



SALE PROCEDURE

STARTING THINGS OFF

After your initial contact with us we will send you a written quotation showing our legal fees and the fees that we will need to pay out on your behalf. We will also send you a number of questionnaires which need to be completed by you as these will form part of the contract package.

Please complete and return these to us as soon as possible. Any delay in returning the questionnaire and other documentation will cause a delay in the process.

It is a professional rule that solicitors must have ID and Client Care information on their file. The earlier you send ID documentation and the completed Client Information form back to us the quicker we can proceed with your sale.

On the issue of ID we will also check that your buyer's solicitor is legitimate.

WE CHECK YOUR LEGAL TITLE AND CAPACITY

We will obtain a copy of your Title Documentation from the Land Registry. We will also check your ability to sell the property to the buyer.

In a small number of cases we may need additional documentation from you such as a Grant of Probate, Death Certificate or Power of Attorney. If you purchased a property before you were married and have changed your name since we may need a copy of your marriage certificate. It would be of great assistance if you could provide this documentation as soon as possible.

If there are any problems with your ability to sell we will advise you as soon as possible and work with you to resolve it.

MORTGAGES & SECURED LOANS

If you have a mortgage or loan registered on the property we will confirm the amount required to repay the mortgage. We will send to you a copy of the statement so that you can check it for accuracy. A new up to date statement will be obtained at completion. It is essential that you provide us with full details of your mortgagee and the correct account number in the yellow questionnaire.

If you believe the figure provided by the mortgagee is incorrect please tell us immediately. If you have more than one charge registered on the property (second mortgages, loans or other debts) these will also have to be repaid so please provide us with full details.

SENDING THE CONTRACT

We will send a contract to your buyer's solicitors once we receive your yellow questionnaire completed and signed, your ID and payment on account. The rest of the contract documentation including all the forms sent to you at the outset and planning permission/guarantees etc can only be sent once you have completed and provided these to us. Delay in providing them will delay the process.

ENQUIRIES

The buyer's solicitors will raise any questions they have about your property and the documentation we have sent to them. If we need you to assist us in answering any questions raised, we will contact you. We might need further information or documentation. Please supply this as quickly as possible.

Occasionally, if legal problems arise, there are any problems with a survey or documentation is missing, dealing with enquiries may take some time to resolve. We shall work with you to resolve issues as quickly as possible.

SIGNING AND EXCHANGING CONTRACTS

Before exchange of contracts we will send you the contract document for you to sign.

Please sign the contract and return it to us as soon as possible.

When everyone in the chain is ready to proceed and have agreed a date for completion we will exchange contracts on your behalf. It is only then that the transaction is legally binding. After contracts are exchanged you will not be able to change your mind without significant cost to you.

You should discuss the completion date in advance with your buyer or through the estate agent. A date must be agreed before exchange of contracts can take place. That date must be a week day when both solicitors' offices are open.

Problems and delays can occur if parties cannot agree a completion date. We have no control over this. You must work out a date which is suitable to all parties. You and your buyer may be ready to exchange contracts with an agreed completion date but other parties in the chain may not be ready. All the transactions in a chain need to exchange contracts and later complete on the same day. This may be delayed due to circumstances beyond your control, your buyers control and our control. This is all part and parcel of buying and selling property under the current system.

SIMULTANEOUS EXCHANGE AND COMPLETION

Sometimes a party in the chain will request that the exchange of contracts and the completion occur on the same day. A simultaneous exchange and completion is inherently risky and very stressful for everyone concerned and it is this firm's policy to advise against this arrangement.

In a simultaneous exchange and completion you will be expecting to complete on a certain date but you will have no guarantee that this will happen as there is no enforceable contract. It would be possible for any one of the parties in the chain to change their minds which would mean the

transaction would not go through and you would only get this information on the date proposed for completion. This could obviously produce considerable inconvenience and financial loss including payment of removal fees etc. Again, our advice is not to enter into this type of arrangement unless it is absolutely unavoidable.

TRANSFER DEED

After exchange of contracts, or possibly even before, we will provide you with a Transfer document that we receive from the buyers solicitor. This transfers the ownership of the property from you to the buyer. After completion this is sent to the Land Registry who will change the records to show that the buyer is the new owner of the property.

We must have the original signed transfer in our possession before completion. A faxed or emailed copy is not acceptable. It may have to be returned at short notice if this is provided to us just before completion.

PAYMENT OF YOUR ESTATE AGENT

It is customary for the seller's solicitor to pay any estate agent's bill from the proceeds of sale. We will send to you a copy of the estate agent's bill to make sure you have an opportunity to check it prior to it being paid.

How can you help us? You need to check the estate agent's bill as soon as you receive it from us and resolve any discrepancy that may exist direct with the estate agent and give us clear instructions if there is a problem.

COMPLETION STATEMENT

We will provide a financial statement to you prior to completion. It will show the sale price, legal fees, estate agent's fees and the amount required to pay off any mortgages.

COMPLETION

On the day of completion you must make arrangements to clear the property of all contents (including rubbish) and move out. It is only at this point that you should cancel your insurance on the property. You should take final meter readings before leaving.

We receive the money direct into our bank account from the buyer's solicitors. We will notify you and your estate agents when the money arrives. The buyer is then entitled to the keys. Under no circumstances should you hand over keys to your buyer until we have confirmed to you that we have received all monies due.

We will repay any mortgage or mortgages in accordance with the redemption figure or figures provided. We will send any balance due to you in accordance with the instructions you give in the yellow questionnaire. We cannot send money out to any third party. If you need to pay a third party the money will need to go into your own account before you pay that third party yourself.

Please be aware that sometimes the money from the buyer's solicitor does not arrive until later than expected, particularly if there is a long chain of transactions. We have no control over the speed at

which money passes up the chain but will work with other solicitors and keep you informed of progress.

AFTER COMPLETION

We will provide proof that any mortgages have been repaid to the buyer's solicitors. This will allow them to complete the registration of the property in the new owner's name.

If we are not acting for you in relation to the purchase of another property please provide your new address to us in the event that we need to contact you again.

