*PLA Form 17*

**NOTICE OF INTENTION TO EXERCISE POWER OF SALE IN RELATION TO DISCLAIMED PROPERTY**

*Property Law Act 1974*, section 84A

To: [*insert addressee details for purposes of section 84A(4) of the Property Law Act 1974*]

TAKE NOTICE that:

1. the land described as [*insert lot on plan description*] has been disclaimed:

\* under section 133 of the *Bankruptcy Act 1966* (Cth), by the Trustee [\* *or Trustees*], of the Estate of [*name of bankrupt*], a Bankrupt,

\* under sections 568(1) of the *Corporations Act 2001* (Cth) by [*insert details of appointed Liquidator and company in liquidation*],

with the disclaimer having taken effect from [*insert effective date of disclaimer*] the [*day*] of [*month*], [*year*];

AND that:

1. default has been made under registered mortgage [*insert dealing number*] in respect of the land described in (a) above in that:

\* principal in the amount of $ [*insert*] (and interest in an amount of $ [*insert*]) then due and owing was not paid on the [*day*] of [*month*], [*year*]; and/or

\* the provisions of:

- clause [*insert relevant clause number*] of the mortgage, which requires the mortgagor to [*specify requirement under clause*]; and/or

- [*insert relevant section number*] of the [*insert title of relevant Act*], which requires [*specify statutory requirement*]

have not been observed or performed.

AND further take notice that, no less than 30 days after service upon you of this notice, the mortgagee may proceed to sell the land and exercise all or any of the other powers conferred by the mortgage and by the *Property Law Act 1974*.

Dated this day of , 20 .

Signed: [*To be signed by the mortgagee or mortgagee’s agent*].

\* Omit if inapplicable.