

BUSINESS BROKING / PACK 08

Business sale agency pack

08

A controlled path from seller appointment and confidentiality to due diligence and legal completion.

THE FIVE-STAGE CONTROL MAP

A file becomes defensible when each stage has an owner, a current source, an approval and retained evidence.

01 Appoint	02 Verify	03 Protect	04 Disclose	05 Complete
----------------------	---------------------	----------------------	-----------------------	-----------------------

W AGENT RULE

Draft the operational brief. Use official prescribed forms. Route legal instruments to the licensed professional responsible for them.

PACK 08 / ACTION CHECKLIST

Build the evidence file

Tick only when the document exists, is current, has been approved by the right person and is stored against the matter.

01	Seller and asset map	Entity, beneficial ownership, authority, business name, assets, IP, licences, lease and excluded assets.	☐
02	Agency authority	Scope, price, commission, expenses, GST, advertising, confidentiality, rebates and signed copy.	☐
03	Financial pack	Accountant-prepared trading results, BAS/tax evidence, add-backs, stock, liabilities and owner approval.	☐
04	Section 52 pathway	Determine if the Victorian small-business statement applies and obtain current professional preparation.	☐
05	Confidentiality	Buyer identity, NDA, staged data access, access log, redactions and seller authority before disclosure.	☐
06	Marketing claims	Substantiate revenue, profit, rent, staff, customer, exclusivity and growth claims before publication.	☐
07	Buyer diligence	Finance, capability, accountant and lawyer review, lease assignment, licences, employees and conditions.	☐
08	Contract and completion	Use lawyer-prepared sale contract; track deposit, conditions, adjustments, training, stocktake and handover.	☐

PACK 08 / SIGNING BOUNDARY

What W Agent must not blur

These controls are deliberately conservative. They protect the client, the agency and the professional who is responsible for the final instrument.

1	Business sales can include real estate, leases, companies, employees, licences, personal information and intellectual property; one generic contract is not enough.
2	Do not create or publish earnings claims without a retained evidence file and precise qualification.
3	If the transaction includes the sale or transfer of a body corporate or legal arrangement, reassess AML/CTF scope.

OFFICIAL SOURCES

Open the live source again immediately before use. A saved or printed copy can become stale.

01	CAV estate agent forms https://www.consumer.vic.gov.au/licensing-and-registration/estate-agents/fees-and-forms
02	CAV authorities https://www.consumer.vic.gov.au/licensing-and-registration/estate-agents/running-your-business/authorities-commissions-and-contracts/authorities-rebates-and-commission
03	AUSTRAC real estate starter kit https://www.austrac.gov.au/industry-and-business/obligations-and-guidance/program-starter-kits/real-estate-program-starter-kit/real-estate-program-starter-kit-getting-started

IMPORTANT

This W Agent pack is a general operational checklist, not legal, conveyancing, financial, tax, valuation, planning, building, employment or franchising advice. It is not a prescribed form, authority, contract, disclosure document or government-approved instrument. Laws, forms, facts and transaction risks change. Obtain matter-specific advice and use current official or professionally licensed documents before signing, serving, advertising, receiving trust money or providing a regulated service.