



# Changing Tenancy on a Title

A guide to preparing the documents

Last updated August 2023



## Preparing a Transfer of Land document to change the tenancy shown on a Certificate of Title

This step-by-step guide is designed to show you how to prepare and lodge a transfer of land document to **change the tenancy** currently shown on a Certificate of Title from 'Joint Tenants' to 'Tenants in Common' or from 'Tenants in Common' to 'Joint Tenants':

1. Joint tenants possess a right to survivorship, that is, the interest of a deceased joint tenant passes to the surviving joint tenant(s). If a joint tenancy is severed (that is, converted to a tenancy in common) each owner can then direct how their share in the property is passed following their death by making provision in their Will.
2. Tenants in common do not possess a right of survivorship and on their death their interest (a percentage or share) passes according to the terms of their Will.

If you are completing the forms yourself, we advise you to exercise care as the documents involved are legally binding. A competent professional, such as a solicitor or settlement agent, should always be considered when preparing any land transfer document.

It is important to read through the whole of this information guide. Being familiar with the information provided in the guide will assist you need to contact Landgate to clarify any part of the process. Useful contacts are listed on the back page.

## What you should know about a Certificate of Title

Certificates of Title are created Landgate usually as a result of registration or approval of a subdivisional plan. Original titles are always kept at Landgate.

Some limitations or encumbrances may prevent the registration of a transfer or other interests on a Certificate of Title. For this reason, it is recommended that a copy of the original Certificate of Title be obtained from Landgate, to assist in completing the Transfer of Land form. We commonly refer to this as a 'title search'. A title search will show the spelling of the names of the registered proprietors/owners.

For a fee, you can conduct a title search and [obtain a copy of a Certificate of Title](#).

## What do I need for my land transfer?

- Verification of Identity (VOI) – the identity of the person(s) signing as transferors and transferees must be verified
- Title Search (recommended) – used to complete the Transfer of Land form
- Forms – Transfer of Land (T1 or T2)
- 'Certificate of Duty' or document stamped - Obtained from Revenue WA (OSR) for the assessment of (stamp) duty
- Registration Fees payable to Landgate

## Verification of Identity (VOI) – Identifying the transferors and transferees

Do you have a solicitor or licensed settlement agent preparing documents and acting on your behalf? If you do, you should discuss the [verification of identity](#) requirements with your solicitor or licensed settlement agent.

If you do not have a solicitor or licensed settlement agent acting on your behalf, you are referred to as a **self-represented party**.

A self-represented party is responsible for ensuring their own identity has been independently verified and complies with Landgate's VOI practice. Self-represented parties can have their identity verified at a participating Australia Post office. Australia Post charges a fee for this service. For further information, please refer to: <https://auspost.com.au/id-and-document-services/identity-checks-for-property-transfers>

All natural persons signing the transfer document must be identified, this includes person's signing as an attorney or in any other capacity (e.g. as a company director).

### **Verification of Identity in a Foreign Country**

For further information on the verification of identity procedures in a foreign country for both electronic or paper-based transactions please refer to: [VOI-03 Western Australian Registrar and Commissioner of Titles Joint Practice: Verification of Identity and Authority. Paper Based Transactions – Foreign Countries.](#)

**Note: A self-represented party cannot have their identity verified overseas.**

Further information on the verification process is available on the Landgate website via the following link: Landgate – [Verification of Identity.](#)

### **Title Search – A copy of the Certificate of Title**

A title search is optional, however highly recommended, as the search provides you with a complete up-to-date copy of the title at the date and time the title search is conducted.

For a fee, you can conduct a title search online using an address and [order a copy of a Certificate of Title.](#)

### **A Transfer of Land Form – (T1 or T2)**

A [Form T1](#) is a one-page form used when there are no more than two transferors and/or two transferees named in the document.

A [Form T2](#) is a two-page form that has larger information panels and can be used when there are more than two transferors and two transferees, or if more information is required in any panel on the transfer document.

Freehold land registration forms are available from a Landgate office or online from the [Landgate website.](#)

Please note that only original signed forms can be lodged for registration and all forms must be printed on white A4 size paper in dupe style, so both sides of the paper are printed upon.

### **Revenue WA (OSR) for the assessment of (stamp) duty**

When the transfer form has been completed and signed, the original signed transfer form must be presented to Revenue WA at the Department of Finance for (stamp) duty assessment.

NOTE: All transfers must be presented to Revenue WA for duty notation before the transfer can be lodged with Landgate. The transfer form will be either 'Stamped' or a 'Certificate of Duty' will be issued.

