

bennett & philp • lawyers



CAPABILITY STATEMENT

MORTGAGE SERVICES



Bennett & Philp Lawyers is a member of Meritas, one of the world's largest alliances of prequalified independent law firms.

www.meritas.org



Bennett & Philp’s mortgage services grew out of a recognition that private mortgage funds needed better and more effective transaction advice.

Over the course of the last five years, we have provided legal advice to several private mortgage funds, growing our business with theirs and identifying and meeting the needs of their industry.

We have clients operating in several facets of the private finance market, from short-term cashflow financiers to development and property financiers and everything in between. Each client is unique and we mould our procedures, approach and pricing to suit their specific needs.



OUR GOAL? TO ENSURE YOU CAN FOCUS ON GROWING YOUR BUSINESS AND WORK ON THE THINGS THAT MATTER TO YOU.



TAILORED SOLUTIONS AT NO ADDITIONAL CHARGE

Bennett & Philp recognise that each mortgage fund is unique, in its risk profile and in the way it communicates with its advisors. Tailored solutions don't need to be expensive – they just require an advisor that cares enough to ask the question.

We will tailor our services to meet client's needs by taking the time to learn about their business. From that understanding, we work with our clients to formulate legal and documentation solutions that assist in meeting their objectives.

We will not charge any fee to create a tailored services solution. We only charge for legal work.



Security advice and due diligence



Loan documentation and processing of advances, discharges and refinances



Default and recovery advice, proceedings and mortgage execution



We focus on business credit by licensed and unlicensed private mortgage funds. However, we do act and advise in consumer loan matters for those funds which also undertake consumer finance.

Bennett & Philp can transact in all States and Territories and uses electronic conveyancing (PEXA) where possible.



FAST AND EFFECTIVE COMMUNICATION

We understand that time is of the essence in loan transactions, but that's easy to say and hard to live up to, if you don't have the right systems in place.

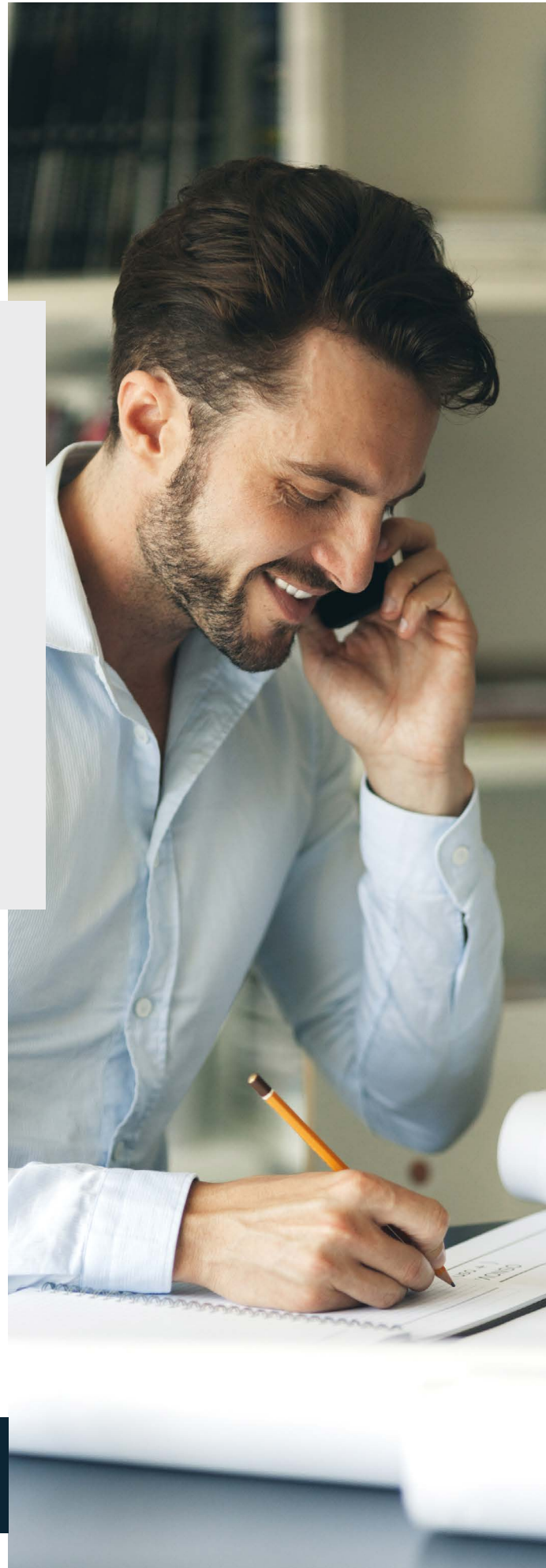
At Bennett & Philp we have developed a clear and effective system of communication and delivery of our services, which includes:

- The use of a secure data room for easy upload and download of documentation by us, our client and the borrower. This is viewable anytime, anywhere, in real-time, by our client.
- A clear lender program for each lender that will keep you confident that we'll follow up and revert to you at agreed intervals.
- A certification checklist for each deal, so that you know exactly what your certification covers.
- The undertaking of settlements electronically via PEXA where possible, and the reliability of designated local agents for each non-PEXA State or Territory.

Our private mortgage fund clients are a valued client. You will have access to one of our experienced directors for advice in either mortgage transactions, or mortgage recovery, whenever required.



Our general telephone advice and guidance is free of charge and included in every services solution level.



