



Message from the GM: Looking Forward



It's been a busy and exciting year so far for Stewart Title. With the Australian conveyancing industry in a state of unprecedented change, Stewart Title remains a steady force within the property market, providing risk management and peace of mind to property buyers and owners throughout Australia.

2018 has seen us further enhance the service and standards of the property market with the launch of our new online ordering platform STEPS (Stewart Title Electronic Processing System) on 15 June. Through integration with our partners at [InfoTrack](#), Stewart Title policies can now be ordered easily within seconds (subject to no disclosures being noted). This service is being rolled out to all InfoTrack clients throughout Australia.

In the coming months, other service providers and document management partners including Setts+, PEXA Plus and GlobalX will see similar integration with our STEPS platform, enabling all lawyers and conveyancers, nationally, to have a simple, effective and efficient ordering experience with Stewart Title.

As you know, our clients and business partners are paramount, and supporting the conveyancing community throughout Australia is central to everything that we do. We believe that the role of a title insurer should be to underwrite risk, so that lawyers and conveyancers can provide conveyancing services and prepare transfer documents. We do not support programs that reduce or eliminate the lawyer or conveyancer's role in real estate transactions. Instead, we continue to support legal and conveyancing professionals, protecting their role in conveyancing transactions.

We are appreciative of our tremendous relationships with the Australian Institute of Conveyancers and the many Law Societies throughout Australia. Accordingly, we would like to extend our congratulations to the AICWA on their 40th Anniversary. We look forward to celebrating with them later in the year.

In the near future, we will be launching a new website and bringing additional enhancements to our service. We cover a few of these initiatives in this newsletter and look forward to telling you more about how these and other changes will support your practice.

As always, we appreciate your business and thank you for your continued support.

Sincerely,

Ciaran Westland
General Manager



Are Your Clients Protected Against the Risk of Non-Compliant Building Work?

The enforcement powers of Local Authorities to issue building notices and building orders for *unapproved building work* is a risk which is well known among conveyancing practitioners throughout Australia.

However, the issue of *non-compliant building work* also poses significant risk, particularly as purchasers and their conveyancing practitioners may be lulled into a false sense of security if searches and enquiries of a property reveal the existence of approvals. Even where your due diligence shows an approval history, the property as constructed may not comply with the property as *approved*.

The conditions relating to that approval may not have been complied with by previous owners, enabling the Local Authority to issue building notices and building orders to bring the property into compliance. This may cause your clients significant financial loss.

The Risk of Non-Compliant Building Work

One of the most significant risks associated with non-compliant building work is that it may be difficult for a purchaser to detect whether a house or building complies with all of the conditions imposed by a Local Authority when the building permit is issued.

Most 'due diligence' processes which conveyancing practitioners undertake are focused on whether permits are issued for a dwelling or structure and not whether the conditions imposed by the building permit are actually complied with. In fact, this is an area which clearly falls outside of the scope of the conveyancing practitioner's duty of care to the client.



Accordingly, unless purchasers themselves engage the services of a building expert to conduct a thorough investigation, it is likely that they will proceed to settlement without knowing whether the property complies with all of the conditions of the building permit issued for that property.

Where non-compliance with a building or development permit is discovered after settlement, the purchaser may be faced with the prospect of complying with a building notice or other order issued by a Local Authority requiring the purchaser to bring the property into compliance with the permit. In some cases, the costs associated with rectification or upgrading may be catastrophic.

For strata properties, a Local Authority may issue a notice or order on the Owners Corporation or Body Corporate requiring the building itself to be brought into compliance. This may prompt special levies to be struck to raise the necessary rectification/upgrade funds. The purchaser's liability would be in proportion to their unit entitlement under the relevant strata scheme.

Title Insurance Coverage for Unapproved and Non-Compliant Building Work

Stewart Title's Residential, Strata & Commercial Purchaser* & Existing Owner Policies provide cover for "Actual Loss" and "Authorised Expenses" up to \$160,000 per claim in the following circumstances:

- **Unapproved Building Work**
Enforcement action by a Local Authority in relation to structures which have been built or modified by any previous owner of the property without obtaining building or development approvals; or
- **Non-Compliant Building Work**
Enforcement action by a Local Authority in relation to structures which do not comply with building or development approvals issued by the Local Authority, including structures which do not comply with building or development approvals because the structures have not been built in accordance with applicable building codes and standards.

For rural properties, this cover is limited to the main residence, including sheds, carports, garages used for residential purposes and any swimming pool.

