



Esher | Richmond | Mayfair

INFORMATION ON PURCHASE PROCEDURE

Below is a guide to the conveyancing process for the sale of a property. It is intended to be a basic guide to the main stages of the process based on a standard residential transaction and is far from being a complete overview. Please note that the stages do not always follow the same sequence.

STAGE 1

1. An offer is accepted via estate agents (or privately).
2. All parties instruct solicitors and the parties need to deal with the required Anti-Money Laundering and ID checks (including a “source of funds” check for you as the Buyer) and complete the solicitors’ client registration form.
3. The estate agents (or if a private sale, then the parties themselves) send out the Sales Memorandum to all parties concerned confirming the agreed price, our details, your details, the details of the Seller and their solicitor.
4. The Seller’s solicitor obtains a copy of the registered title from the Land Registry and the lease if the property is leasehold and the Seller returns the “Property Information Form” and the “Fittings and Contents Form” and if the property is leasehold the “Leasehold Property Information Form” duly completed to its solicitor.

STAGE 2

Once the Seller’s solicitor has received the copy title documents from the Land Registry and the completed forms/questionnaires from the Seller, they will send us the title and contract package.

STAGE 3

1. We review the title and contract pack and submit the property search requests.
2. The usual searches requested are a local authority search, a drainage and water search, an environmental search/flood search and chancel liability search or indemnity (and in some circumstances, a highways search). Please note these searches are carried out in respect of the property only and will NOT disclose any issues concerning neighbouring properties nor matters arising after the date of the searches.
3. We raise additional enquiries following our review of the contract and title package and receipt of the search results.
4. For leasehold properties, additional enquiries may need to be forwarded to the landlord or management company, for their input and any administrative fee charged will be paid for by the Seller.

STAGE 4

1. We receive and review your mortgage offer and raise any issues, as necessary with the lender.
2. Once we are in receipt of all search results and the mortgage offer and are satisfied with all replies to enquiries and in all other respects, we will send you our final report and ask you to lodge the deposit (if you do not have a related sale). As soon as the form of the contract has

been agreed, we will either send this to you for signature and return or agree with you that we will sign this on your behalf at the point of exchange.

3. Once we are holding the part of the contract signed by you (or if you have confirmed we may sign this on your behalf) and once we are holding the deposit in cleared funds (as relevant), we will be **READY TO EXCHANGE CONTRACTS**.

STAGE 5

1. You confirm via the estate agent what completion date has been agreed/the seller will agree to.
2. We then contact the Seller's solicitor to advise we are ready to exchange contracts and will confirm the agreed completion date.
3. Assuming the completion date is agreed, we and the Seller's solicitor **EXCHANGE CONTRACTS** and we send the Seller's solicitor the deposit to be held by them as "stakeholder" until completion (or to be used as the deposit payable on the Seller's related purchase and in that case it is passed onto the Seller's seller's solicitor and so on). Both parties are then legally bound to buy and sell the property for the agreed price on the agreed completion date.

STAGE 6

1. On the completion date, we will send to the Seller's solicitor by a same day "CHAPS" payment the sum required to complete the purchase of the property.
2. Once the completion sum is received the Seller's solicitor will authorise the "release of the keys" to you, either via the estate agents or via the Seller direct (if it is a private sale).
3. **THE SALE IS COMPLETE.**

Please note the following:

- You are not obliged to continue with the sale until we exchange contracts.
- The property searches referred to above reveal information available as at the date of the searches and concern the property only and not neighbouring properties. We cannot advise in respect of matters arising after the date of the searches OR in relation to neighbouring properties (eg. planning applications/permissions or planned works), so if you have any specific concerns then you must raise these with us before we exchange contracts.
- If you are also selling a property, we strongly recommend that contracts for the sale and purchase are exchanged at the same time. If you exchange contracts on your purchase independently of your sale, you may have to obtain bridging finance for an unpredictable length of time, which we do not recommend. Usually it is a condition of a mortgage that all existing residential mortgages are repaid simultaneously with completion of a new residential mortgage.
- It is strongly recommended that contracts are not exchanged until you have your mortgage offer and we have reviewed this and raised and resolved any issues with the lender and we have received satisfactory results/replies to our searches and enquiries. If not, there may be issues in existence which could either prevent registration of your ownership of the property and the mortgage (if applicable) at the Land Registry, or which could cause you difficulties during your ownership and/or when you come to sell the property or which may affect the value of the property either now or in the future.
- You should be aware that if you are borrowing money from a high street lender to finance your purchase, we will also be acting for your lender. We are obliged to report any concerns to the lender which could affect their security, or any items which conflict with the valuer's assumptions in the valuation report, such as discrepancies in the purchase price. If we receive instructions from you which do not accord with our obligations to the lender, a conflict of interest may arise, and in that situation we may have to cease to act on your behalf in the transaction.
- We strongly recommend that you arrange for a home buyer's survey, rather than rely only on a lender's valuation. Please note that a copy of the survey/valuation should be forwarded to us

so that we can verify any assumptions made by the valuer/surveyor of a legal nature.

- If this is to be a second home, you should discuss ALL tax implications with your tax advisor or accountant, as stamp duty land tax is the only tax upon which we will provide you with advice in relation to the property purchase.
- You must be aware that any completion date cannot be guaranteed until an exchange of contracts has occurred. Please therefore do not make any completion arrangements, such as booking removal vans, booking time off work, or committing to alternative accommodation until we have exchanged. Please therefore do not make any completion arrangements, such as booking removal vans, booking time off work, or giving notice to your landlord to terminate your existing tenancy (if applicable) until we have exchanged.

On the day of completion:

- It is essential that you let us have before completion a telephone number where you can be contactable on the day of completion.
- It is common for sellers to vacate a property by around midday on the day of completion. However, since it is the receipt of the completion sum which dictates the time of completion, it is advisable for you to liaise with the seller either direct or via the estate agents to clarify key release arrangements and in order to avoid any misunderstandings.
- Please note that we are required to transfer the completion sum directly to the bank account of your seller's solicitor on the day of completion. In order for us to transfer the funds, we must have received in our account the mortgage funds and, if applicable, the sale proceeds of your related sale from the buyer's solicitor. Whilst in theory this sounds like a simple process, in practice we are dependent upon the money flow in the banking system and other solicitors, if applicable, in processing and completing each funds transfer. Unfortunately, this means that we have no control over the time at which completion sum will be received by the Seller's solicitor. The net effect is that we cannot give you a precise time as to when the keys will be released to you on the completion day.
- Please take meter readings and notify the relevant utility companies and the Council (in relation to Council Tax) as soon as you move in.