

**home warranty**  
insurance  
claim form



**home warranty**

## Please retain this page for your information

### About your claim

CGU Home Warranty Insurance policies provide for CGU, at its discretion, to:

- ◆ arrange for the satisfactory completion and, or, rectification of the Work to the standard and specifications outlined in the contract, or,
- ◆ pay to you a sum of money, as determined by CGU, to be fair and reasonable to permit you to carry out the necessary completion, and, or, rectification of the Work.

In these circumstances CGU will require documentary evidence that the works have been carried out and may carry out inspections thereof. If we elect to pay you an agreed sum of money you will be required to enter into a contract with an appropriately licensed/registered contractor/builder, who must provide Home Warranty Insurance to cover the proposed completion/rectification works.

We will advise you how we will settle your claim.

We will contact you as quickly as possible about your claim.

We may appoint a technical consultant(s) to carry out site inspection(s) and require you to provide necessary documentation before we authorize and pay for necessary completion and, or, rectification works.

We may appoint a technical consultant(s) who will contact you to arrange a site inspection(s).

If we need more information, we will contact you.

### Do not authorise completion/rectification works yourself

You must not negotiate or settle any claims for losses or damage; or incur any costs or expenses without first obtaining our consent in writing. However, any temporary/emergency repairs necessary to prevent further damage may be carried out immediately.

If you have any questions about your claim, please contact your local CGU Home Warranty Insurance office on 131 026.

### Your duty of disclosure

You have certain disclosure obligations that you must comply with.

### What you must tell us

When answering our questions, you must be honest and you have a duty under law to tell us anything known to you, and which a reasonable person in the circumstances, would include in answer to the questions. We will use the answers in deciding whether we are obliged to pay a claim.

### If you do not tell us

If you do not answer our questions in this way, we may reduce or refuse to pay a claim. If you answer our questions fraudulently, we may refuse to pay a claim

### Privacy Statement

CGU as part of the Insurance Australia Group is committed to protecting the information it holds and uses about you. The CGU Privacy Statement outlines how we use your personal information in accordance with the National Privacy Principles that are set out in the Privacy Act (Commonwealth) 1988 (as amended).

### Collection and access of personal information

We will only collect information that is necessary for us to provide you with insurance products and services. This includes information necessary for us to provide you with the HWI and an ECL, underwrite insurance policies and process claims. If you choose not to provide us with the requested information, we may not be able to process your request. It is your responsibility to advise us of any changes to your personal details to ensure we can keep our records accurate and up to date. If you wish to access your information we hold about you, contact us.

### How we use your personal information

We will use the information we collect to provide you with the insurance product or service you request. If we wish to use your personal information for other purposes, such as marketing, we will seek your consent.

We may share your personal information within the Insurance Australia Group and related entities, however the information will always be used in accordance with our policies as stated.

We may disclose your information to other insurers, other parties as required by law, or to third party service providers such as investigators and assessors who are contractually required to comply with our privacy obligations.

### How you can resolve a dispute with us

Our dispute resolution system is free and works like this:

1. Please advise the staff at your local CGU Home Warranty Insurance office if you are dissatisfied with:
  - our decision on your claim,
  - our handling of your claim,
  - the services of our technical consultant.
2. The staff member will try to resolve the problem.
3. If unable to resolve it, the staff member will refer it to the Supervisor or Manager, for immediate attention.
4. If this fails to resolve your problem, you may request that the problem be referred to a Dispute Resolution Officer. This Officer will investigate the dispute and try to reach a satisfactory outcome with you, normally within 21 days of the date you requested the service of a Dispute Resolution Officer.
5. If you do not accept our decision, you may lodge an appeal to (in NSW), the **Consumer Trader and Tenancy Tribunal** on 1300 135 399 or (in Victoria) the **Victorian Administrative & Appeals Tribunal** on 03 96289999.

More detailed information about this process is available from your local CGU Insurance office.