For strata policies, cover includes any special levies which are struck by the Owners Corporation or Body Corporate to pay for any upgrading or rectification costs.

Please note: Loss or damage arising from non-compliant external cladding is excluded from cover for all Residential Strata Policies and Commercial Purchaser Policies issued for strata title properties.

Cover in Action: Recent Non-Compliant Building Work Claim

Our insured purchased a \$1.6 million house which had record of a building permit having been issued. Following settlement, the insured then discovered many of the windows and glass doors leaked water when it rained heavily.

Investigations revealed that many of the installed windows and doors did not comply with the requirements of the building permit which required the windows and doors to be of a standard to withstand heavy storms. The Local Authority issued a notice requiring the insured, as the new owner, to bring the property into compliance with the permit.

Resolution: Stewart Title paid **over \$96,000** to cover the costs associated with removing the non-compliant windows and doors and replacing them with ones that did comply.

Cover for non-compliant building work is **only available** through a title insurance policy issued by Stewart Title. **Is your client protected?**

Spring 2018 – NTL (AU)

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Congratulations Sandy Wormald!

We are truly delighted to share that our very own Sandy Wormald was recently named winner of the 2018 Vero and Australian Institute of Conveyancer WA (AICWA) Bruce Thurston Award at the AICWA Gala Ball on Saturday 25 August 2018.

Sandy was selected amongst the various nominees by members of the AICWA, in recognition of her dedication to Stewart Title and the conveyancing profession in Western Australia

Sandy joined Stewart Title in 2012 following a very successful career in real estate. Over the past six years, Sandy has lit up the Stewart Title office, showing great commitment to educating settlement agents, conveyancing staff and their clients to our company and title insurance.

Please join us in congratulating Sandy on this most deserving award.



Above: Nathan Bone of Vero Insurance with Sandy Wormald

Below: Ciaran Westland, Sandy Wormald & Charlotte Traynor of Stewart Title

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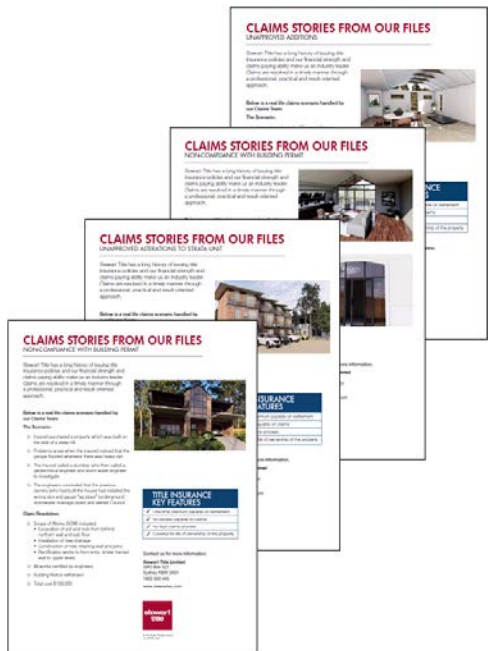


Claims with Stewart Title

Stewart Title has a long history of issuing title insurance policies and our financial strength and claims paying ability make us an industry leader. Claims are resolved in a timely manner through a professional, practical and result-oriented approach.

Claims Brochures – Now Available!

We are pleased to offer new brochures containing various examples of real-life claims scenarios resolved by our Claims Team. These brochures are designed to help demonstrate the value of obtaining a title insurance policy to your purchasers and are available from your local [Business Development Manager](#).



Submitting a Claim with Stewart Title is Easy!
 Our experienced team of claims professionals is available to ensure that your claims experience is as stress free and efficient as possible. To initiate a claim, contact us by phone, fax or email:

-  Claims.Australia@stewart.com
-  Toll-Free Phone: 1300 552 975
-  Toll-Free Fax 1300 898 175

A Word from Our Insureds

“My partner and I took out title insurance with Stewart Title 12 months ago when we purchased a block of land. When commencing the building phase, it was discovered that our block of land did not comply with the regulatory authorities and consequently, fixing the issue was going to cost a considerable amount.

After contacting Stewart Title and supplying all required paperwork to fix the error, the claim was paid within 30 days and we were able to proceed with building.

We were extremely impressed with the ease of the claim, the time of the processing of the claim and the settlement. The team at Stewart was efficient, professional and friendly and made the claim process easy and stress-free.”

P. Pearce

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2018 Events at a Glance

At Stewart Title we appreciate spending time with our valued clients and meeting new faces at various events we host and attend across Australia.

