

Construction Warranty Insurance Claim Form

- This form should be used by homeowners when the builder has died, disappeared or is insolvent where Assetinsure Pty Ltd is the insurer (CWI).
- References in this form to 'builder' and 'building work' include trade and other building contractor's work.
- CWI Insurance covers a homeowner (including subsequent purchasers) for loss or damage resulting from non-completion or residential building work and/or arising from a breach of a statutory warranty (e.g. defective work), because a builder's (or trade contractor's) insolvency, death or disappearance.
- Credeq Australia Pty Ltd, acting under a delegated authority agreement, is appointed to manage claims on behalf of Assetinsure Pty Ltd.

Section 1 – Homeowner details

Homeowner/s name

Policy/ Certificate number:

Policy / Certificate issue date:

Address where the building work that is subject of this claim

Suburb/town:

State

Postcode

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Homeowner's postal address (if different from above)

Suburb/town:

State

Postcode

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Telephone:

Mobile:

Email:

Are you registered for GST purposes?

Yes		No	
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If yes, what is your ABN?

Are you entitled to claim an input tax credit on the amounts claimed?

Yes		No	
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If yes, % entitlement



Section 2 – Builder details

Builders name	
Builders licence number	
Builder trading name	

Address of builder (if known)		
Suburb/town	State	Postcode

Section 3 – Builder contact details

Builders telephone:

Builders mobile:

Builders email:

Section 4 – Builder status

1. Is the builder insolvent (bankrupt, in liquidation or under external administration)?

If yes, how and when did you become aware of this insolvency? Please attach evidence.

2. Is the builder deceased?

If yes, how and when did you become aware of passing of the builder. Please attach evidence.

3. Has the builder disappeared?

If yes, how and when did you become aware of the disappearance? Please attach evidence.

4. What steps have you taken to locate the builder? Please attached evidence.

Yes		No	
Yes		No	
Yes		No	



5. Has the builder's licence been suspended for non-compliance with a money order in favour of the homeowner by NCAT/VCAT or a court?

Yes		No	

If yes, please provide details of the order and attach evidence.

6. What is the nature of your claim?
(you may select more than one)

Defective building work

Yes		No	
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Non-Completion of the building work

Yes		No	
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Non-Commencement of the building work

Yes		No	
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Alternative accommodation, removal and storage costs

Yes		No	
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7. Have you previously notified the builder of the defects or incomplete works you are claiming?

Yes		No	
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If yes, please provide details and attach evidence.

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8. Did you enter into a building contract with the builder?

Yes		No	
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9. Have the building works started?

Yes		No	
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If yes, what date did they commence?

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10. What is the current stage of works?

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11. What was the completion date?

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If the residential building works are not complete, what is the last date that the builder attended the site?

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Section 5 – Building contract details

1. Were plans and specifications prepared for the work?

Yes		No	
If yes, please attach a full copy of all plans and specifications. please provide the details of the architect as well as the architectural drawings and all council documentation.			

2. What was the contract price at the time that the contract was entered into?

\$

3. Was the contract price varied at any time prior to the works ceasing?

Yes		No	
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If yes, please provide details of all variations and attach evidence.

Variation #	Increase/Decrease	\$ Amount	Description

Section 6 – Payments to builder

1. Have payments been made to the builder?

Yes		No	
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If yes, please list all payments made to the builder and attach evidence.

Payment date	Stage of works	Amount paid	Method of payment



2. How much of the funds have you retained (i.e. Retentions)?

\$			
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3. Is there any money owing on the original contract?

Yes		No	
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If yes, please provide the following details and attach evidence

How much is owing?	When was it due to be paid?	Why was it not paid?

Section 7 – Subsequent owner details (if applicable)

1. What was the date of purchase?

2. What was the purchase price?

\$			
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3. Did you purchase the property “off the plan”?

4. When did you take possession of the property?

5. Was a pre-purchase inspection report obtained? If yes, please attach a full copy.

Yes		No	
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6. Were any of the items claimed known to you prior to entering into the contract of sale?

Yes		No	
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If yes, please provide details and attach evidence.

7. Did you receive a reduction in the purchase price based on items identified?

Yes		No	
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If yes, how much was the reduction?

\$			
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8. Do you have access to the plans and specifications?

Yes		No	
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Section 8 – Complaints / claims

1. Have you previously notified the builder of complaints regarding loss or damage to the residential building work?

If yes, please attach evidence of notification/s and any further action you have taken to resolve the complaint.

2. Have you, the builder, developer or anyone else attempted rectification of any of the items claimed?

If yes, please provide details of the work you or the builder did to rectify the items claimed and attached evidence. Have you completed & submitted a Loss Notification form?

Yes		No	
Yes		No	

Section 9 – Prior proceedings

1. Have any proceedings commenced or concluded in NCAT/VCAT or another court against the builder or anyone else involved in the work in relation to the subject matter of your claim (either by you or a previous owner)?

If yes, please provide details and attach evidence.

