



GILESWILSON
SOLICITORS

CONVEYANCING / HELPING TO MAKE YOUR PURCHASE A SMOOTH AND SIMPLE PROCESS



This guide hopes to give you an overview of the conveyancing process and help you plan your purchase.

WHAT WE DO

We will receive a package of information and a contract from your seller's solicitors.

The following is an overview of the process:

- 1) We will check that the person selling has the legal right to do so.
- 2) Then we will make searches to check on nearby developments, road changes and environmental issues etc.
- 3) Next we ask questions arising from the information we have received.
- 4) When we are satisfied that all the checks are complete and all questions answered we will 'report' to you.
- 5) On average the process to here takes 4-8 weeks. It takes longer for leasehold (usually flats) properties.
- 6) We are then ready to exchange contracts and fix a date for completion – usually 1-3 weeks from the exchange of contracts but it must be agreed by all parties in the chain of transactions. At this point you will also need to pay the deposit, which is usually 10% of the purchase price.
- 7) Exchange of Contracts.

This is the 'point of no return' when you become legally bound to buy your Property on the date set for completion.

Everything should be ready by this point as you cannot get out of the purchase after this time without severe penalties. You should not agree a completion date that you cannot meet; this would include ensuring that you can make removal arrangements for this day, and insuring the Property from the date of exchange of contracts as the risk will personally pass to you at this stage.

- 8) We will need cleared funds from you to complete your purchase. This includes your Stamp Duty Land Tax and any other fees.

Survey

When you buy a Property you will buy it in the condition it is in at the time of the purchase. The Seller will not give you any guarantees regarding the value of the Property, its structure or the working condition of any appliances, such as the central heating.

We advise you to use a qualified surveyor to carry out a full structural survey of the Property. If you are buying with the assistance of a mortgage, then it is likely a mortgage valuation has been carried out by the lender. Please note this is not the same as a full structural survey as the valuation is carried out for the benefit of the mortgage lender, not for you.

The survey should be done before you exchange contracts so you are informed of any defects and the likely cost of repair before you become bound to proceed, as the findings could lead to a reduction in the purchase price.

It is our view that the cost of a professional survey is money well spent when you consider the price of your purchase and the potential pitfalls of proceeding without a full structural survey. After all, if the surveyor gives the property a clean bill of health and agrees the valuation, you will have peace of mind; but if problems are found or the surveyor does not agree the value of the property, you may be able to negotiate a reduction in the sale price or decide whether or not to proceed.

Mortgage

Your lender will need a solicitor to check that the Property is a good risk for them. Most lenders will ask us to act for them at the same time as you and we will not charge extra for providing this service.

We are on the mortgage panel for most lenders, which means that we can usually accommodate all mortgage arrangements. What is more, as a Conveyancy Quality Scheme-accredited firm, we can act where other law firms cannot – on behalf of HSBC, for instance.

The Real Cost of Moving House

You will want to be sure that you are prepared for the expense of moving house.

We will have provided you with an estimate specifically for your matter, but here we have listed the main items of expenditure:

- 1) The purchase price, less any mortgage advance.
- 2) Solicitors' fees and Disbursements.
- 3) Stamp Duty Land Tax (SDLT).
- 4) Surveyors fees.
- 5) Contents and Buildings Insurance.
- 6) Cost of removals.
- 7) Mortgage Broker's fees.

Stamp Duty Land Tax (SDLT)

Currently SDLT is payable on all purchases where the purchase price is more than £125,000 and is payable by you as the Buyer on completion.

As these figures can vary from time to time, please check on your personalised estimate of costs.

Joint Ownership

If you are buying your Property with another person, please see below as to the ways in which you can hold the Property together.

Joint Tenants

If you own the Property as Joint Tenants you both own the whole Property. In the event of the death of one party, the deceased's share will automatically pass to the survivor; notwithstanding any contrary provision in your Will.

Tenants in Common

If you own the Property as Tenants in Common then you can either own it in equal or unequal shares. In the event of the death of one party, the deceased's share will pass in accordance with his or her Will.

We will discuss this with you and advise on the type of ownership best suited to you and whether any further documents are required, such as a Will, or a Declaration of Trust. A Co-habitation agreement may also be appropriate if you are unmarried.

Delays

Delays are not uncommon in conveyancing. These occur for a number of reasons; sometimes the chain is broken, where perhaps one person in the chain loses a buyer or cannot get a mortgage for example.

It is important not to feel pressurised by other parties; this is your transaction and we would want to ensure that your position is protected and that you only proceed when you feel ready to do so.

Completion Day

This is your actual moving day when you can move into your new home. It is on this day that the balance of the purchase price will be paid to the Seller and the transaction 'completes'.

If you are in a chain of transactions then the money will start at the bottom and move its way up the chain to us. Once the Seller's solicitors have received our money they will authorise the Estate Agents to release the keys to you.

You will become liable for all utilities servicing the Property on this day. We therefore recommend that you read the utility meters upon arrival so that you can pass this information onto the service providers and ensure that you are charged only for your usage from the date of completion onwards.

The seller should also have read the utility meters of the Property and have left the Property clean and clear of rubbish and contents. If the seller has agreed to leave contents in their 'Fittings and Contents form' (completed at the start of the transaction), these will be left at the Property on completion.



After Completion

After completion we will apply to the Land Registry for you to be registered as the new owner(s). We will send you a copy of your completed Land Registry entries upon receipt and will respond to any enquiries of the Land Registry.

Purchasing a Property is a change of circumstances and you should consider reviewing any existing Will or making one if you have not already done so.

Please remember that this Guide is not intended to be a comprehensive explanation of all matters that may arise and if you have any questions you should contact us.

Moving Checklist

When contracts are exchanged but before completion there are some practical matters that you should consider.

The following is not intended to be an exhaustive list but you may find it helpful:

- Buildings Insurance – we will confirm whether this needs to start on the day of exchange, or on the day of completion (Please note that you may not need Buildings Insurance in cases of Leasehold Property).
- Removals Company
- Gas
- Electricity
- Telephone
- TV Licensing
- Cable or Satellite
- Internet Provider
- Royal Mail (redirect service)
- Water Company

- Your Bank or Building Society
- Credit Card Company
- Pension Provider

- Council and Council Tax Office
- DVLA
- HM Revenue & Customs

- Doctor
- Dentist

- Don't forget to tell your friends and family!



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