

# BUILDERS WARRANTY

| Eligibility Application



**MBA**  
INSURANCE SERVICES  
*a Master Builders service*

ABN 17 110 143 550    AFS Licence No. 281729

# Builders Warranty Eligibility Application

## I. Applicant Details

Entity Type: (please indicate by ticking)  Sole Trader  Partnership  Company  Trust

Applicant's registered name

Trading name (s)

Registered address

State

Post Code

Postal address

State

Post Code

ABN

Date Business Commenced

MBA Membership No

Mobile

Fax

Phone

Email of Key Contact

Name of Key Contact

Domestic Licence Number

Date of Birth

State or Territories of operation

ACT  NSW  SA  TAS  VIC  WA

## 2. Builders Licence Details

**Note** - details must be provided for individuals, partnerships and companies and nominated supervisors Name

Name	Licence Number	Date Issued	Issuing State

If any of the above people have been licenced for less than 3 years or are applying for a licence, please attach a resume detailing their experience, qualifications and references.

### 3. Financial Information

- Full and final financial statements (being profit and loss statement, balance sheet, and notes to accounts) for the last two (2) financial years. These must be prepared by a suitably qualified accountant and signed by the applicant as being true and correct.
- Trusts – in addition, a Copy of trust deed.
- Sole trader/partnership – a copy of the last two tax returns as submitted to the ATO. (Note: Notice of assessment is not sufficient)

Contact Details of your Account

Phone



MBAIS & the Insurer reserves the right to obtain additional information to assess this application and during the currency of any approved eligibility period. As such I/we consent to obtaining information relating to the financial status of myself/us as deemed necessary from my/our accountant as specified above by the submission of this application.

### 4. Building Activity and Limits

Please provide your turnover and activity details

#### Note 1

If you are undertaking any work involving pools and spas, multi unit developments or single works valued in excess of \$1,000,000, you must provide full details of your experience in this area (i.e. resume including your qualifications and work history or please provide references – name and number of referees).

#### Note 2

For multi unit work, number of jobs means the total number of dwellings in each project.

What Annual Turnover Do You Require? \$

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Previous Year

Proposed for the Next Twelve Months

Type Of Work	Total Value	Number of Jobs	Total Value	Largest Single Job
Single dwelling				
Alterations/Additions - Structural modifications				
Renovations - Non structural modifications				
Unit / Duplex / Villa - less than 6 per site				
Speculative - Multi-unit development - more than 3 dwellings per site				
Multi-unit development more than 6 dwellings per site				
Swimming Pools				
Transportables				

If you have not been active in the building industry during the past 2 years, please give details of your activities during this time


### 5. Statement of assets

This statement should be completed by the sole trader, each individual partner if a partnership, or each director if a company. If necessary, a copy of this page should be taken to enable each partner or director to adequately complete the form.

**A copy of rates notices is to be provided for all property declared as an asset.**

Directors/Sole Traders/Partners	Name	Date of Birth	
Assets	Value	Liabilities	Value
Property		Property	
Principle Residence At		Mortgage Loan with	
	\$		\$
House at		Mortgage Loan with	
	\$		\$
Business Premises at		Mortgage Loan with	
	\$		\$
Other properties/vacant land at		Mortgage Loan with	
Motor Vehicle		Motor Vehicle	
Motor Vehicle		Finance with	
	\$		\$
Motor Vehicle		Finance with	
	\$		\$
Investments		Investments	
	\$		\$
Valuation of Shareholding in Company	\$	Valuation of Shareholding in Company	\$
Other	\$		
Cash on deposit with bank	\$	Bank overdraft with	\$
Business equipment and tools of trade	\$	Equipment finance with	\$
Work in progress	\$	Credit card and other personal debts	\$
Trade receivables, loans and other monies owed to you	\$	Trade payables, loans and other monies owed to you \$ other monies owed by you	\$

### Supporting Documents Required

A copy of current building licence/s. The licence must be in the name of the same entity as that applying for eligibility (other than Victoria, where the licence must be issued in the name of an individual, partner, director).