# Home Warranty Insurance Claim Form

(Only where the builder/contractor is insolvent, has died, or has disappeared)

Please answer all questions. This will help us to process your application quickly.  
If you need more space to answer any of the questions, please use a separate sheet of paper.  
Any attachments will form part of this application and the declaration will include them.

CGU Home Warranty Insurance Policy number

:	:	:	:	:	:	:	:	:	:
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## 1. Claimant/s details

Individuals must give their full name (s). Companies must give their company name and ACN. Owners Corporations must give the Strata Plan Number and identify the affected lot numbers.

Surname or company name

Given name(s)

Postal address

	Postcode
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Private telephone no.

Business telephone no.

Mobile

Facsimile

## 2. Address of residential building work (the subject of the claim)

Lot No.

Street No.

Street/road

Suburb/town

Council

## 3. Are you registered for GST purposes?

No  Yes  What is your ABN?

Have you claimed or do you intend to claim an input tax credit on the GST amount applicable to this policy?

No  Yes  Is the amount claimed or intended to be claimed less than 100% of the GST applicable to the premium?

No  Yes  Specify the percentage amount claimed/to be claimed

Where payment is made under this policy for the acquisition of goods, services or other supply, we will reduce the amount of the payment by the amount that you are, or will be, entitled to under A New Tax System (Goods and Services Tax) Act 1999 in relation to that acquisition, whether or not that acquisition is made.

Where payment is made under this policy as compensation instead of payment for the acquisition of goods, services or other supply, we will reduce the amount for payment by the amount of any input tax credit that you would have been entitled to under A New Tax System (Goods and Services Tax) Act 1999 had the payment been applied to acquire such goods, services or other supply.

## 4. Builder/Contractor

Name of builder/contractor

Licence No./Building Practitioners Board No.

Postal address

	Postcode
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Telephone no.

Business telephone no.

Mobile

1. Did you contract with the builder/contractor? No  Go to Question 5  
Yes

2. What was the date of the Contract?

#### 4. Builder/Contractor continued

3. Was the Contract terminated?

No  Yes  Provide details including a copy of all documentation evidencing termination.

4. What was the completion date? (Please provide details e.g. completion certificate, occupancy certificate, or other)

/  /

5. If the residential building works are not complete, what is the date the builder/contractor last attended site?

/  /

6. Has the builder/contractor died, disappeared or been declared insolvent? No  Yes

If Yes, state when and provide details.

7. If the builder/contractor has disappeared, what attempts if any had been made to locate the builder/contractor, and what was the last known contact details of the builder/contractor (i.e. address and phone number)?

  
  

#### 5. Details of the property

1. Did you purchase the property? No  If No, go to Question 6

Yes

2. What was the date of purchase?

/  /

3. What was the purchase price?

\$

4. Did you obtain a pre-purchase inspection report? No  Yes  Please provide a copy

5. Were you aware of any items of complaint in the residence prior to settlement of the purchase? No  Yes

If Yes, please provide details

6. Do you still own the residence the subject of your claim? No  Yes

#### 6. Details of the building contract

1. Were plans and specifications required for the residential building work?

No  Yes  Please provide a full copy

2. Who supplied the plans and specifications? (Builder/contractor, or you or your representative(s) or prior owner)

3. Was the contract for residential building work in writing? No  Yes  Please provide a full copy

4. Contract Sum

Variations  Provide a copy of all documentation evidencing agreed variations.

Deductions  Provide a copy of all documentation evidencing agreed deductions.

Total contract

## 7. Payments

Provide details of all payments to the builder/contractor (evidence of payment is required, e.g., bank statement, receipts, etc).

Date	Cash/cheque/other	Amount claimed
		\$
		\$
		\$
		\$
		\$
		\$
		\$
<b>TOTAL PAYMENTS TO BUILDER/CONTRACTOR</b>		<b>\$</b>

1. Is there a retention fund? No  Yes

If **Yes**, please provide details of the financial institution holding the fund, the current balance, the date and amount of each deposit into and any withdrawal from the fund including who made each withdrawal.


2. Is there still any money owing under the original contract? No  Yes

If **Yes**, how much is owing? When was it due for payment?

