



tuckfields

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Caveat

A Caveat is a document lodged at the Lands Titles Office over a Certificate of Title to indicate that a third party has an interest or potential interest in the land.

If a Caveat has been registered on a Title, consider it a warning or caution – “buyer beware”.

A Caveat can only be lodged over land if you have a connection with that land.

Caveats can be lodged for the following reasons and are not limited to:

1. Registering a new or second mortgage over a property (including a refinance)
2. Registering a subdivision application to divide the land
3. Unpaid rates and taxes or unpaid stamp duty by authorities

There are 2 different types of Caveats:

The first is a Permissive Caveat – this allows further registration of documents against the title with the caveators consent. The second is an Absolute Caveat, this forbids registration of any future dealings.

When a Caveat has been registered on a Title the Registered Proprietor is notified by the Lands Titles Office.

What should you do if you receive a notice from the Lands Titles Office?

Contact Tuckfields, we can order a copy of the caveat for review and provide you with professional advice.

If you are a potential purchaser and a Caveat is registered over a property Tuckfields can provide you with details on why the Caveat has been registered and what steps can be taken to withdraw or remove the Caveat, prior to settlement.

Tuckfield Conveyancing | Vale Park

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*Need more info?
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