



Our guide to your move.

Buying a new home is a major commitment and can be a stressful experience. Finding the right property can require a lengthy search, many weekends spent trawling through property finder and estate agents' websites, and numerous viewings. This booklet is designed to help you through the next steps of your move.

Sherrards Solicitors, with offices in the City of London and in St Albans, is perfectly placed to meet your conveyancing needs. Unlike many firms, all of our conveyancers are fully qualified solicitors with many years' experience in residential property law.

This information booklet is designed to give you help and advice on how the conveyancing process works so that you know what to expect from the outset.

You will find a useful checklist of the various stages of a sale and purchase transaction to help you keep ahead of the next steps, together with some general advice and handy tips.

Contact us at law@sherrards.com or on (0) 20 7478 9010.

First steps for you:

- ✓ Sign and return a copy of our scope of work document.
- ✓ Provide us with a scanned/photocopy ID (or copies certified by a solicitor where required). We will need a copy of your passport or photographic driving licence together with a recent bank statement or utility bill (not more than 3 months old) showing your name(s) and address.
- ✓ Pay money on account (see our scope of work document for details of any money on account that is required as well as our client account information).
- ✓ Complete any forms which we have sent to you with our initial letter or e-mail. If you are selling a property, please complete the Property Information forms, Fittings & Contents list and any other paperwork which has been sent to you as best as you can (the more information you provide, the less likely the buyer's conveyancer is to raise further enquiries). Please then return the relevant forms to Sherrards together with any other relevant deeds and documents (e.g. copy planning consents and Building Regulation approvals).

Initial steps for us:

- ✓ Receive a copy of the Sales Memorandum from the estate agents confirming who will be acting for Buyer & Seller.
- ✓ Contact the other party's conveyancer confirming our instructions.



Your sale.

Once both parties have instructed their respective conveyancers, we will review all of the documentation you have provided, apply for Land Registry official copies of the title to your property and prepare the draft Contract package, all of which is then sent to the Purchaser's conveyancer.

If the property is leasehold, we will need to apply to the Landlord /Managing Agent for a Management Pack (this contains service charge, ground rent and buildings insurance information). They will usually charge anywhere up to £350 plus VAT for providing the pack.

At this stage, the conveyancer acting for the Purchaser will apply for a series of standard searches to investigate the Property and will raise enquiries before Contract with us. We will deal with these where possible but will often need to refer their enquiries to you. Please note that there may be more than one batch of enquiries and the more detailed and informative you can make your responses, the less likely the Purchaser will be to come back with further queries.

Also, bear in mind that if you are able to provide your replies in a form which can be easily forwarded on to the Purchaser's conveyancer, we will be able to communicate them across with greater speed.

Once all enquiries have been dealt with and the Purchaser has received a valid mortgage offer and all of their search results, their conveyancer will report to the Purchaser on the draft Contract papers and arrange for them to sign the Contract and put their conveyancer in funds for the deposit money. The deposit is usually 10% of the purchase price. We will also

arrange for you to sign your part of the Contract at this stage.

Once both parties have signed and returned their respective parts of the Contract to their conveyancer and the Purchaser has paid their deposit money into their conveyancer's client account, both parties will need to agree a completion date (the moving date) via the Estate Agent. Once a date has been agreed, the Purchaser's conveyancer should contact us to carry out an exchange of Contracts.

The exchange is conducted by telephone whereupon the solicitors for each party exchange their respective parts of the Contract and at this point the Contract becomes binding on both parties. Once exchange of Contracts has taken place, you should confirm your booking with your removal firm and make any other arrangements for the move. This will include notifying any utility providers.

Between exchange and completion, Sherrards will (if applicable) apply to your mortgage lender to request a final redemption statement. Sometimes, lenders can be slow in providing this and we may ask you to chase this up as well, in order to avoid any last-minute delays.

Shortly before completion, the Purchaser's conveyancer will draft a Transfer Deed and will forward this to us for approval. This is the document which formally transfers the property. Once approved, this will be forwarded to you and you will need to sign this document in the presence of a witness (not a family member) who will also need to sign and add their name and address. Please return this document to us by no later than the day prior to completion as we cannot complete without it.

