to complete the application form
- Forms: General Application e-form (or paper Application Form A5) and Statutory Declaration Form B3
- Duplicate Certificate of Title (if issued)
- Registration fees payable to Landgate

Title Search – a copy of the current Original Certificate of Title

A title search is optional, however highly recommended, as the search provides you with a complete up to date copy of the title at the date and time the title search is conducted.

For a fee, you can conduct a title search online using an address and [order a copy of a Certificate of Title](#).

General Application e-Form (or Form A5) and Statutory Declaration Form B3

The General Application e-form and the Statutory Declaration Form B3 are available via Landgate's [Land Titling Forms](#) page. Alternatively, paper versions (Application Form A5 and Form B3) are available from a Landgate office. Please note that only original signed forms can be lodged for registration and all forms must be printed on white A4 size paper in duplex style, so both sides of the paper are printed upon.

The Duplicate Certificate of Title

- **If issued** and there is no mortgage on the property, the hard copy duplicate title must be produced with the application document. NOTE: A photocopy or a copy certified by a Justice of the Peace or a similarly qualified person is **not** acceptable for registration purposes.
- **If issued** and the property is under mortgage the financier holding the mortgage will need to produce the duplicate title to Landgate prior to the lodgement of the application document. There is an additional registration fee known as a **production** fee, payable to Landgate when the duplicate title is produced separately from the application.
- If the status of the duplicate title is **non-issue** and the property is under mortgage then an original signed letter of consent from the financier authorising the registration of the application to change name is required. The original signed letter must be lodged with the application document.
- If the status of the duplicate title is **non-issue** and the property is not under mortgage, then the original signed application document, together with relevant evidence is all that is required to be lodged with Landgate.

Registration Fees

[View the current Registration and Search Fees](#) that can be paid by cash, credit card, EFTPOS, or by cheque/money order made payable to Landgate. Fees must be paid when lodging the document in person or included if posting the documents to Landgate.

Steps to lodging the application

1. Complete the application and statutory declaration forms by using the title search. Type or print legibly in dark ink (preferably black) to complete the application and statutory declaration forms using the examples in this guide to assist you.

Evidence is not usually required to be provided when changing a name due to a simple error, the facts set out in the statutory declaration are usually sufficient as evidence, however this is subject to the examination of the application following lodgement of the application with Landgate. Evidence or additional information may be requested following the examination of the application.

2. If the property is subject to a mortgage, ensure the Duplicate Certificate of Title (if issued) has been supplied to Landgate by the financier; or you have obtained an originally signed letter of consent from the lender (if the Duplicate Certificate of Title has not been issued).
3. Lodge the original signed forms and the duplicate title (where applicable) with Landgate **ensuring the registration fee payment is enclosed if lodging by post.**
 - In person at one of Landgate's lodgement offices. NOTE: any person can lodge the application document with Landgate; the lodging party does not need to be one of the persons named in the application document.
 - By post to:
Landgate Document Lodgement Section
PO Box 2222
MIDLAND WA 6936

NOTE: Duplicate Certificate of Title and original evidence being returned by post will be posted in the normal mail. If you wish to have the duplicate title and/or original evidence returned by registered post, you will need to provide a self-addressed, pre-paid registered post envelope to Landgate with the application document.

Terms of Use

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Important

The information in this document should not be regarded as legal advice. In all matters, users should seek legal advice from an independent legal practitioner.

