

## Checklist for Sale Agency Agreements to be submitted to the Anglican Church Property Trust Diocese of Sydney (“ACPT”)

Before submitting a Sales Agency Agreement to the ACPT, Parish Wardens should note:

- a) *A current sale ordinance* is required before an agent can be appointed by the ACPT to sell parish property held on trust by the ACPT <sup>1</sup>;
- b) *The ACPT recommends* that Parish Wardens interview and short-list at least three real estate agents and negotiate the best possible commission/fee (inclusive of GST). It is further recommended that all marketing and advertising costs be borne by the real estate agent and included as part of the agent’s commission/fee;
- c) *It is recommended by the ACPT* that the agency period be for a maximum of three months (commencing one week after the agency agreement is sent to the ACPT for signing); and
- d) *A draft contract of sale* will need to be prepared and provided to both the ACPT and the appointed agent before the agent can legally start marketing the property that is to be sold. So, it is recommended that the Parish Wardens provide instructions to the Parish solicitor to start preparing the draft contract of sale concurrently with the process of short-listing potential sales agents.

Checklist	✓
1. An original Sale Agency Agreement (“Agreement”) prepared by the Agent ( <i>ie. photocopied agreements cannot be accepted by the ACPT</i> ). <i>NB: the Agent is to sign the Agreement before it is submitted to the ACPT by the Parish Wardens.</i>	
2. Owner’s details are recorded on the Agreement as, “Anglican Church Property Trust Diocese of Sydney” c/- the Parish postal address ( <i>this will ensure that all agent correspondence is sent to the Parish during the agency period</i> ).	
3. Owner’s ( <i>ie. ACPT</i> ) ABN is recorded on the Agreement (please contact the ACPT to ascertain the appropriate ( <i>ACPT</i> ) ABN to be used, as the Parish ABN <i>cannot be used on the Agreement</i> ).	
4. Agent’s Legal and Trading names are recorded on the Agreement.	
5. The following details are also recorded on the Agreement - <ul style="list-style-type: none"> <li>• Address of the property to be sold;</li> <li>• Agency period (<i>a maximum period of three months is recommended</i>)</li> <li>• Commission/fee (including GST) that has been negotiated with the agent (plus other costs if applicable);</li> <li>• Bank Account details. <i>The ACPT will enter these details – as the sale ordinance will require the net deposit and net sale proceeds to be paid to the ACPT and applied as per the terms of the parish’s sale ordinance.</i></li> </ul>	
6. A covering letter has been prepared and signed by at least two wardens requesting that the ACPT sign the sales agency agreement ( <i>a Parish Council Consent form is not required until a buyer has been found and the contract of sale is submitted to the ACPT for signing</i> ).	

[Click here for ACPT contact details \(including street and mailing addresses\).](#)

Please note that sales agency agreements can be posted or hand-delivered by Parish representatives to St. Andrew’s House. However, due to ACPT work scheduling arrangements, sales agency agreements cannot be signed “on the spot”. An appointment should be made in advance with the [Manager, ACPT](#) assigned to your parish’s region if there is a need to discuss the proposed sales agency agreement.

<sup>1</sup> If your Parish does not have a current sale ordinance, please discuss the ordinance process with your [ACPT Regional Manager](#).