

TRANSFER OF PROPERTY

IMPLEMENTATION OF FAMILY LAW ORDERS, BINDING FINANCIAL AGREEMENTS OR AGREEMENT TO DIVIDE JOINT RELATIONSHIP PROPERTY

Penmans are regularly instructed to assist where separating couples have reached agreement on the transfer of property (for example where one party agrees to pay out the other party for their interest in the former family home).

Where the transfer is subject to Consent Orders, or a Binding Financial Agreement (BFA), or an agreement made between the parties for the purpose of dividing relationship property (Agreement) no transfer (stamp) duty is payable.

We charge a fixed fee of **\$1,100** per property (inclusive of GST) plus out-of-pocket expenses to do the work required to attract the transfer duty exemption and finalise the transfer (including dealing with any mortgage). Penmans do not accept instructions in Family Law matters but can assist with referrals if you have reached agreement and need Consent Orders or a BFA. Estimated out-of-pocket expenses are (as of June 2025):

Verification of Identity (per person)	\$29.90
ASIC search (if applicable)	\$28.03
DocuSign Fee	\$8.50
Title Searches: Initial	\$31.00
Pre Settlement	\$31.00
Post Settlement	\$31.00
PEXA Fees: Single Title	\$140.58
Multiple Titles	\$160.93
Registration Fees: Transfer	\$175.70
Discharge of Mortgage (if applicable)	\$175.70
Mortgage (if applicable)	\$175.70
Revenue NSW EDR Stamping Fee	\$11.67

partnering with people since 1946



We have Accredited Specialists in
Property Law and Wills & Estates

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Liability limited by a
scheme approved under
Professional Standards
Legislation

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The steps are:

- a) We will verify your identity (which is required for both our purposes and Revenue NSW). This is done either in person or via a link sent to your mobile device;
- b) We will provide you with a link so that you can obtain a clearance certificate from the Australian Taxation Office in respect of Capital Gains Tax which is required in respect of all sales and many transfers of land in Australia.
- c) You will need to provide us with:
 - Your full details (we will send you an on-line form to complete);
 - A full copy of the Consent Orders, Binding Financial Agreement or other Agreement;
 - A copy of a recent rate notice for the property;
 - Details of the mortgagee on title including estimated payout and loan account number;
 - Details of the incoming mortgagee including loan account number and estimate loan advance amount;
 - The date of separation.

Next Steps

Please fill in our [contact form](#) and include in the comments that you need assistance with transfer of property after a relationship breakdown. 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.

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Fixed fees current as of November 2025.