



Schedule 2: Lessee's Disclosure Statement

Your legal obligations

Section 11A of the Retail Leases Act 1994 requires a Lessee's Disclosure Statement to be provided to the lessor within 7 days (or any agreed further period) of the lessee receiving the Lessor's Disclosure Statement. The lessee may be liable to a penalty for an offence under that Act if the Lessee's Disclosure Statement is not provided.

- 1 The lessee acknowledges that the attached Lessor's Disclosure Statement was received from the lessor **before** entering into the lease.
- 2 The lessee has been given:
 - a copy of the proposed lease and
 - a copy of a retail tenancy guide as prescribed by or identified in the regulations.
- 3 The lessee confirms that independent advice, with regard to the commercial terms contained in the Lessor's Disclosure Statement and the obligations contained in the proposed lease.
 - has been sought
 - has **not** been sought
- 4 The lessee believes, based on their own business projections, they will be able to fulfil the obligations contained in the lease, including the payment of the proposed rent, outgoings and other amounts.
- 5 In entering into the lease, the lessee has relied on:
 - information in the lease
 - information in the Lessor's Disclosure Statement
 - **and the following** verbal commitments or written statements made by the lessor or the lessor's agent.
(Include any matters relating to exclusivity or limitations on competing uses, information on sales or customer traffic or where the lessor has indicated work will be done on the shop and any other information you rely on.)

6 The lessee acknowledges that apart from the statements or representations set out above, no other promises, representations, warranties or undertakings (other than those contained in the lease) have been made by the lessor to the lessee in respect of the premises or the business to be carried out on the premises.

7 Signed by or for and on behalf of the lessee

Lessee's Signature

Date

About your lease

When entering into a retail shop lease the following documents are required by law:



The lease +
NSW Retail Tenant's Guide



Lessor's Disclosure Statement
+ appendix



Lessee's Disclosure Statement

Note 1: About the process

The lessee receives the Lessor's Disclosure Statement.



Within 7 days (or longer if agreed) the lessee completes their disclosure statement and returns it to the lessor.



Where the Lessee's Disclosure Statement is provided to the lessor within the time frame – no penalty is enforced.

Where the lessee fails to provide the Lessee's Disclosure Statement within 7 days – a penalty can be enforced.

Attach a separate sheet if space is insufficient