## Duty of Disclosure

Before you enter into a contract of general insurance with an insurer, you have a duty, under the Insurance Contracts Act, to disclose to the insurer every matter that you know, or could reasonably be expected to know, is relevant to the insurer's decision whether to accept the risk of insurance and, if so, on what terms.

You have the same duty to disclose those matters to the insurer before you renew, extend, vary or reinstate a contract of general insurance.

Your duty however does not require disclosure of any matter:

- that diminishes the risk to be undertaken by the insurer.
- that is of common knowledge.
- that your insurer knows or, in the ordinary course of its business, ought to know.
- as to which compliance with your duty is waived by the insurer.

## 6. Business & Personal background information

Please answer the following questions

	Y	N
1) Have you or any business for which you were a director or principal ever insured with another home warranty insurer?	<input type="checkbox"/>	<input type="checkbox"/>
2) Are you presently insured with another warranty insurer for ongoing work	<input type="checkbox"/>	<input type="checkbox"/>
3) Have you or any business for which you were a principal or director ever had a builder's licence refused or cancelled in any state or territory of Australia?	<input type="checkbox"/>	<input type="checkbox"/>
4) Have you or any business for which you were a director or principal ever been declined home warranty insurance?	<input type="checkbox"/>	<input type="checkbox"/>
5) Have there ever been any matters handled by the Statutory Building Disputes Tribunal that resulted in orders for rectification or payment against you or any business for which you were a director or principal?	<input type="checkbox"/>	<input type="checkbox"/>
6) Have you ever been a director, principal or manager of a business which has been in external administration, liquidation, receivership or any arrangement (formal or informal) to repay outstanding debts with creditors?	<input type="checkbox"/>	<input type="checkbox"/>
7) Have you ever been declared bankrupt or entered into a deed of assignment/composition or been subject to a legal judgement or are currently involved in any legal proceedings?	<input type="checkbox"/>	<input type="checkbox"/>
8) Have you disclosed all of the information of a material nature that could significantly effect the financial position of your business and influence insurers acceptance of your application?	<input type="checkbox"/>	<input type="checkbox"/>
9) Has your previous Home Warranty Insurer provider ever paid a claim or are you aware of any circumstances that may give rise to a claim?	<input type="checkbox"/>	<input type="checkbox"/>
10) Do you currently have a bank guarantee or deed of indemnity lodged with any other insurer?	<input type="checkbox"/>	<input type="checkbox"/>
11) Is the applicant a subsidiary of another entity or have any subsidiary companies?	<input type="checkbox"/>	<input type="checkbox"/>

If you have answered Yes to any (question except q. 8) please provide details

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## 7. Privacy Statement

Before you enter into a contract of general insurance with an insurer, you have a duty, under the Insurance Contracts Act, to disclose to the insurer every matter that you know, or could reasonably be expected to know, is relevant to the insurer's decision whether to accept the risk of insurance and, if so, on what terms.

You have the same duty to disclose those matters to the insurer before you renew, extend, vary or reinstate a contract of general insurance.

Your duty however does not require disclosure of any matter:

- that diminishes the risk to be undertaken by the insurer.
- that is of common knowledge.
- that your insurer knows or, in the ordinary course of its business, ought to know.
- as to which compliance with your duty is waived by the insurer.

MBA Insurance Services Pty Ltd (MBAIS) considers the disclosure of personal information by our customers as an important matter and the need to maintain confidentiality in managing this information and using it in the manner for which it is intended.

### Your Rights

MBAIS complies with the Privacy Act 1988 and Privacy Amendment (Private Sector) Act 2000, the Commonwealth legislation that regulates the collection, storage, destruction, quality, use and disclosure of personal information and sensitive information, and ensures that you are given certain rights in respect of this information.

We and our Insurer panel will only collect personal information from you or about you which is relevant to processing and assessing your application and use it in a way you would reasonably expect. Without this personal information we may not be able to process your application. Please see our privacy policy at:

<http://www.mbais.com.au/privacy-statement.html>.