2. Have you (or a previous owner) claimed under this or any other insurance policy in relation to the loss or damage which is the subject of this claim, including any home and contents policy or plumbers' insurance policy?

If yes, please provide details about the previous claim and attach evidence.

3. Have you (or a previous owner) received compensation from the builder, developer or anyone else in relation to the subject matter of this claim?

If yes, please provide details and attach evidence

Yes		No	
Yes		No	
Yes		No	



Section 10 – Privacy statement

The information collected in this form will be used to assess any future insurance claim and to provide other insurance services in accordance with our Privacy Policy. We may share your information with third parties, both in Australia and overseas, as defined in our Privacy Policy in connection with providing these services. If you do not complete this form in full, we may not be able to pay your claim.

In accordance with our Privacy Policy, you may access any information we hold about you.

If you would like to contact us about Privacy or would like to obtain a copy of our Privacy Policy, you can use one of the following means:

Online at:

<https://credeq.com/au/privacy-policy/>

Phone: 1300 294 000

Email:

cwi@credeq.com

Letter:

Compliance Manager

GPO Box 2586, Sydney NSW 2001

In signing this form, you expressly consent to us using your personal information in accordance with our Privacy Policy.

Section 11 – Subrogation (Recovery from other)

- If we pay a claim your rights to claim against another party will be transferred to us. We are entitled to recover against any other party (including your builder, contractor, kit home supplier, or liquidator or administrator of their estate) for the amount paid by us.
- You must not limit or exclude your rights against a party from whom you might otherwise be able to recover in respect of your loss or damage. If you do, our liability to you is reduced to the extent that we can no longer recover from that other party as a result of your actions.

Section 12 – GST and insurance requirements

If you are registered for GST purposes and have an entitlement to claim an Input Tax Credit (ITC) for GST paid on your insurance, you are required to inform your insurer, at or before the time of any subsequent claim, of the extent to which you are eligible to claim an ITC.



Section 13 – Declaration

This declaration MUST be signed by ALL claimants and/or owners of the property (please print additional forms if more than two owners).

I/We have understood the terms of the policy.

I/We confirm that the details on this form are true, correct and represent a fair and accurate representation of the facts surrounding the claim.

I/We acknowledge that the insurer reserves the right to seek additional information from me/us as required from time to time. I/We acknowledge that Credeq reserves the right to reject any claim.

I/We acknowledge that I/We have not negotiated or settled a claim, incurred any expenses without notifying Credeq, as stated on the Certificate of Insurance, in writing.

I/We confirm that I/We have provided all the information we have on the matter.

I/We confirm that all the undersigned have the authority to settle this claim in full.

I/We consent to:

- Credeq sharing the information enclosed with various parties for the purpose of determining any future claim; and
- Credeq to obtain information from other parties relating to this claim.

Declared by claimant 1

Please print your full legal name:

Signature:

Date:

Declared by claimant 2

Please print your full legal name:

Signature:

Date:

Declared by claimant 3

Please print your full legal name:

Signature:

Date:



Section 14 – Claim form checklist

For us to assess your claim, please ensure you have provided all the following documentation.

A) For claims where you contracted with the builder/contractor:

- Proof of ownership
- Building contract
- Plans
- Specifications
- Variations
- Building Surveyor certificates if certification
- Building Inspection Reports
- Invoices / progress payments
- Evidence of any/all payments made
- Occupation Certificate / Certificate of Completion / Plumbing Certificate
- Correspondence with builder, developer or any other entity involved with the building works
- Other supporting documentation

B) Subsequent owner (additional information)

- Contract of Sale
- Pre-purchase inspection reports
- Condition reports provided to you either prior or during the purchase
- Correspondence between you, the vendors and the builder in relation to defects in the property either before, during or after purchase
- Quotations for rectification works provided to you in relation to defects in the property either before, during or after purchase.
- Particulars of any discount negotiated on the purchase price on account of defects in the property.



Section 15 – Important information about your claim

To help us process your claim quickly and accurately, please ensure that you:	Definitions:
<ul style="list-style-type: none">• Tell us everything that you know about the claim.• Answer all questions honestly.• Assist us with any investigations or enquiries we need to make. This includes giving us, our nominated builder and your builder access to inspect, rectify or complete the work (unless you have reasonable grounds to refuse access).• Do not make any admissions, offer, promise or payment in connection with the claim.• Keep us informed about any information that changes after you have submitted this claim.	<p>"Insolvent":</p> <ul style="list-style-type: none">a) in the case of a sole trader or partnership, insolvent under administration as that expression is defined in the Corporations Act 2001;b) in the case of a company, subject to external administration under the Corporations Act 2001. <p>"Disappeared": Unable to be found after due search and inquiry.</p>

Section 16 – Submit your claim

Once you have completed this form please PRINT the form, sign and return to us via email with ALL supporting material for the claim to: cwi.claims@credeq.com

If you submit an incomplete form, it could delay the processing time of your claim.