

Conveyancing Service

New South Wales

CURRENT BPR AND CASENOTES

Service BPR 247

June 2018

In this Service:

[98829] *Mascarello v Registrar-General (NSW)*

Miscellaneous — Negligence — Solicitor — Signature retained to witness signatures to documents for mortgages of plaintiffs' real property — Solicitors owed plaintiffs duty of care — Signatures affixed by imposters pursuant to fraud perpetrated by plaintiffs' eldest son — Solicitor required impostors to produce only one form of photographic identification — Standard of care did not require solicitor to require production of second form — Solicitor did not breach duty of care

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Torrens system — Torrens assurance fund — Subrogation of rights to claim compensation — Registrar-General subrogated to plaintiffs for their claim for damages for breach of duty of care against solicitor — Any award of damages in favour of Registrar-General pursuant to such claim limited under professional standards legislation — (NSW) Real Property Act 1900 s 133 — (NSW) Professional Standards Act 1994

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[98830] *Huang v Ceylan*

Contract for sale of land — Standard form edition — Statutory warranty — Whether warranty breached — Whether purchaser entitled to rescind — (NSW) Conveyancing Act 1919 s 52A

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[98831] *EB 9 & 10 Pty Ltd v Owners Strata Plan No 934*

Strata titles — Common property — Dispute between owners corporation and owner of lot in relation to car parking — Whether use of common property reasonable to access car parking lot — (NSW) Strata Schemes Development Act 2015 s 28 — (NSW) Strata Schemes Management Act 2015 ss 106 153

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[98832] *Nguyen v Corbett (No 2)*

Family law — Consent property adjustment orders set aside under s 79A of the Family Law Act 1975 (Cth) — Consequential orders — Proper form for fresh application for property adjustment orders — Stay of enforcement of orders under s 37A of the Conveyancing Act 1919 (NSW)

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Conveyancing

Filing Instructions for Service 247

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BEFORE filing this issue, check the FILING RECORD under the **Filing Instructions** Guide Card to ensure that Service 246 has been filed.

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The new binder **19 BPR 13 Casenotes** is now your “current” binder.

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19 BPR 13 CASENOTES

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