

Application for termination of community titles scheme - termination resolution requires confirmation by the State Administrative Tribunal

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Name of Form: Application for termination of a community titles scheme – termination resolution requires confirmation by the State Administrative Tribunal

Type of Form: Application to be lodged at Landgate

When it's used: When applying for termination of a community titles scheme (Scheme) where:

- the applicant is not the owner of all lots in the community scheme; or
- there has not been a vote in favour of termination of the Scheme by all owners of lots in the community scheme.

Details of entries:

- Scheme number: Enter the number which is shown on the scheme plan of the Scheme, the subject of the application, so if the plan says scheme plan 12345 then the scheme number is 12345.
- Applicant(s): Enter the full name of the proponent (Applicant(s)) and their address for service of notices, where the current address for service of notices to the Applicant(s) is to be amended. See Community Titles Act 2018 section 140(1) for definition of proponent:
 - "(1) The termination of a community titles scheme may be proposed by a person (the proponent) who is –
 - (a) the owner of a lot in the community scheme; or
 - (b) a person who has a contractual right to purchase a lot in the community scheme; or

- (c) a body corporate formed by 2 or more such persons.”
- **Status of Applicant:** Select what the Applicant’s status is in connection with the community scheme and insert the title details for a relevant lot.

Accompanying documents:

- **Select always:**
 - Order of State Administrative Tribunal; and
- **Select one:**
 - if the tier 1 scheme has been selected, enter the deposited plan number; or
 - if the tier 2 scheme has been selected and the tier 1 scheme it belongs to is not being terminated, the following documents will also be required:
 - [Application for registration of an amendment of a community titles scheme – amendment of scheme plan effecting subdivision](#) and Schedule of unit entitlements, if applicable, in respect of the tier 1 scheme together with documents required to accompany that Application; and
 - one or more [Application for termination of community titles scheme](#) in respect of all tier 3 schemes that belong to the Scheme, if not terminated prior to this Application; or
 - if the tier 3 scheme has been selected, and the tier 2 scheme it belongs to is not being terminated, the following documents will be required:
 - [Application for registration of an amendment of a community titles scheme – amendment of scheme plan effecting subdivision](#) and Schedule of unit entitlements, if applicable, in respect of the tier 2 scheme with documents required to accompany that Application; and
- **The Statement to deal with land section is required to be completed if there are limitations, interests, encumbrances and notifications registered or recorded in the Register against the land the subject of the Application. If required, select the triangle to open the field and complete as follows. If not required, collapse this field and it will not be visible when the form has been printed.**
 - Certificate of Title Vol/Fol or common property: List the relevant title details in respect of a lot or details in respect of common property.
 - Limitations, interests, encumbrances and notifications: List all by document type and number.
 - Action: Describe whether the item registered or recorded is being discharged, withdrawn or otherwise removed, brought forward in full, modified or varied, e.g. Discharge off Lot 1.

This statement will alert the Registrar of Titles to potential documents that may be lodged to effect any changes required. E.g. if it says “Discharge off Lot 1” with regard to a mortgage, then we would expect to see a discharge of mortgage document with the Application.

- **Execution:** To be executed by the Applicant.