

thePennyGroup

Typical Residential Conveyancing Process

Initial Contact

When you get in touch with your solicitor they will discuss your requirements and forward you a client care letter, setting out our commitments to you and giving our terms of business. They will provide you with a client care feed-back form at the outset of your instructions.

Instructions

Your solicitor will receive from the estate agent a Memorandum of Sale providing details of the offer and the seller's solicitor's contact details. They will write to the seller's solicitor confirming our instructions to act.

Exchange of Contracts

When all information has been received and any issues of concern have been satisfactorily resolved and you and the seller are ready to proceed, contracts can be exchanged. This is when the agreement becomes legally binding, a deposit of between 5% and 10% of the purchase price is paid by the buyer and a completion date is set.

Contract Package

The seller's solicitor will provide a draft contract and proof of the seller's ownership. The sellers will have completed standard forms giving general information about the property.

If the property is a leasehold property, further information will be supplied regarding issues such as service charge. If the property is run by a management company, management information will also be supplied setting out details of how the property is maintained.

Report on title

Provided that the replies to any enquiries have raised no concern, they will then proceed to Report on Title. This will be a comprehensive report of the property and the final stages of your purchase.

If you are purchasing a leasehold property, they will advise you on all aspects of your lease including your obligations and the freeholder's obligations. The report will outline the service charge and ground rent costs.

Raise enquiries and submit searches

If necessary, enquiries will be raised on the information provided by the seller's solicitors. The results of the searches they submit will reveal important information about the property such as whether appropriate local authority consents were obtained for alterations.

During this period, the buyer may instruct a surveyor to inspect the property, your solicitor.

If you are buying with a mortgage your lender will be finalising the offer, if they have not already done so.

Preparation for completion

The completion date is the date that you can move into the property. Following exchange of contracts, you will have been supplied with a Completion Statement, setting out the accounts of all of the costs in your purchase and the total amount of monies required to complete, so this will include the balance of the purchase price, stamp duty land tax, land registry fees and any service charge apportionments. If you are buying with the mortgage, they will ensure that all of your mortgage monies are in place prior to completion. This is the time that you can make your removal arrangements if necessary.

Priority Search

Upon exchange of contracts, they will register your interest in the property with the Land Registry. This will give you priority ahead of any others who may wish to register an interest in the property.

Completion

The funds will be transferred from your solicitor's account to the seller's solicitor's client account. The seller's solicitor will undertake to provide a transfer deed transferring legal title on receipt of the completion monies and you move in!

After completion

Your solicitor will pay your stamp duty land tax from the funds you have sent them or received from a related sale and complete your registration of legal title, including the removal of existing mortgages and the registration of your mortgage at the land registry.

If you are purchasing a leasehold property, they ensure that any required License of Assignment is in place and any required share certificates provided.

Think carefully before securing other debts against your home.
Your home may be repossessed if you do not keep up repayments on your mortgage.