Contact details for Revenue WA are listed on the back page.

## Registration Fees

View the current [Registration and Search Fees](#) that can be paid by cash, credit card, EFTPOS, or by cheque/money order made payable to Landgate. Fees must be paid when lodging the document in person or included if posting the documents to Landgate.

## Further Reading

For further information on this transaction type and further document requirements, please see the following links:

- [Land Titles Registration Policy and Procedure Guides](#)
- A Guide to basic requirements for the preparation of paper documents “[Getting it Right - Reference Guide](#)”
- [Land Transaction Toolkit](#)

## Steps to lodging a transfer

1. Complete the transfer form by using the title search. Type or print legibly in dark ink (preferably black) to complete the panels in the transfer form, using the examples in this guide to assist you.
2. Ensure the transfer has been assessed for duty by Revenue WA and a duty certificate is provided, or duty is noted on the original transfer form.
3. Ensure there are original identity statements provided for each of the natural persons signing the transfer document. The VOI statements must be the original Verification of Identity letter issued by Australia Post and/or original VOI statements provided by a solicitor or settlement agent.
4. Registration fees will need to be paid when the document is presented for lodgement, documents cannot be accepted without fee payment. Payments over the counter are available by cheque/money order, credit card or cash. If posting document/s to Landgate it is important to include any registration fee payable. Please feel free to use our [Postal Lodgement Coversheet](#) which enables you to review and select one of the payment options available.”
5. Lodge the original signed transfer form (together with any other evidence that may be required) with Landgate, ensuring the registration fee payment is enclosed if lodging by post.
  - In person at one of Landgate’s lodgement offices. NOTE: Any person can lodge the transfer document with Landgate; the lodging party does not need to be one of the persons named in the transfer document.
  - By post to:  
Landgate Document Lodgement Section  
PO Box 2222  
MIDLAND WA 6936

NOTE: Original evidence being returned by post will be posted in the normal mail. If you wish to have the original evidence returned by registered post, you will need to provide a self-addressed, pre-paid registered post envelope to Landgate with the Transfer document.

### Terms of Use

#### Disclaimer of Liability

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### Important

*The information in this document should not be regarded as legal advice. In all matters, users should seek legal advice from an independent legal practitioner.*

THIS TITLE HAS BEEN CREATED FOR INFORMATION PURPOSES ONLY

REGISTER NUMBER <b>1580/P22396</b>	
DUPLICATE EDITION: <b>4</b>	DATE DUPLICATE ISSUED: <b>NA</b>

WESTERN AUSTRALIA

**RECORD OF CERTIFICATE F TITLE**  
UNDER THE TRANSFER OF LAND ACT 1893

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

*[Signature]*  
REGISTRAR OF TITLES

**B** VOLUME  
3332

**C** FOLIO  
339

- A** To be copied from Certificate of Title
- B** To be copied from Certificate of Title
- C** To be copied from Certificate of Title
- D** Insert the word "whole"
- E** Show "fee simple"
- F** To be copied from Certificate of Title (don't show address)
- G** To be stated in figures where a sum of money and/or words in other instances

**A** LOT 1580 ON DEPOSITED PLAN 22396

**LAND DESCRIPTION:**

**REGISTERED PROPRIETOR:**  
(FIRST SCHEDULE)

**F** PATRICK STEVEN BOUVIER  
SELMA BOUVIER  
BOTH OF 101 EVERGREEN TERRACE ELLENBROOK  
AS JOINT TENANTS

(T M149404) REGISTERED 28 AUGUST 2020

**LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:**  
(SECOND SCHEDULE)

1. M149404 RESTRICTIVE COVENANT BURDEN. REGISTERED 28.8.2020.  
2. \*M149565 MORTGAGE TO STEALTH BANK LTD. REGISTERED 28.8.2020

Warning: A current search of the sketch of the land should be obtained where detail of position, dimension or area of the lot is required.  
\* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.  
Lot as described in the land description may be a lot or location.

