

A GUIDE TO SELLING YOUR HOME

Selling your property

Berry & Lamberts have been handling sale and purchase transactions for their clients for over 250 years.

We have a wealth of experience for you to call upon and clients value our friendly, dependable expertise. In any transaction, communication is key to a successful conclusion and we maintain close contact not only with our clients but with all the professionals involved, including other solicitors and estate agents.

Your Instructions

We would recommend you speak to us as soon as you are considering putting your property on the market. We can provide advice on your choice of estate agents, estate agency contracts, and the conveyancing process so that you are prepared and have in place the necessary documentation.

We have heard of cases where the estate agents exert considerable pressure on a Seller to instruct an agent's recommended Solicitors. Some clients have formed the impression that they are left with no choice other than to instruct a solicitor recommended by the estate agent. We should like to stress that clients are always free to instruct whichever solicitor they choose. We do, of course, hope that you would prefer the personal approach offered by Berry & Lamberts. If you have been happy with our service in the past, we would like to think that you will be so in the future.

Once you have found a buyer for your property and instructed us to deal with your sale, we will begin to put together a contract package. We will consider the title to your property at this stage and alert you of any potential problems or additional steps that may be needed.

As well as the draft contract and Land Registry title documents this package of information will also include a Property Information Form and Fittings & Contents Form which we will have asked you to complete when taking your initial instructions. These forms are designed to give the buyer some initial information about your property and to help save time in the transaction by reducing the need for long lists of enquiries to be raised by the buyer's solicitor at a later date.



If you have a mortgage on the property that you are selling we will contact your mortgage lender and ask them to send us any title deeds which they hold and also to provide us with a figure for the amount outstanding under your mortgage. We handle the repayment of all mortgages on your behalf.

If your property is leasehold then we will also contact the Freeholder or their Managing Agent at an early stage so that we can deal with their requirements and to obtain management information which we will send to the buyer's solicitor.

The Law Society Conveyancing Protocol

As members of the Law Society Conveyancing Quality Scheme we adopt the Law Society Conveyancing Protocol for residential transactions, adhering to the highest quality standards of practice to provide the best possible client experience in what we all know can be a difficult time.

A guide to the sale process

Once you have completed the Property Information Forms and we have obtained the title documents to your property we will prepare a draft contract and send this to the buyer's solicitor along with the completed forms and copies of any other relevant documents.

Having considered the papers sent to them the buyer's solicitor will then contact us with any comments they have on the draft contract as well as any further enquiries that they wish to raise. We will deal with as many of the questions as we can from the information you have already provided us with. If we need some further information from you then we will contact you. We are happy to deal with such matters over the telephone or by e-mail where possible to assist in progressing the sale as efficiently as possible.

We would expect the buyer's solicitors to be undertaking searches at this stage and raising any queries with us.

Once the contract has been approved by the buyer's solicitor we will make arrangements for you to sign it. The buyer will also need to sign a copy of the contract and this will be sent to them by their solicitor.

The buyer's solicitor will need to be in possession of a mortgage offer and survey (if applicable) and all search results before exchange of contracts.

The next step is for a completion date (moving date) to be agreed with the buyer (and the other parties if you are in a chain). Completion dates are frequently a source of friction in a transaction. We would recommend you advise the estate agent and us of your preferred dates at the earliest opportunity. Circumstances can arise that make those dates impossible and it helps to be as flexible as possible.

When a completion date has been agreed, all parties have returned their signed contracts to their solicitors, and the buyer's solicitor is holding the deposit then contracts can be exchanged. You should not make any financial commitments before exchange of contracts, such as paying for removals.

Following exchange of contracts we will make the necessary preparations for completion. We gather together the financial information required to provide you with a final completion statement showing all financial aspects of the sale.

During this time you should notify utility providers and other companies of the intended completion date so that final readings can be taken, arrange mail re-direction as appropriate, and organise removals.

Before completion takes place you will need to sign a Transfer Deed. This document is prepared by the Buyer's solicitor and as soon as we receive it we will contact you to make the necessary arrangements. If you are not going to be available to sign the document you should notify us as soon as possible so that alternative arrangements can be made such as a power of attorney or courier service to where you are.

On the day of completion we will confirm when monies have been

received and completion has officially taken place. We will then deal with post completion matters for you including redemption of your mortgage, if applicable. We will advise you what time you need to vacate the property by.