

## **Residential Property Purchase –**

### **A Brief Guide**

We hope that you find the below summary of the usual conveyancing procedure on most of the purchases we deal with useful.

This summary sets out the main milestones but the list is not exhaustive and we are of course on hand to assist you to explain what is required at every stage and in more detail, in a way that is bespoke to your particular purchase.

#### Preliminary stages – Acceptance of Offer

- Your offer to purchase the property is accepted by the seller
- You contact us to act for you and we provide you with an estimate of costs
- If you wish to instruct us, you inform the estate agent
- The estate agent sends us the Memorandum of Sale giving us details of the seller's solicitors
- You kindly send us your certified ID and proof of address or drop into our office and we can certify it for you
- You supply us with evidence of the source of your funds (by way of copy bank statements usually) and complete our Client Details form
- We send you our client care letter and ask you to send us funds to order the searches.
- We confirm to the seller's solicitors that we act for you and request the draft papers.

#### Pre- exchange

- We receive the draft papers from the seller's solicitors. We order the searches with the monies we have received from you.
- The draft papers should include the Lease (if you are purchasing a flat), copies of the land register entries showing the seller is the owner, property information forms to be completed by the seller and, if the property is a flat, management information from the Freeholder or managing agents as to the level of service charge, any future major works etc;
- We prepare a report for you on the papers and let you know if we think there is anything we need to raise as enquiries with the seller's solicitors. We send you a provisional financial statement.
- In the background you will be arranging your mortgage and a survey of the Property.
- We raise enquiries with the seller's solicitors.
- The seller's solicitors respond to the enquiries and we discuss with you if we consider there are any matters that we should follow up on. With your consent we report any relevant issues to your mortgage lender.
- You receive your survey report and raise any questions from that as appropriate.
- Once we have our copy of your mortgage offer, you are happy with your survey, we have the search results and we have replies to our enquiries, the file will be legally ready to exchange. If the purchase is part of a chain of transactions we may have to wait for the rest of the chain to be ready to exchange.
- If you are obtaining a gift or loan of funds from a third party we will also need to report this to your mortgage lender, with your consent. You should also let us know if there will be any

adult occupiers of the Property who are not a party to the transaction, as they will need to sign an occupier's consent form.

### Exchange of contracts

- The exchange is a short telephone conversation between us and the seller's solicitors in which the completion date is set and it is at this point you are contractually obliged to complete the purchase.
- In order to exchange, we will require the signed contract from you and a deposit being 10% of the price.
- We exchange and the deposit is sent to the seller's solicitors to be held as stakeholder until completion.
- The property should be insured by you from exchange (if a flat the property will usually already be insured by the Landlord).

### Pre completion

- We request the mortgage advance from your mortgage lender and carry out some final pre completion checks.
- We send you a final financial statement showing the total amount due the day before completion at the latest and ask that you send us the balance of the purchase price by bank transfer together with all third party payments and our costs to be received by us in cleared funds the day before completion at the latest. If the property is a flat, the seller's solicitors will prepare a statement to apportion any service charge or ground rent. Our statement to you will be based on that.
- We receive the mortgage advance from your mortgage lender the day before completion.

### Completion

- On the day of completion, we send the balance of the purchase price to the seller's solicitors.
- When the seller's solicitors have received the funds they call us to confirm the completion and they will inform the estate agents to release the keys.
- We will telephone you to give you the good news that completion has taken place and that you can collect the keys when you are ready.

### Post completion

- We will register you as the legal owners of the Property at the Land Registry. This process can take a few weeks for the land registry to complete and we will advise you when this has taken place.