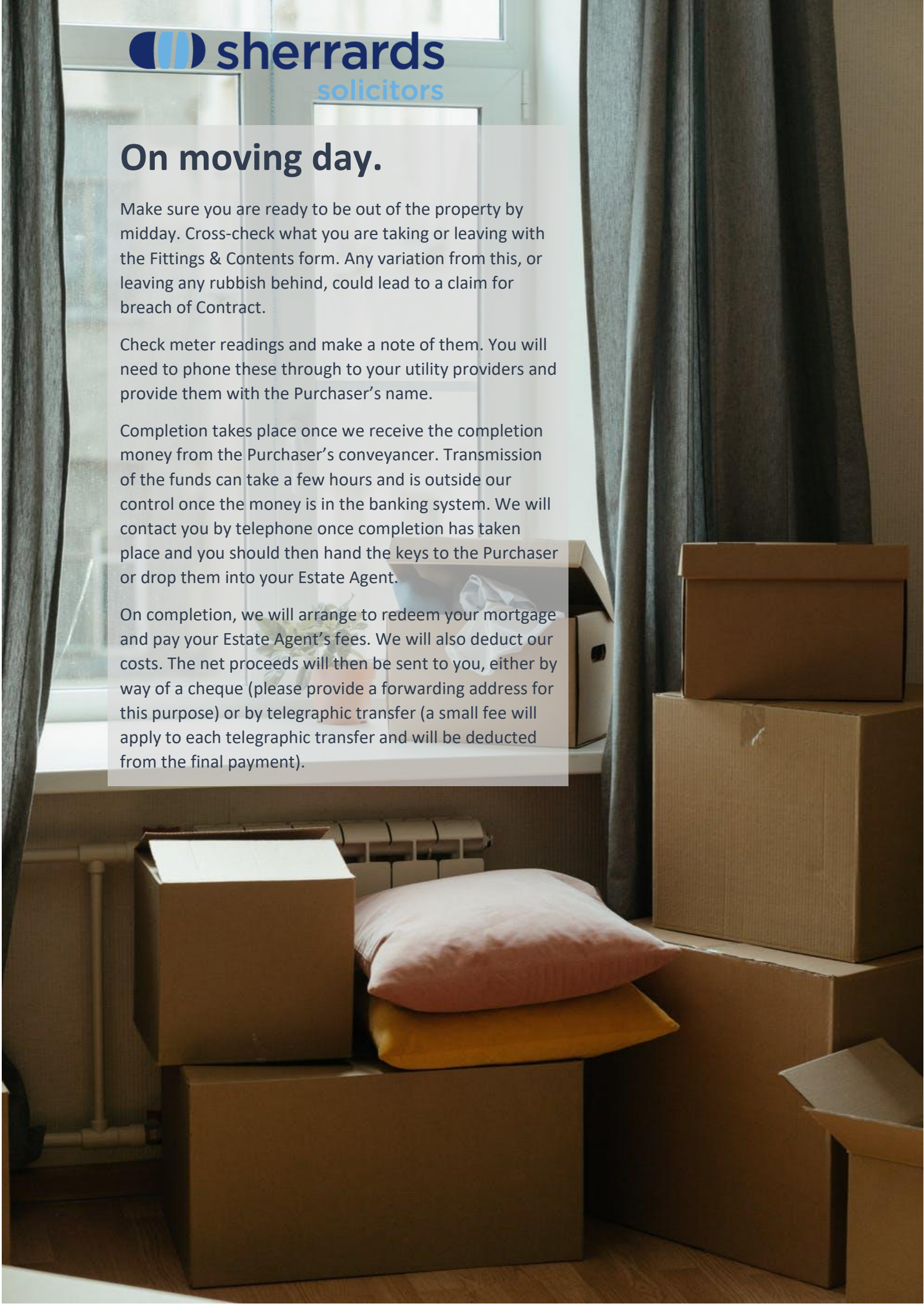
On moving day.

Make sure you are ready to be out of the property by midday. Cross-check what you are taking or leaving with the Fittings & Contents form. Any variation from this, or leaving any rubbish behind, could lead to a claim for breach of Contract.

Check meter readings and make a note of them. You will need to phone these through to your utility providers and provide them with the Purchaser's name.

Completion takes place once we receive the completion money from the Purchaser's conveyancer. Transmission of the funds can take a few hours and is outside our control once the money is in the banking system. We will contact you by telephone once completion has taken place and you should then hand the keys to the Purchaser or drop them into your Estate Agent.

On completion, we will arrange to redeem your mortgage and pay your Estate Agent's fees. We will also deduct our costs. The net proceeds will then be sent to you, either by way of a cheque (please provide a forwarding address for this purpose) or by telegraphic transfer (a small fee will apply to each telegraphic transfer and will be deducted from the final payment).



