

Infringement notice

section 12GXA of the *Australian Securities and Investments Commission Act 2001*

Day of issue: 30 October 2014

Unique identification code: B782905

TO: Equanimity Concepts Pty Ltd
ACN 134 439 704
Level 1, Ashmore Plaza
160 Cotlew Street
ASHMORE QLD 4214

1. ASIC issues this infringement notice under section 12GXA of the *Australian Securities and Investments Commission Act 2001* (the **ASIC Act**).
2. ASIC has reasonable grounds to believe that Equanimity Concepts Pty Ltd (**Equanimity**) has contravened an infringement notice provision as follows:

Between at least 1 January 2014 and 30 June 2014, Equanimity contravened s12DB(1)(e) of the ASIC Act by, in trade or commerce, in connection with the supply or possible supply of financial services, or in connection with the promotion by any means of the supply or use of financial services, making a false or misleading representation (in the form of Annexure A – **Advertisement 1**) in the Virgin Australia inflight magazine "*Virgin Australia Voyeur*", and the Qantas inflight magazine "*Qantas The Australian Way*", with respect to the characteristics, uses or benefits of Equanimity's services.

Particulars

The representations in Advertisement 1 are as follows:

"Does paying off your home loan in 3-5 years sound too good to be true? Well, flying through the air at 30,000 ft was also once too good to be true. Yet, here you are"

"Yes, it is possible to pay off your Home Loan in only 3 to 5 years. In most cases, this can be done with your current income by making only minor changes in how you manage your finances so that your ENTIRE income is working for you."*

The representations are false and misleading because they fail to provide a complete picture of the financial liabilities that a consumer will incur after their home loan is discharged.

Advertisement 1 suggests or implies that a borrower can pay off their home loan in 3 to 5 years and substantially improve their financial position. However, the strategy behind Advertisement 1 requires a consumer to borrow money to purchase an investment property and defer immediate payments on the investment property loan via a line of credit (**the EC strategy**). There is no mention of this in Advertisement 1.

Applying to have this notice withdrawn

10. Within 28 days beginning on the day after the day on which this notice is issued, Equanimity may apply to ASIC in writing to have this notice withdrawn.
11. Evidence or information that Equanimity or its representative gives to ASIC in the course of applying for this notice to be withdrawn is not admissible in evidence against Equanimity or its representative in any proceedings (other than proceedings for an offence based on the evidence or information being false or misleading).

Withdrawal of this notice

12. ASIC may, by written notice given to Equanimity, withdraw this infringement notice if ASIC is satisfied that it is appropriate to do so, whether or not Equanimity has applied to have this notice withdrawn.
13. A withdrawal notice must be given to Equanimity within the time for payment of this infringement notice to be effective, that is, within 28 days beginning on the day after this infringement notice was issued.
14. If the withdrawal notice is given after Equanimity has paid the penalty specified in this infringement notice, ASIC will refund to Equanimity the amount paid under the infringement notice.

Requirements for applications

15. An application to have this notice withdrawn, or for more time to pay the penalty under this notice:
 - (a) must be in writing; and
 - (b) must include the unique identification code set out at the top of this notice; and
 - (c) must include Equanimity's reasons for making the application; and
 - (d) may be made by forwarding Equanimity's application to ASIC at the address in paragraph 16.
16. You may contact ASIC in relation to this notice by contacting:

contact: **Philippa Kelly**

by mail: **Australian Securities and Investments Commission**
GPO Box 9827
Melbourne VIC 3000

or by facsimile: **03 9280 3444**

or by email: **ACLInfringementNotices@asic.gov.au**



Signature of delegate issuing the notice

Peter Kell
 as a delegate of the Australian Securities and Investments Commission

Does paying off your home loan in 3-5 years sound too good to be true?

Well, flying through the air at 30,000 ft was also once thought to be too good to be true.

Yet, here you are.



Yes, it is possible to pay off your Home Loan in only 3 to 5 years*

- In most cases, this can be done with your current income, by making only minor changes in how you manage your finances so that your ENTIRE income is working for you.
- This alone can save hundreds of thousands of dollars that you would otherwise be sending to the banks in interest.
- Instead, you can keep that money and use it for your own future, not theirs.

The Right Partner makes all the difference

- Any real estate agent can sell you a house.
- Any mortgage broker can get you the financing.
- Any insurance broker can insure your property.
- And any financial advisor can give you advice.
- But very few have the capability and expertise to combine all these elements into a harmonious plan that ensures financial security and success.

People just like YOU have gone from 'too good to be true' to really with a paid off home loan.

Call us and we'll show you how.



equanimityconcepts
Turning your common 'cents' into dollars

1800 263 980 • www.eqc.com.au

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*Pay off your home loan in 3 to 5 years. This example is based on a couple with a joint income of \$115,000 p.a. and \$200,000 equity in their home. It assumes they have enough equity to have \$300,000 in external property. It also assumes they borrow \$321,000 to purchase their property and then apply the rental income (assumed to be \$230 a week) and Repay to Get on board their home loan. A secondary bank funding account is used to fund the investment property. If the home loan is paid off, it also assumes the Lender's qualifying criteria are met. Equanimity Concepts Pty Ltd holds Australian Credit Licence No. 158852.