­THE NORTHERN TERRITORY OF AUSTRALIA

**STATUTORY DECLARATION**

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| (1) Insert full name and address of person making declaration  (2) Here insert the matter declared to, either directly following the word “declare” or, if the matter is lengthy, insert the words “as follows” and thereafter set out the matter in numbered paragraphs | **I,** (1)  solemnly and sincerely declare (2)  I am making a claim to the Agents Licensing Fidelity Guarantee Fund (the Fund) for compensation in the amount of $[Insert claimed amount], relating to a loss suffered arising from defalcation of trust monies or misappropriation of property, due to the actions of an “agent” or “agents”, being:   * a licensed agent or a partner of a licensed agent; or * a person constituting, or an officer or employee of, a firm or company licensed under this Act; or * any other person carrying on business as an agent (whether or not licensed).   The following are the details of my claim:  **1. Agent/s details**   * **Agent/s name and details:** [Provide below the names of the agent or agents that your claim relates to. Include any other identifying information such as company name, business name, licence number, and contact information if known] * **Nature of your engagement with the agent:** [Describe the role in which you engaged with the agent, such as “property owner,” “tenant,” or other relevant association with respect to the funds in question. Include the address of the relevant property or properties related to your claim.] * **Period of engagement:** [Provide the dates that you entered into an agreement with the agent (whether as a property owner or as a tenant) and, if applicable, the date the agreement ended.] * **Agreement details:** [Outline any agreements between yourself and the agent (including related correspondence) that you have attached to this statutory declaration]   **2. Incident and financial loss details**   * **Description of events leading to financial loss from the agent’s misuse or misappropriation of trust monies:** [Provide a detailed account of the events that led to your financial loss as a result of the agent’s misuse or misappropriation of trust monies or property. Include specific dates, amounts involved, and a description of the agent’s actions (or inactions) directly related to the loss of trust monies.] * **Breakdown of claimed amounts related to defalcation of trust monies:** [Provide an itemised breakdown of the total amount claimed, specifying each component that relates to misuse or misappropriation of trust monies, such as unpaid rent or unreturned bond held in trust. Please attach any documentation setting out any calculations or other relevant supporting financial documents as evidence.] * **Details of communication with the agent regarding the loss of trust monies:** [Summarise any attempts you made to contact the agent regarding the missing trust monies, including dates and any responses received from the agent. Include references to any communication records if available.]   **3. Other actions taken**   * **Recovery attempts:** [Describe any additional steps you have taken to recover the funds prior to submitting this claim, including applications to the Northern Territory Civil and Administrative Tribunal (NTCAT), legal proceedings, or other actions. Specify dates, reference numbers, and outcomes where known.] * **Outcome of other actions:** [If other actions were successful or led to partial recovery, specify the amounts recovered or any terms of settlement. Provide details if further recovery actions are ongoing.]   **4. Supporting documentation provided:**  [List and briefly describe all supporting documents attached to this declaration, such as payment records, bank statements, contracts, or receipts.]  **5. Acknowledgements:**   * In submitting this claim to the Fund, I acknowledge the following:   + that this declaration contains to the best of my knowledge the full particulars of my claim for compensation;   + the Registrar of Land, Business and Conveyancing Agents (Registrar) has the authority to request any further information or documents from me to substantiate my claim for compensation.   + compensation from the Fund is limited to monetary loss suffered as a result of an agent’s misuse or misappropriation of trust monies or of other property.   + where any compensation is paid from the Fund to me, the Registrar automatically assumes my rights to seek compensation from any other person involved in the incident that caused the claim   + I must promptly inform the Registrar if I recover any amount associated with the loss, even if recovery occurs after compensation is paid to me from the Fund, and I understand that I may be required to reimburse the Fund where I recover any amount associated with the loss. | |
| (3) Signature of the person making the declaration | This declaration is true and I know it is an offence to make a statutory declaration knowing it is false in a material particular.  Declared at the day of 20**Error! Bookmark not defined.**  (3)  ... | |
| (4) Signature of the person before whom the declaration is made  (5) Here insert full name of person before whom the declaration is made, legibly written, typed or stamped  (6) Here insert contact address or telephone number of person before whom the declaration is made | Witnessed by: | (4)    (5)    (6) |
|  | **NOTE: This declaration may be witnessed by any person who is at least 18 (eighteen) years of age.** | |
|  | **NOTE: This written statutory declaration must comply with Part 4 of the *Oaths Affidavits and Declarations Act 2010.*** | |
|  | **NOTE: Making a declaration knowing it is false in a material particular is an offence for which you may be fined or imprisoned.** | |
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