Sale checklist:

- ✓ Appoint Estate Agent and place property on the market
- ✓ Appoint Sherrards formally
- ✓ Gather all title deeds and documents in readiness for sending to us
- ✓ Complete Property Information forms, Fittings & Contents list & other documentation and return to us along with title deeds & documents
- ✓ Send us scanned/photocopy ID for all Sellers (or copies certified by a solicitor where requested) together with money on account
- ✓ Sale agreed via Agent and Sales Memorandum issued to all parties
- ✓ Up to date Land Registry official copy title entries are applied for
- ✓ Sherrards prepare and issue the draft
- ✓ Contract package to the Purchaser's conveyancer
- ✓ Purchaser's conveyancer applies for searches
- ✓ Purchaser arranges mortgage valuation survey via Estate Agent and arranges for mortgage offer to be issued
- ✓ Purchaser's conveyancer raises enquiries (in one or more batches)
- ✓ Seller provides replies to enquiries
- ✓ Seller and Purchaser discuss completion (moving) dates via Agent
- ✓ Purchaser's conveyancer reports to the Purchaser and arranges for Purchaser to sign the Contract and mortgage documentation
- ✓ Purchaser pays deposit money to their conveyancer
- ✓ Seller signs Contract and returns to Sherrards
- ✓ Parties agree final completion date and exchange Contracts
- ✓ Exchange of Contracts
- ✓ Seller confirms removal arrangements with their removals firm
- ✓ Seller packs belongings in accordance with Fixtures & Fittings form
- ✓ Seller signs Transfer Deed
- ✓ Sherrards apply for final mortgage redemption statement
- ✓ Estate Agent sends commission account to Sherrards
- ✓ Sherrards prepare completion statements



On day of completion:

- ✓ Seller takes meter readings
- ✓ Purchaser's conveyancer transfers completion money to Sherrards' client account
- ✓ Seller vacates property by midday and delivers keys to the Estate Agent
- ✓ Upon receipt of completion money, completion takes place and Sherrards confirm release of keys to the Purchaser and the Estate Agent
- ✓ Sherrards redeem mortgage and pay Estate Agent's commission
- ✓ Seller provides Sherrards with forwarding address and Sherrards send net sale proceeds to Seller.

Your Purchase.

Once your offer has been accepted and the Sales Memorandum has been circulated by the Estate Agents, the Seller's conveyancer will send us the draft Contract papers which will comprise Land Registry official copy entries of the Seller's title, a draft Contract, Property Information forms completed by the Seller and any other copy deeds and documents in their possession. If the property is leasehold, the Contract pack should also include a copy of the Lease.

Please note that, even though the Property may be described as "share of freehold" the Property is actually leasehold, but on completion you will also acquire a share in the freehold title or the company in which the freehold is held.

The Seller's conveyancer will also apply to the landlord/managing agents for a management information pack which contains information about matters such as buildings insurance, ground rent and service charges.

Upon receipt of the draft Contract papers, we will apply for a series of searches against the Property. These are made up of a Local Authority search, environmental search, drainage & water search and a Chancel repair search. These generally take up to 10 days to be returned by the relevant search provider.

Once we have had the opportunity to review the draft Contract papers, we will raise pre-Contract enquiries with the Seller's conveyancer. These enquiries will depend on the findings of our title investigations and the results of the searches. If there are any specific enquiries you would like us to raise with the Seller on your behalf then please let us know as soon as possible.

If you are purchasing with the assistance of a mortgage, your lender will carry out a valuation survey of the Property. This is a very basic form of survey and we would recommend that you carry out a full structural survey. You should also consider having independent inspections carried out of any gas/central heating and electrical installations.

Your lender will send us a copy of the mortgage offer together with their instructions for us to act on their behalf as, in most cases, we will act for them as well as you. Please note that we owe a duty of care to both you and your lender and must disclose any material facts about you or the Property to the lender. For example, if any of your deposit money is coming from a third party, such as a family member, this must be disclosed to the lender and we would recommend that you advise us and the lender of any such arrangement as early in the process as possible.

Once we have received all of the search results, your mortgage offer and mortgage valuation, and replies to all our enquiries, we will report to you on the Contract and title. When doing so, we will arrange for you to sign the Contract and will ask you to put us in funds for the deposit, which is 10% of the purchase price. You will need to telegraphically transfer this money to our client account before we are able to exchange.

