

## INDEPENDENT LEGAL ADVICE DEED OF FORBEARANCE

A Deed of Forbearance is a very serious document. It is a mechanism by which a lender can grant to a borrower, who is in breach of existing loan documents, further time to pay under certain conditions.

Usually, the borrower or the guarantor (as the case may be) must consent to a judgment being made by the Supreme Court granting possession of the security property to the lender, if the terms of the Deed of Forbearance are not met. It results in the party (usually the borrower or guarantors), consenting to a future judgement for possession of the land.

It results in the in the owner of the land that is the subject of the lender's security waiving the opportunity to defend possession proceedings at a future time.

The lender invariably requires the parties to a Deed of Forbearance (being the owners of the land) to obtain independent legal advice before signing such a serious document.

At Penmans we charge a fixed fee of **\$990** (inclusive of GST) to review and advise on a Deed of Forbearance. This does not include a review of the security documents to which a Deed of Forbearance refers as those are documents that would already be in place.

The disbursements include any search fees as well as a fee to verify the identity of each person signing the Deed. That verification of identity incurs of \$29.90 per person.

### Next Steps

Please complete our [contact form](#) and let us know that you need independent legal advice on a Deed of Forbearance. A member of our transactions team will be in contact with you.

The information you obtain at this site is not, nor is it intended to be, legal advice. You should consult a Solicitor for individual advice regarding your own situation. Liability limited by a scheme approved under Professional Standards Legislation.

[Privacy Policy](#) [Terms of Use](#)

**Fixed fees current as of August 2025.**

*partnering with people since 1946*



**DIRECTORS**  
Paula Roberts  
Acc. Spec. (Property Law)  
  
Bailey Dunleavy

**ADDRESS**  
Suite 2.1, Level 2, Riverside Office Tower  
69 Central Coast Highway  
West Gosford

**MAIL**  
PO Box 6040  
West Gosford NSW 2250

**ABN**  
64 676 843 888

Liability limited by a  
scheme approved under  
Professional Standards  
Legislation

**PHONE**  
02 4324 1266

**EMAIL**  
info@penmans.com.au