END OF CERTIFICATE OF TITLE

**STATEMENTS:**  
The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 3332-339.  
PREVIOUS TITLE: 3332-000.  
PROPERTY STREET ADDRESS: 101 EVERGREEN TCE, ELLENBROOK  
LOCAL GOVERNMENT AREA: CITY OF SWAN

NOTE 1: DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUESTED BY DEPARTMENT OF MINE AND PETROLEUM

THIS TITLE HAS BEEN CREATED FOR INFORMATION PURPOSES ONLY

FORM T1  
WESTERN AUSTRALIA  
TRANSFER OF LAND ACT 1893

**TRANSFER OF LAND**

<b>A</b>	DESCRIPTION OF LAND (Note 1) Lot 1580 on Deposited Plan 22396	<b>B</b> EXTENT Whole	<b>C</b> VOLUME 3332	<b>C</b> FOLIO 339
<b>E</b>	ESTATE AND INTEREST (Note 2) Fee Simple			
<b>F</b>	TRANSFEROR (Note 3) Patrick Steven Bouvier Selma Bouvier			
<b>G</b>	CONSIDERATION (Note 4) The desire of the proprietors to change the tenancy to tenants in common in equal shares			
<b>H</b>	TRANSFEREE (Note 5) Patrick Steven Bouvier and Selma Bouvier both 101 Evergreen Terrace ELLENBROOK WA 6069 As tenants in common in equal shares			
The TRANSFEROR for the consideration herein expressed transfers to the TRANSFEREE the estate and interest herein specified in the land herein described, subject to the Limitations, Interests, Encumbrances and Notifications as shown on the Certificate of Title and/or otherwise affect the land under the Transfer of Land Act 1893.				
<b>I</b>	Dated this _____ day of _____ Year _____			
<b>J</b>	TRANSFEROR/S SIGN HERE (Note 6)		TRANSFEREE/S SIGN HERE (Note 6)	
<b>K</b>	Signed by _____ In the presence of _____		Signed by _____ In the presence of _____	
<b>J</b>	Signed by _____ In the presence of _____		Signed by _____ In the presence of _____	
<b>K</b>	Signed by _____ In the presence of _____		Signed by _____ In the presence of _____	

- H** Show full names and address/s of transferee/s. Addresses to be shown without punctuation and Suburb, State and Postal must be shown in BLOCK CAPITALS. If more than one person show the tenancy as "joint tenants" or tenants in common" with share stated e.g. "tenants in common in equal shares".
- I** Date to be shown
- J** Transferor/s sign their usual signature
- K** Witness signs under the transferor/transferee. Witness must then print their full name, address and occupation.
- L** Transferee/s sign their usual signature

SAMPLE ONLY, ACTUAL TEXT WILL VARY

## Contact List

### Landgate Contacts

**Landgate Office Hours 8.30am to 4.30pm  
(Lodgement Hours 8.30am to 4.30pm)**

**Landgate – Midland Head Office  
1 Midland Square  
MIDLAND WA 6056**

**TEL +61 (0)8 9273 7373**

**Email: [customerservice@landgate.wa.gov.au](mailto:customerservice@landgate.wa.gov.au)**

**Website: [www.landgate.wa.gov.au](http://www.landgate.wa.gov.au)**

**Postal Address: PO box 2222, MIDLAND WA  
6936**

### Document Lodgement Sites

**Document lodgement hours strictly 8.30am to  
4.30pm**

**Landgate – Midland Head Office  
1 Midland Square  
MIDLAND WA 6056**

**Landgate – Perth Business Office  
200 St Georges Terrace  
PERTH WA 6000**

**Australia Post Verification of Identity  
Tel: 1300202287**



### Other Useful Contacts

**Department of Finance  
Revenue WA  
3<sup>rd</sup> Floor, 200 St George Terrace  
PERTH WA 6000  
Tel: +61 (0)8 9262 1100  
Website: [www.wa.gov.au](http://www.wa.gov.au)**

**Department of Planning  
140 William Street  
PERTH WA 6000  
Tel: +61 (0)8 6551 9000  
Website: [www.planning.wa.gov.au](http://www.planning.wa.gov.au)**

**Family Court  
150 Terrace Road  
PERTH WA 6000  
Tel: +61 (0)8 9224 8222  
Website: [www.familycourt.wa.gov.au](http://www.familycourt.wa.gov.au)**

**Probate Office  
11<sup>th</sup> Floor, 28 Barrack Street  
PERTH WA 6000  
Tel: +61 (0)8 9421 5152  
Website: [www.supremecourt.wa.gov.au](http://www.supremecourt.wa.gov.au)**

**Registry of Births, Deaths and Marriages  
141 St Georges Terrace  
PERTH WA 6000  
Tel: +61 1300 305 021  
Website: [www.bdm.dotag.wa.gov.au](http://www.bdm.dotag.wa.gov.au)**

**State Administrative Tribunal  
6<sup>th</sup> Floor 565 Hay Street  
PERTH WA 6000  
Tel: +61(0)8 9219 3111  
Website: [www.sat.justice.wa.gov.au](http://www.sat.justice.wa.gov.au)**