
Property Law – CBD Changes

Date : May 18, 2017

Property Law – Background

The Commercial Building Disclosure (CBD) Program is a regulatory program that requires the mandatory disclosure of a building's energy efficiency information to the market when commercial office space above a certain size is offered for sale or lease.

The CBD Program is an initiative of the Council of Australian Governments (COAG). It was established by the Building Energy Efficiency Disclosure Act 2010 and is managed by the Australian Government Department of the Environment and Energy.

Changes Made

In essence:

- from 1 July 2017 the mandatory disclosure threshold on commercial office space will decrease from 2000 square metres to 1000 square metres
- this means owners and landlords of smaller commercial office buildings may need to disclose the building's energy efficiency when they sell or lease their property after this date

Tips

Our **Matthews Folbigg Property Law** team recommends building owners/landlords, tenants who sub-lease and real estate agents:

- review these property law changes
- seek the assistance of a property lawyer to understand the impacts of these property law changes
- obtain a Building Energy Efficiency Certificate (BEEC) as required
- update new lease agreements and disclosure statements as required
- update advertising material to include the building's National Australian Built Environment Rating System (NABERS) Energy for offices star rating as required
- train relevant personnel about these property law changes
- raise any property law questions with a property lawyer
- discuss the possibility of any exceptions or exemptions to the legislation with a property lawyer
- be aware penalties can apply for breaches of property laws including the CPD Program (which a property lawyer can advise on)

More Information



Please call the leading property lawyers in Parramatta, the **Matthews Folbigg Property Law** team on **9635-7966** to speak with one of our property lawyers if you require more information.