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Conveyancing

Conveyancing is the process of transferring the ownership of property from one person to another or for re-mortgaging a property. The process is complex and requires considerable expertise and experience in order to ensure a smooth and stress-free transaction.

The Conveyancing process

To give you an indication as to the type of service we provide, in this factsheet we summarise the work carried out at the key stages of a residential transaction. It may be that you are buying and selling a property simultaneously, in which case the two processes take place at the same time. The sale and purchase conveyancing process normally takes between 6 to 8 weeks.

Buying a property

Usually we are instructed when you have identified a property to buy and your offer has been accepted. At that point the estate agent (if there is one) will send us details of the property, the sellers and their solicitors. From there we will:

- Obtain from the sellers' solicitors a contract package which should contain a contract, copies of the sellers' title documents, a property information form and fittings and contents list.
- Investigate the legal title to check that the seller is legally entitled to sell the property, that the property is what the seller says it is and that there are no issues which may affect the value or saleability of the property in future.
- Check the property information form and fittings & contents list.
- Provide you with a copy of the title plan and fittings and contents form to check.
- Raise enquiries with the seller's solicitor about any missing information or anything which needs clarifying.
- Carry out searches, including local authority, water/drainage and environment searches and any others which may be necessary having regard to the location of the property.
- Where you are funding the purchase by a mortgage, receive instructions from the lender to act on their behalf in implementing the mortgage, including a copy of your mortgage offer.
- When we are satisfied with the title to the property and the results of our searches and enquiries and we have received mortgage instructions (if needed) send you a full report together with copies of the papers and the contract for signing and ask you to pay your deposit.
- When all parties in the chain are ready and a completion date has been agreed, exchange contracts.
- Draw down the mortgage advance (if any) from the lender and supply you with a completion statement.
- Prepare for completion by carrying out the necessary pre-completion checks and final searches.
- On completion day, pay over the balance of the purchase money, complete the transfer of ownership of the property and arrange for the release of the keys to you.
- Pay any Stamp Duty Land Tax on your behalf and apply for your registration at the Land Registry as the new owner of the property.

Selling your property

Most properties are sold through an estate agent. The process usually begins when a buyer has been found and the sale price has been agreed. On receiving details from the estate agent we will:

- Obtain your deeds either from you or from your mortgage lender.
- Send you a property information and fittings and contents forms for you to complete and return to us.
- Obtain up to date title information from the Land Registry.
- On receipt of the completed forms and title information, prepare a package consisting of a contract, title documents, your completed forms and any copy documents referred to in them.
- Deal with any enquiries raised by the buyer's solicitors, liaising with you as necessary.

- Obtain your signature to the contract and any other documentation.
- When all parties in the chain are ready and a completion date has been agreed, exchange contracts.
- Obtain a final redemption statement from your mortgage lender, if any and the commission account of the estate agent.
- On completion day, receive the balance of the sale money and authorise the release of the keys to the buyer.
- Send the signed transfer and other completion documents to the buyer's solicitors.
- Redeem your existing mortgage(s) if any and pay the estate agent's commission.
- Transfer any surplus funds by telegraphic transfer to the bank account of your choice.

At all stages of the process we will keep you informed and provide you with regular updates by telephone, email or letter (in accordance with your stated preference).

If you would like to speak to us do not hesitate to contact Heppenstalls Solicitors Ltd at the Lymington Office on 01590 689500 or at New Milton on 01425 610078.