

What is the legal process of buying a property?

Once you have had an offer accepted on a house and you have a mortgage offer in place, your solicitor can start the legal transaction process for you.

1. Offer is accepted and solicitor/conveyancer is instructed
2. Buyer makes a mortgage application (if required)
3. Solicitor obtains contract pack from the buyers solicitor and raises pre-contract enquiries
4. Property searches
5. Buyer arranges a building survey (if required)
6. Buyer receives report on contract pack, results of any enquiries and searches
7. Exchange of contracts
8. Completion
9. Registration

1. Offer is accepted and solicitor/conveyancer is instructed

An offer is made and accepted through the estate agent who will also confirm with all parties the necessary evidence, e.g. proof of funds, ID checks and names of solicitors.

2. Buyer makes a mortgage application (if required)

A copy of the mortgage offer must be sent to your solicitor.

3. Solicitor obtains contract pack from the seller's solicitor and raises pre-contract enquiries

Your conveyancer will carry out an investigation of the property title and raise any pre-contract enquiries. The Seller's conveyancer will answer pre-contract enquiries. This stage may require some back and forth and can take up to several weeks.

4. Property searches

Your solicitor is required to carry out searches on the property you are buying. These include:

- The local land charges register, which details any obligations owners have to the local authority or government.
- Other local authority records, such as planning decisions, road building proposals and rights of way.
- Drainage and water services to the property detailing whether waste water goes into a public or private sewer.
- An environmental search, which investigates whether the property is on contaminated land or at risk from other environmental factors, such as flooding.
- Coal Mining which details past mining activity and any potential claims

5. Buyer arranges a building survey (if required)

You can arrange a building survey on the property. The searches that are completed by your solicitor detailed above are there to highlight any legal matters affecting the property.

A building survey is a physical inspection carried out by a qualified surveyor. Although this is not mandatory, it is highly recommended as this will detail whether there are any structural issues with the property, whether there is evidence of damp or other issues. This may be particularly important with older properties. There are usually different levels of inspection/survey that you can have carried out (how detailed they are) and you will need to arrange this directly with a surveyor.



6. Buyer receives report on contract pack, results of any enquiries and searches

You will receive a contract pack from your solicitor that details all the findings from the searches and any issues/questions that were raised regarding the property.

You can then either raise any questions of your own on the report or if you are happy to proceed, your solicitor will prepare for the exchange of contracts.

7. Exchange of contracts

This is the part of the process where you become legally bound to buy the property. Once contracts have been exchanged, neither party can withdraw from the transaction without penalty.

You (the buyer) and the Seller agree on a completion date and contracts are formally “exchanged” – meaning both parties are legally committed to the transaction. At this point the deposit is paid and held by either your solicitor or the sellers solicitor. If you fail to complete the contract from this point, you can lose this deposit.

Transfer deeds are then approved by the solicitors and a completion date is agreed.

8. Completion

The day that the property must be vacated by and the day you receive the keys!

Your solicitor will complete the remaining pieces of paperwork and applies to your mortgage lender for the mortgage loan. Once payment has gone through, the sellers conveyancer releases the keys to the estate agent (if one was used) and you can collect them.

Your solicitor will complete all further payments on your behalf such as sending the stamp duty to HMRC, receives the title deeds (if any), transfer deed and proof that the seller has paid the outstanding mortgage on the property.

9. Registration

The final stage is where your solicitor registers the property in your name at The Land Registry.

You will receive a copy of the registered title once this is received from The Land Registry. This ordinarily will take several months to be finalised and returned.

Conveyancing Team

Our experienced Conveyancing team are highly skilled and use the latest conveyancing technology but still offer the friendly and personal service that clients prefer. They understand that they're not dealing with 'cases' but with people, not bound up in legal process but in real lives.