Before exchange of Contracts, you should confirm with your removals firm that they are available on your intended completion date. You will also need to provide us with a copy of your proposed buildings insurance policy as your lender will require us to ensure that suitable cover is in place. However, if the Property is leasehold, insurance should be arranged by your landlord.

Once we have received your signed Contract and your deposit money, you and the Seller will need to agree a completion date via the Estate Agent. Once you have notified us of this date, we can arrange for exchange of Contracts to take place. However, where a chain is involved, we cannot exchange Contracts until everybody in the chain is ready.

We will notify you once exchange of Contracts has taken place. You should then confirm your booking with your removals firm, put in place your buildings insurance policy (if applicable) and make any other necessary arrangements for the day of completion.

Between exchange and completion, we will send you a financial completion statement setting out the financial aspects of the transaction and confirming the sum we need for completion. You will need to send us the full amount by no later than the working day prior to the completion date in order to enable us to complete your purchase.

At the same time, we will submit a Certificate of Title to your lender and request drawdown of your mortgage money. Most lenders require 5-7 working days' notice to release the funds and, accordingly, there will need to be a sufficient period of time between exchange and completion to enable the lender to send us the mortgage advance. This will also give you time to send us the completion money.

Between exchange and completion, we are required to carry out a bankruptcy search against each purchaser. If you envisage an adverse result to such a search then please advise us of this prior to exchange of Contracts as the lender is entitled to

withdraw their offer if the search shows you have been made bankrupt in the past and they have not been made aware of this.

On the completion date, we will arrange for the balance of the purchase money to be sent to the Seller's conveyancer by telegraphic transfer. Please note that the transfer can take a number of hours to go through and once the funds have left our account, we have no way of tracking the monies through the banking system.

Once the Seller's conveyancer has received the completion money, they will notify us of this and we will formally complete your purchase. The Seller's conveyancer will instruct the Estate Agent to release the keys to you and you can move in any time thereafter. We recommend that you arrange for all of the locks to the Property to be changed as soon as possible after completion as any number of people may have had access to keys to the Property. Any alarm codes should also be changed.

Following completion, we will submit a Stamp Duty Land Tax return to HM Revenue & Customs on your behalf and arrange for the Stamp Duty money to be sent to HMRC. Nonetheless, you may receive a tax demand from HMRC suggesting that the tax has not been paid.

You need not be concerned by this as their automated system is prone to issuing erroneous demands. If there are any issues with the SDLT payment, we will notify you directly. After dealing with the SDLT formalities, we apply to the Land Registry to have you registered as the new owners of the Property. This can take a number of weeks to be finalised but once we have received the updated title from the Land Registry we will forward a copy to you for your records. We will also send you any other relevant documents, which should be retained by you in a safe place for future reference.



Purchase Checklist:



- ✓ Offer accepted on Property
- ✓ Instruct Sherrards formally
- ✓ Notify mortgage lender and arrange mortgage valuation survey
- ✓ Arrange private survey
- ✓ Submit completed paperwork to Sherrards, deal with ID checks and pay money on account
- ✓ Seller's conveyancer sends draft Contract papers to Sherrards
- ✓ Sherrards apply for searches
- ✓ Sherrards review draft Contract papers and raise any points that require discussion
- ✓ Seller's conveyancer applies for management pack (if leasehold)
- ✓ Sherrards raise enquiries
- ✓ Search results received and Sherrards raise further enquiries (if any)
- ✓ Seller's conveyancer provides replies to enquiries
- ✓ Sherrards receive mortgage offer and mortgage valuation report
- ✓ Sherrards issue report on title and send Purchaser Contract for signature
- ✓ Purchaser sends signed Contract to Sherrards
- ✓ Purchaser pays deposit money to Sherrards
- ✓ Purchaser confirms agreed completion (moving) date
- ✓ Contracts exchanged
- ✓ Sherrards apply for mortgage money in readiness for completion date
- ✓ Seller's conveyancer sends Sherrards the financial completion statement
- ✓ Sherrards send Purchaser completion statement and mortgage deed for signature
- ✓ Purchaser sends signed completion documents and balance of purchase price to Sherrards
- ✓ Sherrards carry out pre-completion searches
- ✓ Sherrards send completion money to Seller's conveyancer
- ✓ Seller's conveyancer acknowledges receipt of completion money from Sherrards and releases keys
- ✓ Purchaser moves into the Property
- ✓ Sherrards deal with post-completion HM Revenue & Customs and Land Registry formalities.