

## A GUIDE TO SELLING YOUR HOME

This guide has been created to provide you with an outline of the legal procedures involved in the sale of your property. However, circumstances vary between individual transactions.

### **How much does it cost?**

When you are selling a property in addition to the legal fees paid to your solicitor/conveyancer there are a number of searches and checks that your conveyancer /solicitor must carry out on your behalf.

#### **Expenses or Disbursements**

Your conveyancer / solicitor will charge you whatever has been paid by them (these are usually called expenses or disbursements) to carry out these checks, so these expenses will generally be the same whichever conveyancer / solicitor you choose to work with.

#### **Administration fee for Bank Transfer**

If you have a mortgage we will need to repay the monies owing on the day of completion and this is done electronically. Currently we charge £35 plus VAT for each bank transfer

#### **Official Copies**

Assuming your property is registered at Land Registry we will obtain up to date official copies of your title from them. Land Registry charge a fee of £6 for each title.

#### **Leasehold Information Pack**

If you are selling a leasehold property the Landlord/Management Company would need to provide details regarding ground rent, service charges and buildings insurance etc. The fee varies depending on the Management Company.

Once you have instructed your conveyancer/solicitor then the legal work can progress, within which there are three key stages.

# The Three Key Stages

## Stage 1 - Instructions – what do I need to do?

### Proof of Identity

We are required by law to see proof of your identity before we can act on your behalf in the sale or purchase of your property. We will need to see (and take copies of) original documents.

- Your passport or photographic driving licence
- Proof of address – usually two recent utility bills or bank or building society statements

### Payment on Account

Your solicitor/conveyancer will require a payment on account to cover the initial disbursements (office copies and (where relevant) leasehold information pack).

### Protocol Forms

The Law Society has produced some standard questionnaires namely the Sellers Property Information Form, Leasehold Information Form and Fixtures Fittings and Contents form. These will need to be completed and any relevant documents/certificates provided to your solicitor/conveyancer at the outset

### Mortgage

If you have a mortgage on the property you will be asked to provide details of the lender together with the mortgage account number. Your solicitor/conveyancer will contact them to obtain an estimated redemption figure.

**Once all of the above have been dealt with the solicitor/conveyancer can move on to stage 2:**

## Stage 2 – The Contract and pre-exchange

Your solicitor/conveyancer will have to prepare a 'pre-contract package' for your buyers solicitors. This comprises the draft contract identifying the land/property that you are selling and upon what terms you are prepared to sell it, evidence of your legal title to the property to prove that you own and are entitled to sell the property, and the results of any pre-contract searches that we have made. This package may also include copies of any planning permissions etc. which your buyer will want to see to satisfy himself that the property and any alterations have the appropriate Local Authority Consents. It is essential that if you have altered your property in any way that you provide us with the originals of any planning/building regulation approvals, and any guarantees. These are then passed on to your buyers solicitors.

On receipt of the contract package the buyer's solicitor/conveyancer will make Local Searches to the Local Authority and any other searches considered necessary. The buyer's solicitor will check through the legal title and the protocol forms and will usually raise enquiries. Once the buyer's solicitor/conveyancer is satisfied they then prepare a report for the Buyer and will arrange for one copy of the draft contract to be sent back to your solicitor/conveyancer. This is known as 'Contract Approval'. That is the contract that you will sign. The Buyer signs the other part.

## **Exchange of Contract**

When the parties are ready to go ahead the contract signed by the Buyer is given to your solicitor/conveyancer together with the agreed deposit and the contract signed by you is given to the Buyer's Solicitor/conveyancer. This is the Exchange of Contracts and both parties are bound as from that moment.

**PLEASE REMEMBER** the signing of the contracts does not make contracts binding - parties are not bound until the contracts are exchanged. In other words either party is free to withdraw before contracts are exchanged.

We advise against you booking your removals or making any other arrangements such as holidays etc. until such a time as exchange of contracts has taken place, as suggested completion dates are likely to change. Following exchange you should remember to:

- o Confirm your removal date with the removal company
- o Contact the utility suppliers (although you should not arrange to disconnect the services)

We will obtain details from your lender of the exact amount required to redeem, confirmation from the selling agent (if any) of their commission and will then prepare a financial statement that will be sent to you showing a full breakdown and the net proceeds available.

**Once contracts are exchanged we move to Stage 3.**

## **Stage 3 – Completion**

This is the date on which you will move/complete the transaction. On completion day the purchase monies will be telegraphically transferred from your buyers solicitors to your solicitor/conveyancer. Following the safe receipt of the money, your solicitor/conveyancer will telephone the buyers solicitors to confirm its safe arrival and that completion has taken place. Your solicitor/conveyancer will then authorise your agents, or yourselves, to release the keys to your buyers. You should not release them without this confirmation

If you have a mortgage, your solicitor/conveyancer will then send to your lender the amount of money required to pay off your mortgage and obtain a receipt for that money which is then sent to your buyers solicitors. They will need this to prove to Land Registry that the mortgage has been discharged (repaid). We will also then account to you with the net proceeds of sale.

We hope the above will be found useful. Please remember this is very much a general guide. If you have any specific enquiries/questions relating to your transaction please contact a member of our Team who will be pleased to assist.

We are very conscious that a House move is one of the most important things you will do in your lifetime and that normally you will be very keen to move as quickly as possible.

Our job is to make everything as painless as possible and we aim to keep you updated on the progress that is made in relation to your transaction throughout.