Also please read the insurers privacy policy at:

<http://www.vero.com.au/dirv/vero/vero.nsf/Content/PrivacyPolicy> and

<http://www.qbe.com.au/Australia/About-QBE/Company-Policies/Privacy-Policy/Insurance.html>

### Your Consent

Unless you advise us otherwise, in supplying personal information, you hereby agree to any or all of the above uses of your personal information that you supply to MBAIS. You also hereby agree to similar use of other personal information that we may obtain about you from other sources mentioned above.

Subject to the Privacy Act 1988 and Amendments, if we acquire any of your personal information in other ways, or if we use your personal information for purposes other than those listed above (or other than purposes reasonably related to, or reasonably implied from those above), we will notify you and seek your consent.

Whenever reasonably practicable we will seek such consent in advance of, but in any case as soon as practicable after, such event.

We must provide you with access to your personal information held by us in accordance with the Privacy requirements and our Privacy Policy.

You may view our Privacy Policy at [www.mbais.com.au](http://www.mbais.com.au)

## 8. Declaration and Signature

To be signed by all principals, directors or partners (as applicable)

I/We declare, acknowledge and agree that:

- 1) By completing this application and making this declaration, I/We appoint MBA Insurance Services P/L (MBAIS) as our broker for the purpose of applying for eligibility to purchase individual job specific policies for home warranty insurance.
- 2) I/we acknowledge that on issuance of an individual Residential Builders Warranty Certificate, it is the owner who is the insured and not I/we as the applicant/builder.
- 3) If any of the information disclosed in the application alters or materially changes/ I/We will notify MBAIS immediately
- 4) I/We authorise MBAIS to give to, or obtain from, other insurers or insurance reference bureaus, credit reporting agencies, suppliers, subcontractors and government departments any information about this insurance including this completed application and my/our insurance claims history and my/our credit history
- 5) I/we believe that the applicant is currently solvent and in its capacity can meet all of its financial obligations as and when they fall due.
- 6) Insurers reserves the right to revoke eligibility of the applicant to purchase individual Job Specific Policies under certain circumstances
- 7) I/we have read and understood the Privacy Statement and Duty of Disclosure Statements outlined in this application.
- 8) I/we declare that all information given in this application and any attachments is true and correct.
- 9) Completion of this application or acceptance by the Insurer does not create any contract of Insurance or give the right to Insurance.
- 10) I/We understand that this application will be provided to the Insurers who will rely on the responses provided when determining whether to offer insurance cover
- 11) I/we have received a copy of the "Residential Builders Warranty Insurance" policy wording and agree on behalf of the applicant to be bound by the terms and conditions contained in it.
- 12) I/we understand that no Certificates of Insurance will be issued until this application has been accepted by insurers and a "Letter of Eligibility" issued.
- 13) On the issuance of a "Letter of Eligibility", I/we understand that in the event of a complaint or a claim then the contractor, sole trader, or company and the company directors or partnership and the individual partners are joint and severally liable for the following:
  - To comply with the directions or any judgements made by the Tribunal or Australian Courts to complete or rectify building works.
  - Reimburse Insurers any amount in respect to a claim paid, which includes any costs or expenses incurred by the insurer.

The sole trader, each of the partners in a partnership, all of the directors and all noted licence holders must sign this application

Declared by (print name)

.....

Signature ..... Date / /

Declared by (print name)

.....

Signature ..... Date / /

**Please forward the completed application to your corresponding state:**

**VIC**

PO Box 544 MELBOURNEVIC 3001  
P 03 9411 4555  
F 03 9417 7931  
[vic.insurance@mbais.com.au](mailto:vic.insurance@mbais.com.au)

**NSW**

Level 1, 165 Lambton Rd BROADMEADOW NSW 2292  
P 02 4953 9400  
F 02 4953 9433  
[nsw.insurance@mbais.com.au](mailto:nsw.insurance@mbais.com.au)

**WA**

35-37 Havelock St WEST PERTH WA 6005  
P 08 9476 9890  
F 08 9486 7021  
[wa.insurance@mbais.com.au](mailto:wa.insurance@mbais.com.au)

**Thank You**