Below are snapshots of just some of the events our team has enjoyed participating at throughout the country this year:

Tasmania

Stewart Title Cocktail Reception 2018



This past March we enjoyed hosting our quarterly Stewart Title meeting in beautiful Hobart. We enjoyed being there so much that we returned to host a fabulous cocktail reception at the Henry Jones Art Hotel where we were able to meet with many of our wonderful Tasmanian clients.

At the event, Awards of Acknowledgement were presented to The Law Society of Tasmania and AIC TAS for their ongoing support of Stewart Title and our very own Victorian Business Development Manager, Robyn Cousens, also received an award for her five years of service with Stewart Title. Even after the band Girl Friday had finished for the evening, the party continued well into the night with many clients still talking about what a great evening it was and how lovely it was to meet the Stewart team!

Victoria

AIC Victoria State Conference



The AIC's Victorian division hosted their bi-annual conference on 26 May and it was a huge success! On the evening prior to the conference commencing, Stewart Title hosted a cocktail reception which was attended by 60 conference delegates. It was a wonderful way in which to start the conference.

At the conference, Stewart Title as pleased to once again support as the Platinum partner of the event and a sponsor of the Gala Dinner. Stewart representatives Charlotte Traynor, Greg Cooper and Robyn Cousens were on hand and active answering practitioner queries about title insurance.

Greg Cooper presented on recent Victorian title insurance claims and areas of emerging risk in the Victorian property market. A special congratulations to Sandra Hudson of G&S Conveyancing who was recognised by her peers as the recipient of the Stewart Title AIC Metropolitan Conveyancing Firm of the Year. Well done Sandra, what a wonderful achievement!

PEXA and Stewart Title Seminars

In February, Stewart Title and PEXA joined with industry partners to deliver another series of property seminars in a roadshow across Victoria. Seminars were held in Melbourne, Geelong, Bendigo, Mornington Peninsula and Wodonga, with over 500 lawyers and conveyancers in attendance. Greg Cooper and Robyn Cousens of Stewart Title's Victorian business development team were happy to attend the various seminars presenting on the benefits of title insurance and fielding queries from practitioners.

SAI Global and Stewart Title Breakfast Seminar

On 17 April, Greg Cooper and Robyn Cousens attended a breakfast seminar hosted by SAI Global that examined practitioner requirements under the new ARNECC rules with regards to electronic settlement. Greg presented on the benefits of title insurance to around 50 attendees.

New South Wales

2018 PEXA NSW Roadshow



Stewart Title was pleased to participate at the recent PEXA NSW Roadshow, accompanying PEXA across NSW. There were approximately 900 attendees who were on hand at the various roadshows, many of whom visited the Stewart Title stand after listening to our own General Counsel, Paul Watkins present. The Roadshow provided an opportunity for us to meet a number of new faces and reconnect many of our existing clients.

The Gold Cup Charity Luncheon 2018

Stewart Title had the pleasure of sponsoring the Gold Cup Charity Luncheon at Albury Racing Club this past March. This event was a wonderful way to raise funds for children in the local community with special needs.



At the event, Stewart hosted a table with some of our lovely clients from Northey Legal and Conveyancing, Tony Brandt Lawyers and Albury Conveyancing Service. It was the perfect ladies' day at the races!

Western Australia

This past February, Stewart Title had the privilege of travelling to beautiful Broome in WA along with PEXA. An education evening seminar took place to various people from the local Real Estate Industry.

Sandy Wormald our local WA Business development manager gave a presentation on the benefits of Title Insurance to all attendees. Following the formalities was an industry sundowner at the beautiful Cable Beach Resort. Our last presenter for the night was Mother Nature, who put on an amazing show consisting of torrential rain and an incredible lightning display thanks to Cyclone Kelvin!



Sandy received great feedback from those in attendance and who were very appreciative to have this industry event hosted in their area.



South Australia

Law Society of South Australia Country Conference 2018

For the first time, Stewart Title sponsored the three-day Country Conference in beautiful Robe, South Australia. Our display and presentation were well received by the 80 delegates especially as we were in the food hall which meant we got to meet a lot of the delegates over the entire weekend as they ate their lunch and morning and afternoon teas.

Law Society of South Australia Legal Forum 2018

Stewart Title was again a proud sponsor of the Legal Forum in South Australia. Approximately 700 lawyers from around the state attend the forum over the two days and our bespoke coffee cart located right outside the main auditorium was, once again the "hit" of the event.

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