



Application for exemption - exit entitlements and/or buybacks

Retirement Villages Act 1992 (the Act) - section 39

When completed this form is classified as **OFFICIAL Sensitive**

About this form

This form must be used by operators to apply for an exemption, of up to 5 years, from the requirement to pay exit entitlements and/or enter into contracts to buyback premises in a retirement village.

Operators must give written notice to all impacted residents **within 30 days** of making an application.

For more information about applying for an exemption - exit entitlements and/or buybacks:

www.consumerprotection.wa.gov.au/cdrv

Section 1: Retirement village information

Retirement village name			
Retirement village address	Address line 1		
	Address line 2		
	Suburb/Town	State	Postcode
Number of residential premises in the village:			

Section 2: Operator information

About the operator	Village operator name (entity):		
	Business trading name (if different from above):		
	Name of village operator/owner (CEO/Director):		
	Australian Company or Business Number (ACN or ABN):		
Business address (if different to village address)	Address line 1		
	Address line 2		
	Suburb/Town	State	Postcode
	Email	Phone	

The decision will be sent to the business address if an email address is not provided.

Section 3: Application information

3.1 What exemption are you seeking (select all which apply):	Payment of exit entitlements only	
	Completion of buybacks only	
	Both payment of exit entitlements and completion of buybacks	
3.2 Do you make a profit from fees or charges payable by residents?	Yes	No (go to section 4)

If yes, provide details of these fees and charges below:

Section 4: Rationale for, and details of, exemption request

4.1 Why are you applying for an exemption?

Include all matters the Commissioner should consider in deciding whether to grant the exemption, including the matters in section 39(7) of the Act.

4.2 What is the period of exemption you are seeking?

Note: An exemption of up to 5 years can be sought.

Section 5: Operator declaration

- I declare this application is true and correct to the best of my knowledge and belief. This includes all statements I have made and all information I have provided in relation to the application.
- I consent to the Department of Local Government, Industry Regulation and Safety (LGIRS) making enquiries and exchanging information, including personal information, with other WA state government agencies, or other States, Territories and/or the Commonwealth for the purpose of determining this application.
- I acknowledge I am required to notify in writing all residents impacted by this application to advise them that this application for exemption has been made, and I must do this within 30 days of lodgement.

Full name:	
Position/title:	
Signature	
Date	

Documentation checklist

Please check the boxes below to indicate all required documents are attached when submitting this application. Please include **copies** not originals.

	List of contact information , including full name, telephone number and/or email address for all current and former residents impacted by this exemption request.
	Disclosure statement/s provided with residence contracts (Form 1 and/or Form 1A) (prior to 1 July 2027).
	Community arrangements statement for the retirement village the subject of this application (from 1 July 2027).
	Quarterly income and expenditure financial statements for the main operating account for the: • previous financial year; and • current financial year, showing year-to-date figures.
	Quarterly income and expenditure financial statements for the capital maintenance account (from 1 July 2028) or the account holding capital maintenance funds (before 1 July 2028) for the: • previous financial year; and • current financial year, showing year-to-date figures.
	Quarterly income and expenditure financial statements for the capital replacement account , or the account holding capital replacement funds for the: • previous financial year; and • current financial year, showing year-to-date figures.
	Quarterly income and expenditure financial statements for a reserve/sinking fund (if applicable) for the: • previous financial year; and • the current financial year, showing year-to-date figures.

Note: Your application must include the above documentation as a minimum. This will allow the financial capacity of the village to pay for exit entitlements or complete buy backs to be considered. An application may be refused if insufficient evidence is provided.

Additional documents you may include (optional)

Please separately attach and clearly label any other information you would like the Commissioner to consider.

Note: A decision will be made on the information provided in this application, any submissions made by the operator and village residents, and any other enquiries the Commissioner considers necessary. There will be no formal hearing conducted.

Privacy Collection Notice – Applications received under the *Retirement Villages Act 1992 (WA)*

LGIRS collects personal information through the following applications made under the *Retirement Villages Act 1992 (WA)*:

- Application for appointment of an external mediator
- Review of refusal to appoint a mediator
- Application for the Commissioner appointment of a licensed land valuer
- Application to extend – exit entitlement or buyback
- Application for exemption – exit entitlements and/or buybacks

This information is used for the following purposes:

- to review and determine the application; and
- maintain records of applications for accountability and reporting purposes.

For the same purposes, we may provide this information to:

- relevant government agencies or departments, or any third parties to assess issues raised in your application; and
- internal staff to enable assessment of the application, statistical analysis, customer satisfaction surveys, and other regulatory functions, including communication, education, and policy and legislative review and development.

We will not disclose personal information about you to anybody else, unless you have given consent, or we are authorised or required to do so by law.

Providing us with the requested information is voluntary, but if you choose not to provide us with it, we may not be able to assess your application.

Please refer to [LGIRS Privacy Policy](#) on our website for more information about how we handle your personal information, how you can request access to or correction of the personal information we hold about you, and who to contact if you have a privacy enquiry or complaint.

Lodgement options

In Person:

Consumer Protection
Gordon Stephenson House
Level 2/140 William Street
Perth WA 6000

Mail:

Consumer Protection
Locked Bag 14
Cloisters Square
Perth WA 6850

Email:

Email your completed application
with clearly labelled attachments to:
cp.determinations@lgirs.wa.gov.au

For more information or help filling out this form:

Email: cp.determinations@lgirs.wa.gov.au

Call 1300 30 40 54 on weekdays from 8.30am to 4:30pm.

Visit: www.consumerprotection.wa.gov.au/retirement-villages