



**Australian
Competition &
Consumer
Commission**

Our Ref: 54381
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13 May 2014

23 Marcus Clarke Street
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Faryar Gorjy
Director
Fitzwater 1 Pty Ltd

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Dear Mr Gorjy

Third Line Forcing Notification N97397 lodged by Fitzwater 1 Pty Ltd

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 8 May 2014. The notification has been placed on the ACCC's public register.

Fitzwater 1 Pty Ltd proposes to offer land blocks for sale in Spearwood, Perth on the condition that the purchaser also enters into a contract for the supply of building services with a builder nominated by Fitzwater 1 Pty Ltd.

Legal protection conferred by the notification will commence on 22 May 2014.

On the basis of the information that you have provided it is not intended that further action be taken in this matter at this stage.

As with any notification, please note that the ACCC may act to remove the legal protection provided by the notification at a later stage if it is satisfied that the likely benefit to the public from the conduct will not outweigh the likely detriment to the public from the conduct.

This assessment has been made on the basis that Fitzwater 1 Pty Ltd and any nominated builder will disclose all relevant terms and conditions to prospective customers.

A copy of this letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Michael Drake on (03) 9658 6517.

Yours sincerely

Dr Richard Chadwick
General Manager
Adjudication Branch