

# NON MUDDS PRECEDENT PRE-CONTRACT ENQUIRIES (NO RESIDENTIAL ELEMENT)

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1.
  - a. Is the unit one which either currently or on completion of this sale will have the benefit of services provided to it and in respect of which service charges will be levied.
  - b. If so, are or will those services be provided by a management company which levies service charges for those services.
  - c. If so, who are the members of such management company.
  - d. Is the Vendor a member of the management company.
  - e. If so, the Vendor must arrange to have the Purchaser succeed to such membership on completion of the sale.
  
2.
  - a. Furnish a copy of the memorandum and articles of association / constitution (if incorporated on or after 01 June 2015) of the management company.
  - b. Confirm that the management company remains registered in the Companies Registration Office, and that all returns are up-to-date.
  - c. Confirm that no petition to wind up the company has been served and that the company is not listed for "strike off".
  - d. What was the date of the last annual general meeting of the management company.
  - e. Furnish a copy of the last set of annual accounts produced by the management company.
  - f. Can any persons who are not the developer or the owners of units in the development be members of the management company.
  - g. Are any such persons currently members of that company.
  - h. If so, furnish their names.
  - i. Is the vendor aware of any claim against the management company's funds.

3.
  - a. Is any service charge levied or to be levied on the basis of the respective letting areas of the units in the development.
  - b. If not, on what basis is any service charge levied or to be levied.
  - c. Furnish details of the voting rights in the management company.
  
4.
  - a. Has a firm of managing agents been appointed to manage the development.
  - b. If so, furnish the name of the firm of managing agents.
  - c. If not, who is currently managing or is intended to manage the development.
  - d. If a firm of managing agents has been appointed is that firm registered with the Property Services Regulatory Authority.
  - e. Has the firm of managing agents been appointed by the developer or the management company.
  - f. Furnish a copy of the agreement under which the managing agents have been appointed.
  - g. Are there any rules of the management company other than in the title documents and in the memorandum and articles of association / constitution.
  - h. If so, furnish a copy of such rules.
  
5.
  - a. Is there a block insurance policy for the development.
  - b. If so, furnish a copy of the policy.
  - c. The interest of any mortgagee of the Purchaser must be noted on the policy before completion and evidenced by letter from the insurance company confirming it will not lapse, cancel or fail to renew the policy without first giving at least 15 days' notice to the mortgagee.
  - d. Is the Vendor aware of any outstanding claim having been made under the policy.
  - e. If so, furnish details.
  
6.
  - a. Is it intended that the common areas and the reversions to any leases of units on the development be assured to the management company.
  - b. If so, has this been done already.
  - c. If not, when is it intended to effect such transfer.

- d. If it has already been done, furnish a copy of the assurance to the management company or a copy folio showing the management company registered as owner of the common areas.
- e. If not, furnish a copy of any contract for the assurance of the common areas and reversionary interests to the management company together with any undertakings from the developer or management company relating to the same.

- 7.
- a. Has a sinking fund or reserve fund been established.
  - b. If so, furnish the accounts of the fund.
  - c. If not, is it intended to establish such a fund.
  - d. Is the Vendor aware of any proposal by the management company to carry out works or incur any other expenditure which would substantially alter the level of service charge currently payable.

- 8.
- a. Furnish a map of the development with the location of the unit marked.
  - b. Confirm that a standard form of lease or other assurance has been or will be used in respect of each unit assured.

9.  
Hand over on closing:
- a. Copy letter to the OMC confirming the change in ownership and giving the name and address of the Purchaser.
  - b. Written confirmation from the OMC that the service charge has been paid to date.

Dated the        day of        20

Dated the        day of        20

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Solicitors for the Purchaser

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Solicitors for the Vendor