

Traps in Conveyancing: Lessons from Recent Cases

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PROPERTY LAW INTENSIVE: WEDNESDAY 12 MARCH 2025



Cui v Salas-Photiadis [2024] NSWSC 1280

- Caveats
- The importance of final checks

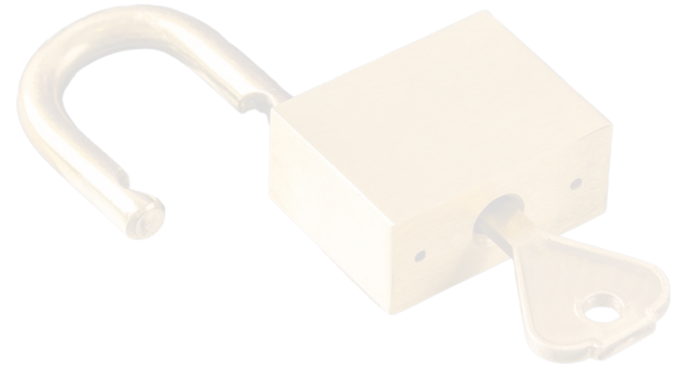
Mereniuk v Wilks [2024] NSWDC 376

- “Bank of Mum and Dad”
- Loan or gift?



Chen v Chu [2024] NSWSC 1139

- Release deposit?
- Misrepresentation by estate agent



Bavulo Pty Limited v Zhang Property Pty Limited [2024] NSWSC 879

- Does a vendor's failure to comply with a Contract For Sale invalidate Notice to Complete?
- Notice of Attornment

191 Bells Pty Ltd v WJ & HL Crittle Pty Ltd [2024] NSWCA 221

- Misleading or deceptive conduct?
- Sale of contaminated land for residential development purposes

Teo & Anor v Twyford bht Cunningham [2023] NSWSC 1470

- Rescission
- Mental illness

Laundy Hotels (Quarry) Pty Ltd v Dyco Hotels Pty Ltd [2023] HCA 6

- COVID orders
- Carry on business in usual course?

Ausbao (286 Sussex Street) Pty Ltd v The Registrar General of New South Wales [2023] NSWCA 18

- Utility of survey
- Due diligence

Outerbridge v Hall [2020] NSWCA 205

- Agent's entitlement to commission
- Effective cause of sale

proportion of
WARRANTY
I. Guarantee.
often required

Guirgis v JEA Developments Pty Limited [2019] NSWSC 164

- Licensed conveyancer lodging caveat
- Caveatable interest?

Victorsen v Easy Living Holdings Pty Ltd [2019] NSWSC 1721

- Material and substantial discrepancy
- *Flight v Booth* [1834] - rescission

Galafassi v Kelly [2014] NSWCA 190

- Risky emails
- Repudiation



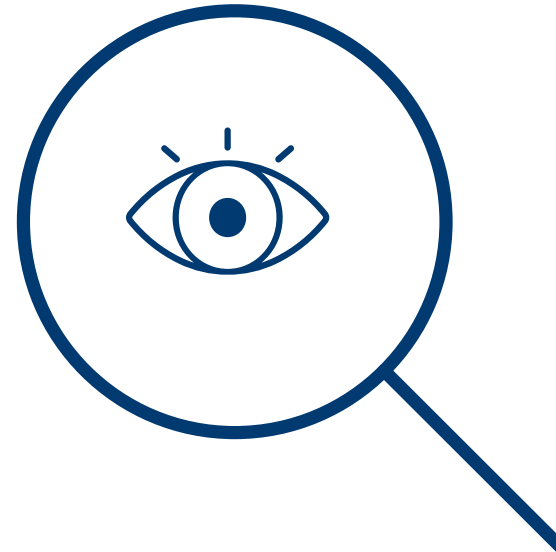
Claims



Cybersecurity



Supervision



Surcharge Purchaser Duty



Traps in Conveyancing

Lessons from cases

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