

BODY CORPORATE FACT SHEET

Buying and Selling in a Body Corporate

What must be disclosed, and what to search

Buying into a community titles scheme means buying into a set of shared obligations as well as a lot. Some of those obligations transfer with the lot whether or not the buyer knew about them — unpaid levies, exclusive use fees, and the duty to maintain improvements a previous owner made.

Queensland's seller disclosure scheme has applied since 1 August 2025 and sits alongside the body corporate certificate. This sheet sets out what a seller must provide, what the certificate contains, and what a careful buyer searches beyond it.

1. What the seller must provide

Three documents must be given to a buyer before they sign a contract of sale.

Document	Notes
Body corporate certificate	Obtained from the body corporate on written request and payment of the prescribed fee.
Seller disclosure statement	Required under the seller disclosure scheme in force since 1 August 2025. Owners in a community titles scheme must also complete section 6 of the statement, the community titles part.
Community management statement	If the CMS states the by-laws for the scheme, the body corporate does not need to give a separate copy of the by-laws with the certificate.

What travels with the certificate

The improvements register, the register of body corporate assets and the insurance details are parts of, or attachments to, the body corporate certificate rather than separate documents the seller must source. A buyer receives them, but they come through the certificate.

A copy of the CMS can be bought from the body corporate. If the body corporate does not have it, it can be searched and purchased from Titles Queensland.

2. The body corporate certificate

The certificate is completed on BCCM Form 33 — or Form 34 for specified two-lot schemes, or BUGTA Form 18 for schemes under the Building Units and Group Titles Act 1980.

	Detail
Who can request it	The seller; a mortgagee of the lot; a buyer under a contract for the sale of the lot; someone given a seller disclosure statement; anyone who proves a proper interest; or an agent of any of these.
How	In writing, with the fee.
Timeframe	The body corporate must give it within 5 days of the request. For an additional fee it can, if able, supply it within 24 hours.
Fee	\$86.95. A further certificate requested within 3 months of a previous request is

	Detail
	\$73.90. The 24-hour priority option adds \$31.00, refundable if not delivered in time. Fees are from 1 July 2026 and indexed annually.
Fee cap	The certificate fee is set by legislation and the body corporate cannot charge more, nor can a body corporate manager. The same flat fee applies whoever asks. Note that record inspection fees are different and do vary between owners and non-owners.

What the certificate tells you

- Who to contact — the body corporate manager's details, or the secretary where no manager is engaged
- The insurance position, including a copy of the insurance certificate, and details of any alternative insurance where the buildings are not insured for full replacement
- Which survey plan the lot is registered under — the starting point for working out maintenance responsibility
- The levies payable, the levies set for the next financial year, the latest financial statement, and any outstanding levies from the current owner
- A register of improvements the buyer will become responsible for maintaining
- The regulation module that applies, the by-laws, and any contractual arrangements the body corporate has

It is accurate only on the day it is issued

The date of issue appears on the first page. Before settlement, the buyer or seller can request a new certificate, or ask for access to the records, to get current financial information. Your legal representative may ask for the AGM minutes and the last contribution notice so that levy periods can be adjusted at settlement.

When no certificate needs to be given

There are two situations in which no certificate needs to be given.

1. The body corporate tells the seller in writing that it cannot prepare one because it does not have the records — for example because they are missing, destroyed or in disarray.
2. All of the following apply: a module other than the Specified Two-lot Schemes Module applies to the scheme; the developer's control period has ended; the first annual general meeting has been held; no committee has been chosen; and no body corporate manager has been engaged to act as the committee.

In either case the body corporate must instead provide a written statement giving the reason, which the seller gives to the buyer. The seller and buyer can then ask the body corporate in writing, with the fee, for financial information and access to whatever records are available.

3. The seller disclosure scheme

From 1 August 2025, sellers of residential property, commercial property and vacant land in Queensland must give the buyer key information before the contract is signed, under the Property Law Act 2023. The instrument is a seller disclosure statement together with prescribed certificates, which include community management statements and body corporate certificates.

At an auction, the disclosure must be given or made available to the buyer before the fall of the hammer.

Some matters are expressly outside the scheme and are not required to be disclosed — the structural soundness of the building, flooding history, and previous building or development approvals. A buyer who wants comfort on those must search for it themselves.

