

The Conveyancing Process: Selling

The following is a general guide to the procedure when you are selling a property.

Initial steps

- Once you have told Miller Sands that you wish to use our services you will receive a Letter of Engagement and Confirmation of Terms of Business. You should sign and return this as soon as possible so that we can start work. Either Emma-Jayne Sheehan or Julia Hutchings (both solicitors with over ten years' experience each) will be dealing with the matter.
- We will also need to take certified copies of your identification documents (as detailed in the Letter of Engagement) before we can commence work.
- You will also be required to complete copies of the "Property Information Form" and the "Fixtures, Fittings and Contents Form". These are standard forms provided by us with the Letter of Engagement. If your property is leasehold you will also need to complete a "Seller's Leasehold Information Form". You must also send us any deeds or other relevant paperwork that you have in your possession.
- You need to let us know from the outset if you are also buying a property and need the transactions to be tied together.
- You should inform your estate agent which solicitor you plan to use so that they can send a "Memorandum of Sale" to all the relevant parties together with a copy of the property particulars.

Legal Work prior to Contracting to Sell

- Once you have returned the standard forms (and any other paperwork you are holding) these are sent to your buyer's solicitor for approval together with a contract and supporting package which will include documents dealing with title, planning and any guarantees that are applicable.
- If the property that you are selling is leasehold we will receive a standard Managing Agents Questionnaire from the buyer's solicitors which is sent on to relevant Landlord/Managing Agents/Residents Association. Some Managing Agents/Landlords do provide a standard pack on any sale. The agents will charge a fee for providing the pack or answering the specific enquiries.
- Once your buyer's solicitor has examined the papers, they are entitled to raise further enquiries, and the buyer's solicitor will not usually advise their clients to proceed to exchange contracts until satisfactory replies to the enquiries have been provided. We may need to liaise with you to provide the information requested. Quite often, information is needed from third parties such as the local authority, a developer, a neighbouring landowner or a surveyor, and this can sometimes cause delay.
- The buyer is entitled to rely upon any information that is supplied on your behalf so it is important that information supplied is accurate and that you make a full disclosure of any relevant facts about your property.



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Your Mortgage

- You should provide us with details of all loans secured against your property at the outset of the transaction. These will need to be repaid upon completion of your sale.

Signing your Contract

- Once the contract has been approved by your buyer's solicitor, we will ask you to sign it in readiness for exchange.

Exchange of Contracts

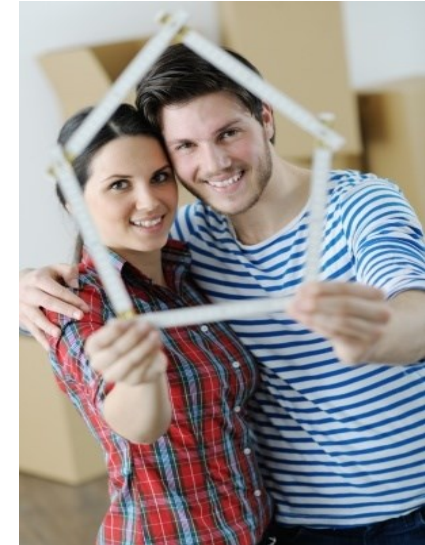
- Before an exchange can take place all the parties involved need to agree on a completion date. From the point at which contracts are exchanged you are legally bound to sell and your buyer is legally bound to buy. Should either party back out the other will be entitled to claim compensation for losses arising.

Between Exchange and completion

- We will send you a statement detailing the charges, loans to be repaid and all other outgoings. In the event that any money is owed by you to complete the sale, then we will need this to be cleared in our account prior to the completion date.
- You will be required to sign a transfer deed (prepared by the buyer's solicitor) in readiness for completion.

On Completion

- Once we have confirmed that all the sale monies have arrived, your sale has completed. You should arrange to drop off the keys with the agent for the buyer to collect.
- We will pay off any mortgages and other expenses. The balance (if any) will be sent to you or used in connection with any related purchase.



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