\$	/ /
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Why was it not paid?

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## 8. Complaints/Claims

1. Have you previously notified the builder/contractor of complaints regarding loss or damage to the residential building work? No  Yes

If **Yes**, please provide dates of notification and details of the items of complaint. What further action have you taken in regard to each complaint?


2. Please provide a copy of any correspondence entered into between you and the builder/contractor regarding your complaints/claim.
3. Precisely what is your claim? List all items the subject of your claim, estimate the cost of each and describe as best you can the cause of each item. For each item state when you first became aware of it.

Item	Cause	Cost
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
<b>TOTAL AMOUNT BEING CLAIMED</b>		<b>\$</b>

## 8. Complaints/Claims (cont'd)

4. Have you previously claimed under any insurance policy, contract performance agreement or any other such agreement in relation to the loss or damage to the residential building work the subject of the claim?

No  Yes

If Yes, state when and provide details.

Please provide a copy of any Consultant's report you have obtained in relation to the matter.

## 9. Other proceedings

1. Have any proceedings been commenced or concluded in relation to the subject matter of this claim resulting in, or likely to result, in settlement with the builder/ contractor, an arbitration award, an award by a Tribunal or a judgment of any court?

No  Yes

If yes, please provide full details.

## Declaration: This panel MUST be completed by the Applicant(s)

1. I/We declare that:

- To the best of my/our knowledge and belief the information provided herein is true and correct in every respect and I/we have not withheld any relevant information.
- I/We consent to CGU Insurance and its related entities, using my/our personal information I/we have provided on this form for the purpose of processing my claim. I understand that if I choose not to provide the required details, this is my choice, however, CGU Insurance and its related entities may not be able to process my claim.
- I/We consent to CGU Insurance and its related entities disclosing my personal information to other insurers, an insurance reference service or as required by law. I consent to CGU Insurance, and its related entities also disclosing copies of all documentation I/we have supplied in support of this claim to the original builder/ contractor or their representatives.
- I/We shall provide whatever information and assistance CGU may reasonably require to investigate the claim, work out its liability under the policy and allow it to rectify the residential building work if it so determines at its discretion.

Signature of the Insured

Date

Signature of the Insured

Date

2. Please indicate the number of additional pages attached to this application

When complete, please forward the claim to:

- CGU Home Warranty Insurance, GPO Box 5357 Sydney NSW 2001 or
- the CGU Home Warranty office in your state

## Important checklist

Claims will not be processed until all requested documentation has been supplied. Complete the checklist below to ensure you have supplied all requested documentation. You should keep copies of all documentation supplied to CGU.

For claims where you contracted with the builder/contractor:

- A complete copy of the contract relating to the building work, which is the subject of the claim
- A copy of your CGU Home Warranty Certificate
- A complete copy of the plans and specifications relating to the building work
- A complete copy of the conditions of approval as specified by your approving authority
- A copy of all certificates issued in relation to the construction of the dwelling
- A copy of all documents evidencing agreed variations or deductions
- Proof of payments made under the original contract
- Proof of termination of contract (if applicable)
- A copy of any Judgments relating to this matter by any Tribunal or Court
- A copy of any consultants report you have obtained in relation to the matter
- A copy of any correspondence entered into between you and the contractor regarding this matter

For claims where you purchased the residence, the subject of the claim:

- A copy of your CGU Home Warranty Certificate
- A complete copy of the Contract for Sale of Land through which you purchased the residence
- A complete copy of any pre-purchase inspection report or the like obtained prior to the purchase of the property

### NOTE

The issue and acceptance of this claim form does not imply any admission of liability on behalf of CGU.

CGU reserves the right to request any further additional information it deems necessary to determine your claim.

All information and documentation supplied to CGU will be used to determine the validity of your claim.

CGU reserves the right to commence legal action against any person who supplies false or misleading information in connection with a claim, regardless of whether the claim is subsequently approved or declined.



*Insurer*

**CGU Home Warranty Insurance**  
A Division of CGU Insurance Limited  
ABN 27 004 478 371  
An IAG Company