If disclosure is defective

A buyer may terminate the contract if the seller does not give the disclosure documents at all, or provides inaccurate or incomplete information.

Where the information was inaccurate or incomplete, the buyer must show the issue was material, that they were unaware of it when they signed, and that they would not have signed had they known.

The right runs at any time up to settlement — and stops there. A buyer who settles has no remedy under the scheme, which is why the searching is done before settlement, not after.

4. What a buyer should search beyond the certificate

Records can be requested in writing, with the fee. A buyer is not a lot owner, so the higher inspection fee applies — \$39.75 rather than the owner's \$20.70, plus \$0.75 per page for copies. No inspection fee applies if you ask only for copies. Be specific about what you want to see. Searches of interest include:

- Contracts the body corporate is party to — caretaking, letting, body corporate management or lift maintenance. You will contribute to these through your levies.
- Financial information that is not on the certificate, including the latest financial statements.
- Minutes of committee and general meetings, to see what decisions have been made and what is coming.
- The register of common property authorisations, which records the improvements owners have been permitted to make and any conditions attached.
- The register of exclusive use allocations, and the by-law itself if a car space or courtyard is part of the deal.
- The register of assets — but note it only captures assets valued at more than \$1,000, so it is not a complete inventory.

The survey plan and the CMS

The survey plan identifies the boundaries between each lot and the common property, and any exclusive use areas attached to the lot. It is registered with Titles Queensland as either a building format plan (also called a building units plan) or a standard format plan (also called a group titles plan), and it is what determines who maintains what.

The CMS identifies any proposed development of the scheme, the lot entitlement schedules used to calculate levies, the by-laws, and the regulation module that applies.

Searching the order history

A search of orders shows any adjudicator's order made for that body corporate in the last 6 years, and any application lodged but not yet decided. It is a genuine due-diligence step: a pending adjudication is exactly the thing a buyer wants found before settlement.

	Detail
Cost	\$22.10 collected in person at the BCCM office in South Brisbane; \$25.70 for results sent by post or email. GST does not apply and the fee is not refundable.
Turnaround	4 to 5 working days.
What you must supply	The full and accurate property description — results are generated by data-matching.
Not included	Details of conciliation applications, past or current, are not given out.

Where the body corporate has no CTS number and no CMS it falls under the Building Units and Group Titles Act 1980, and the equivalent search is for referee orders.

5. What a buyer inherits

Outstanding levies from the current lot owner do not simply disappear at settlement. As the new owner you may be liable to pay any outstanding amounts.

- Unpaid levies attract a penalty of simple interest at up to 2.5% a month — often quoted as up to 30% a year — plus the body corporate's reasonable recovery costs, which can include legal fees and body corporate manager's fees.
- An unpaid exclusive use fee can be recovered from a new owner of the lot if it is unpaid when the lot is sold.
- Improvements a previous owner made to common property come with the duty to maintain them. The register lists them.
- An exclusive use area comes with the duty to maintain it and pay its operating costs, unless the by-law says otherwise.

You cannot opt out

Buying a lot makes you a member of the body corporate. You cannot decline the membership, the levies, or the by-laws. And you must own the lot before you can apply for dispute resolution — a prospective buyer has no standing.

Source and disclaimer

Source: Queensland Government body corporate guidance at www.qld.gov.au/housing/body-corporate, current at 2 September 2026.

Also drawn on: Queensland Government guidance on the seller disclosure scheme under the Property Law Act 2023.

Fees are effective 1 July 2026 and are indexed annually. Confirm current figures before relying on them.

BCCM information line 1800 060 119 · www.qld.gov.au/bodycorporate

This fact sheet reproduces publicly available guidance for the information of our clients. It is general information only and is not legal advice. Century 21 Coast to Coalfields is not the author of the source material and does not warrant that it is complete or current for your scheme. Obtain your own advice before acting.

Talk to us

If this raises a question about your scheme, we are happy to help.

Estate Plaza Body Corporate Management (part of Century 21 Coast to Coalfields)

Upstairs, Shop 5, 68 Sydney Street, Mackay QLD 4740 | 07 4837 1788

bc.nq@century21.com.au | estateplaza.com.au