Master of Applied Science in Building Studies (Research)

# Do valuations assist residential property investors prior to purchase?

An industry perspective

by

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# CERTIFICATE OF AUTHORSHIP

I certify that the work in this thesis has not been previously submitted for a degree except as acknowledged within the text. This thesis has been written by me and any assistance received in the preparation of it has been fully acknowledged. All information sources and literature used are indicated in the thesis.

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Signature removed prior to publication.

Vince Mangioni

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I thank my family who continued to encourage and support me through this work. A note of thanks is also extended to my editor Frank Riley.

Lastly, I dedicate this thesis to my profession, the valuation profession, being the foundation that inspired me to undertake this research. The present challenges of the valuation profession are confronting for some valuers. As some valuation work and fees continue to contract, others await and beckon the valuation profession. It is the task of the valuation profession to seize the opportunities before it.

"Sometimes we stare so long at a door that is closing that we see too late the one that is open." Alexander Graham Bell 1876.

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- 3) Banque Bruxelles Lambert SA v Eagle Star Insurance Co [1995] 1 EGLR 129
- 4) Blomley v Ryan (1956) HCA
- 5) Broken Hill Pty Limited v Municipal District of Broken Hill (1901) 1 SR (NSW)
- 6) Griffith Producers Co-operative Society Ltd v The Water Conservation and Irrigation Commission (1926) LVR 190
- 7) Inez Investments Pty Ltd v. J.L. Dodd 1979 SCNSW 5565 of 1976
- 8) I & L Securities Pty Ltd v R S Melloy Pty Ltd [2002] QSC 306
- 9) MGICA Ltd v Kenny & Good Pty Ltd & Anor [1996] 766 FCA
- 10) Reading v. The Valuer General (1923), 6 L.G.R. 132
- 11) Singer & Friedlander Ltd v John D Wood & Co [1977] 2 EGLR 84
- 12) Spencer v. The Commonwealth of Australia (1907), 5 C.L.R. 418
- 13) Ta Ho Ma Pty Ltd v Allen [1999] NSWCA 202 (28 June 1999)
- 14) Trade Credits Limited v. Ballieu Knight Frank (NSW) Pty Ltd (1985)S.C. NSW

### **ABSTRACT**

As residential property grows as an investment vehicle, with an increase in this asset class included in retirement planning, greater focus is now concentrated on the price paid for property and the relativity of that price to its value and how that value is determined. In addition, consideration has also begun to centre on the quality and suitability of residential property purchased for investment purposes and the risks associated with inappropriate property being purchased, particularly by investors nearing, or entering retirement with limited capacity to replace their capital.

This thesis considers the issues confronting residential property investors, the level of understanding about the attributes of property that contribute to value, the level of information available and the quality of advice provided to property investors. The thesis brings to the fore the present uses of valuation advice and the suitability and limitations of that advice for property investors in formulating the price to be paid for property.

A survey of seven professions confirms support for the use of valuation advice by residential property investors and their investment advisers prior to purchase. The survey is in contrast to literature which raises doubts about the quality, format and information currently provided in valuation advice and its appropriateness and usefulness in serving residential property investors in meeting their investment objectives.

In conclusion, issues that may be addressed by the valuation profession in assisting residential property investors provides a way forward for the profession to break free of the dominance of providing point-in-time values for lending institutions. Recommendations addressing the quality of property investment advice and the use of property investment seminars as a conduit of sale have been made.