THIS TITLE HAS BEEN CREATED FOR INFORMATION PURPOSES ONLY

REGISTER NUMBER	
1580/P22396	
DUPLICATE EDITION	DATE DUPLICATE ISSUED
4	NA

WESTERN AUSTRALIA



RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

[Signature]



REGISTRAR OF TITLES

B	C
VOLUME	FOLIO
3332	339

- A To be copied from Certificate of Title
- B To be copied from Certificate of Title
- C To be copied from Certificate of Title
- D State full correct name and address of applicant
- E Show incorrect name currently shown on title, then the full correct name (Include reference to change of address if applicable)
- F Date to be shown
- G Signature of applicant
- H Signature of witness, then print full name, address and occupation

A LOT 1580 ON DEPOSITED PLAN 22396

LAND DESCRIPTION:

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

FREDERICK HOOVER
OF 344 DIET STREET, SOUTH CANNINGTON

(T M149404) REGISTERED 28 AUGUST 2020

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

- M149404 RESTRICTIVE COVENANT BURDEN. REGISTERED 28.8.2015.
- *M149565 MORTGAGE TO ROCKET BANK LTD REGISTERED 28.8.2015

Warning: A current search of the sketch of the land should be obtained where detail of position, dimension or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

END OF CERTIFICATE OF TITLE

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 3332-339
PREVIOUS TITLE: 3332-000
PROPERTY STREET ADDRESS: 344 DIET STREET, WEST CANNINGTON
LOCAL GOVERNMENT AREA: CITY OF CANNING

NOTE 1: DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUESTED BY DEPARTMENT

THIS TITLE HAS BEEN CREATED FOR INFORMATION PURPOSES ONLY

FORM A5

WESTERN AUSTRALIA
TRANSFER OF LAND ACT 1893 AS AMENDED

APPLICATION

DESCRIPTION OF LAND (Note 1)

A Lot 1580 on Deposited Plan 22396

EXTENT	VOLUME	FOLIO
Whole	3332	339
	B	C

APPLICANT (Note 2)

D Fredrick Hoover of 344 Diet Street, South Cannington

REASON FOR APPLICATION (Note 3)

THE APPLICANT HEREBY APPLIES

To amend the name of the registered proprietor from:

E Frederick Hoover to Fredrick Hoover.

F Dated this _____ day of _____ Year

SIGNATURE OF APPLICANT/S (Note 4)

G Signed _____ Signed _____

H In the presence of _____ In the presence of _____

This example is for paper forms only.

Please refer to Landgate's **Land Titling Forms** page for the equivalent e-form.

SAMPLE ONLY. ACTUAL TEXT WILL VARY.

Contact List

Landgate contacts

Landgate Office Hours 8.30am to 5.00pm
(Lodgement Hours 8.30am to 4.30pm)

Landgate - Midland Head Office

1 Midland Square

MIDLAND WA 6056

Tel: +61 (0)8 9273 7373

Email: customerservice@landgate.wa.gov.au

Website: www.landgate.wa.gov.au

Postal Address: PO Box 2222, MIDLAND WA 6936

Document lodgement sites

Document Lodgement Hours strictly 8.30am to 4.30pm

Landgate - Midland Head Office

1 Midland Square

MIDLAND WA 6056

Landgate - Perth Business Office

200St Georges Terrace

PERTH WA 6000

Other useful contacts

Department of Finance

State Revenue/Duties (OSR)

200St Georges Terrace

PERTH WA 6000

Tel: +61 (0)8 9262 1400

Email: duties@finance.wa.gov.au

Website: www.finance.wa.gov.au

Department of Planning

140William Street

PERTH WA 6000

Tel: +61 (0)8 6551 9000

Website: www.planning.wa.gov.au

Family Court

150Terrace Road

PERTH WA 6000

Tel: +61 (0)8 9224 8222

Website: www.familycourt.wa.gov.au

Probate Office

11th Floor, 28 Barrack St

PERTH WA 6000

Tel: +61 (0)8 9421 5152

Website: www.supremecourt.wa.gov.au

Registry of Births, Deaths and Marriages

141St Georges Terrace

PERTH WA 6000

Tel: 1300 305 021

Website: www.bdm.dotaq.wa.gov.au

State Administrative Tribunal

6th Floor, 565 Hay Street

PERTH WA 6000

Tel: +61 (0)8 9219 3111

Website: www.sat.justice.wa.gov.au



Landgate