



Quiz

Granny Flat Interests

1. What was the decision in *Spink v Flourentzou* [2019] NSWSC 256?
 - a. That the money paid by the mother was an unconditional gift given to her daughter and son-in-law in lieu of rent payment for her occupation of the subject house
 - b. That there was a conditional gift given by the mother subject to a personal right to remain in occupation of the subject house for as long as she wishes
 - c. That there was a presumption of advancement, in that the money paid by the mother was to be taken as an advanced inheritance to the daughter and son-in-law
 - d. The transfer of the subject house from the mother to her daughter and son-in-law was under duress and therefore invalid
2. Which of the following is exempt from the assets test for pension purposes?
 - a. Place of principle residence;
 - b. A granny flat interest;
 - c. Both A & B
 - d. Neither A nor B
3. Which of the following is NOT a way a granny flat interest may occur;
 - a. Transferring title of a house to a child for nil consideration

- b. Purchasing a property for a child in their name
 - c. Paying 25% of the market value of a property and being recorded on title as a 50% tenant in common
 - d. None of the above
- 4. How are granny flat arrangements typically viewed in equitable proceedings?
 - a. As a constructive trust
 - b. As a contract
 - c. As a loan agreement
 - d. As an advanced inheritance
- 5. Which of the following Acts provides a possible statutory remedy for granny flat interests?
 - a. *Property (Relationships) Act 1984* (NSW)
 - b. *Succession Act 2006* (NSW)
 - c. *Property (Constructive Trusts) Act 1984* (NSW)
 - d. *Property (Granny Flat Interests) Act 1995* (NSW)

Answers:

1. B 2. C 3. C 4. A 5. A