



## **QUICK CONVEYANCING GUIDE** **PURCHASING A PROPERTY**

### **WORK CARRIED OUT AFTER A PURCHASE PRICE HAS BEEN NEGOTIATED**

- **The Contract and “package” of supporting documents is received from the seller’s solicitors**  
This includes copies of Title Deeds and, in the case of leasehold property, the Lease. We examine the package in great detail and if we have any legal or more general enquiries about the property these will be raised at this point.
- **Local Search application submitted to relevant Local Authority**  
The information supplied will include details of any planning permissions relating to the property, any proposed major road improvements, nearby problems with environmental health etc. However it does not search against neighbouring land. Therefore if you are concerned about any possible developments in the vicinity you will need to visit the council to check on this personally. The search can take two weeks or more to be returned depending on which Local Authority the application has been made to.
- **Written confirmation of mortgage offer received from mortgage provider**  
Your solicitor will check the details when it arrives
- **Signing the Contract**  
Once we have the Local Search result, the replies to any enquiries we have raised and your mortgage offer, you will be asked to sign the Contract. You will not be bound by the Contract at this stage and could still pull out, however it does mean that we can exchange contracts once the other parties in the chain are ready to proceed.

### **EXCHANGE OF CONTRACTS**

- **Exchange of contracts**  
It is at this stage that you will become contractually bound to purchase the property. Once we have obtained your final instructions with regard to agreeing a completion date and this has been agreed with your seller, we will exchange Contracts. This is done by two solicitors sending each other their respective clients signed part of the contract. Initially the solicitors will exchange using professional undertakings over the telephone and this is the point at which contracts are deemed to be exchanged and you are committed to the purchase. To withdraw after exchange will have serious consequences and involve you in financial penalties.

- **Deposit**

On exchange of contracts you will pay a deposit to the seller (although this is held by their solicitor until completion), usually of between five and ten percent of the purchase price. If you are selling a property the deposit paid by your buyer will be passed straight to your seller and depending on your new purchase price, you will usually not need to find additional funds. If after contracts have been exchanged, you decide that you do not want to proceed with the purchase, you will forfeit this money and you will also be liable for damages to the seller and the other parties in the chain.

- **Preparing for completion**

Once Contracts have been exchanged, we will carry out final searches to ensure that the property is still the seller's to sell. We will also request the mortgage funds from your lender. We will prepare the Transfer Deed, which will put the property into your name and arrange for signature of this and the Mortgage Deed.

### **COMPLETION**

- On the date arranged for completion it is impossible for us to tell you in advance at what time the move will happen. Particularly so when you are tying in a sale and a purchase, as this is dependant on when the monies arrive in our bank and thereafter the bank of your seller's solicitor. All the monies are sent by telegraphic transfer and the banks cannot guarantee the transmission time. However usually completion takes place around lunchtime. If you are selling you will need to take your keys to your estate agent who will hand it over to the buyer only after we have received the sale proceeds and authorised the key release. On the purchase you will be able to collect the keys to your new house from the agent in that matter, again once monies have arrived at the seller's solicitor's bank. There can sometimes be a time lapse between the two key releases and in this case you may have to wait a time to collect the new keys.

### **AFTER COMPLETION**

- Send Transfer or Conveyance to the Inland Revenue to be added to their records and any Stamp Duty paid (form SDLT1)
- Inland Revenue return the document and we deliver to the Land Registry the Transfer or Conveyance with an application to Register the Title with a cheque for the Land Registry fee.
- On the return of this document the Deeds are then lodged with lending institution – if there is no mortgage we shall deal with the Deeds as you wish. We would be happy to look after them for you free of charge in our strong room.

## GLOSSARY OF TERMS USED

“completion”	The date fixed for transfer of ownership, on payment of the price. Normally between two and four weeks after exchange of contracts
“Contract”	
“conveyance”	The document transferring ownership where the property is not registered at the Land Registry.
“deposit”	Part of the purchase price paid at exchange of contracts, normally 10%
“exchange of contracts”	Literally, the exchange of one copy signed by the Buyer for another signed by the Seller. At this point both parties become committed to proceed.
“Lease”	
“local searches”	The search is in the registers maintained by the district council in relation to such matters as road charges and planning decisions. The expression includes the enquiries made of different departments of the council to do with a wide range of other matters which may affect the property. Apart from road proposals affecting land within 200 metres of the property, the local authority search will only give information about the property itself. The search will give no information about other property, for example the development of neighbouring land. If therefore you are concerned about the possibility of development or any matter relating to other property in the neighbourhood, you should make enquiries of the local authority before you consent to exchange of contracts on the purchase.
“mortgage offer”	
“Mortgage Deed”	Document recording loan of money secured on the property. If payments are not maintained, the Lender may have the right to take possession and sell the property.
“preliminary enquiries”	A series of questions addressed to the Seller, who is expect to answer from his own knowledge about such matters as disputes with neighbours or work done on the property needing building regulation approval or rights enjoyed over the property.
“registration of title”	Ownership of unregistered land is proved by showing its recent history as recorded in the “deeds”. A sells to B, who dies leaving it to C, etc. in all areas of the country, title to land now has to be registered in one of the registries maintained by the Land Registry on completion of a purchase. The Register records ownership and all important details of rights and liabilities.
“Title Deeds”	
“Transfer Deed”	The document transferring ownership.