PRICE GUIDE

We will give you an individual fee schedule based on your tailored services solution. To give you a general idea of our pricing, we have set out below a reference guide based on three broad categories of lenders that we routinely work with:

BASIC	STANDARD	HIGH-RISK
Lenders in this category include lenders who regularly advance on the same terms or with the same documentation, typically first mortgage, and which conduct a high level of due diligence and customer liaison in-house. Our services will therefore be mostly documentation, certification and occasional problem solving.	Lenders in this category include lenders who regularly advance on similar terms, but may require specific variations, or individual terms on occasion. Typically first or second mortgage, and which conduct basic upfront searches and enquiries, but which require us to complete the majority of due diligence, documentation, certification and settlement.	Lenders in this category include lenders who advance on a variety of loan deals and often require individual terms for each deal, typically second mortgage and caveat loans, and which require complete due diligence and advice throughout to ensure their interests in these higher risk deals are fully protected.
Professional fee range: \$800 - \$2000 + GST	Professional fee range: \$2000 - \$4000 + GST	Professional fee range: \$3000 - \$6000 + GST

Our pricing will be a fixed price for each transaction, issued on a scale basis consistent with borrower expectations.

General complications or delays will not increase the price. We put ourselves in your shoes and only reserve the right to vary pricing when loan particulars or instructions change, the type of situations where the lender would ordinarily adjust its price.

No additional charge applies to review and confirmation of pricing for each matter in advance if special requirements exist, and for any other initial advices in connection with a new deal.

GROW YOUR KNOWLEDGE AND NETWORK

PRIVATE LENDERS FORUM

We identified early on in our work in the area of mortgage services that private mortgage funds do not enjoy the same level of education and networking resources available to public and institutional funds. This is particularly the case for smaller lenders in the Brisbane market.

We decided to make this one of our many differences. We created the **Private Lenders Forum**, an initiative to provide our private lender, mortgage broker and investor clients, with education, networking and referral opportunities, within the non-bank finance space.

We regularly share in the Private Lenders Forum LinkedIn Group educational content that is not just of interest, but which addresses in detail a wide range of topics designed to grow our clients' knowledge and experience in the area of credit services.

Through the Private Lenders Forum, members also have the ability to make direct contact, introductions and pitch to all other members whose details are available. The Group is also a platform to share information about service offerings and target clients, and we will regularly feature client publications through the Group.

In addition to the LinkedIn Group, we hold Private Lenders Forum events each year, at which we not only conduct a legal seminar and workshop, but also offer the opportunity to meet and network with other mortgage fund clients, brokers and investors.

Consistent with Bennett & Philp's philosophy, we offer these opportunities free of charge to our clients, because we want to help you, or clients, build new relationships and improve your business.

Join us today at by clicking the link below:



MEET OUR TEAM



NADIA RAWLINGS | DIRECTOR

Nadia specialises in security advice, due diligence and mortgage documentation. Nadia leads our mortgage services group and is the primary contact with each mortgage fund client. She is the mind behind the Private Lenders Forum and was voted a finalist in the Women in Finance Awards 2020 and 2021, as well as the Partner of the Year Awards – Banking and Finance 2020 and 2021.

Contact Nadia | P: +61 7 3001 2913 | E: nrawlings@bennettphilp.com.au



CHARLIE YOUNG | DIRECTOR

Charlie specialises in litigation and disputes and oversees any proceedings for mortgage recovery and execution. Charlie brings to the team a wealth of dispute resolution and litigation experience in a variety of areas and is our AFCA expert adviser.

Contact Charlie | P: +61 7 3001 2911 | E: cyoung@bennettphilp.com.au



CHRIS LILLIE | DIRECTOR

Chris is an experienced business lawyer and prior owner of his own law firm. Chris assists Nadia in the overseeing of the banking and finance team and lender transactions.

Contact Chris | P: +61 7 3001 2950 | E: clillie@bennettphilp.com.au



NICOLE MURPHY | LAWYER

Nicole assists Nadia in the preparation of documentation and settlement of finance transactions.

Contact Nicole | P: +61 7 3001 2982 | E: nmurphy@bennettphilp.com.au



ANNA MACARTHUR | LAWYER

Anna assists Charlie in the conduct of mortgage recovery including credit disputes.

Contact Anna | P: +61 7 3001 2983 | E: amacarthur@bennettphilp.com.au



PENNY MOLE | PARALEGAL

Penny is an experienced debt collections clerk acting for the firm's clients in the area of debt collection and minor debt recovery.

Contact Penny | P: +61 7 3001 2931 | E: pmole@bennettphilp.com.au

ABOUT BENNETT & PHILP

Established in 1984, Bennett & Philp is a mid-tier law firm based in the heart of Brisbane offering end-to-end legal solutions for both business and individual clients.

Our team offers a broad range of services to support local, national, and international clients across every stage of business and life.

We provide personalised service across five core areas of specialisation:



Business Advisory
Services



Disputes &
Litigation



Intellectual
Property



Property & Real
Estate



Wills &
Estates

CONTACT US

With 11 Directors and over 60 team members across five different service areas, you can rest assured that our experienced team can give you the practical and solutions-oriented legal advice you need for any occasion.



Nadia Rawlings

Director
Business Advisory
P: +61 7 3001 2913
E: nrawlings@bennettphilp.com.au



Charlie Young

Director
Disputes & Litigation, Debt Recovery
P: +61 7 3001 2911
E: cyoung@bennettphilp.com.au



Chris Lillie

Director
Business Advisory
P: +61 7 3001 2950
E: clillie@bennettphilp.com.au



Anna MacArthur

Lawyer
Disputes & Litigation, Debt Recovery
P: +61 7 3001 2983
E: amacarthur@bennettphilp.com.au



Nicole Murphy

Lawyer
Business Advisory
P: +61 7 3001 2982
E: nmurphy@bennettphilp.com.au



Penny Mole

Paralegal
Disputes & Litigation, Debt Recovery
P: +61 7 3001 2931
E: pmole@bennettphilp.com.au

