

Home Property Law's Guide to Selling a Property



Who are we?

Launched in 2022, Home Property Law is Beyond Law Group's third independent business following Beyond Corporate and McAlister Family Law. Being the Group's smallest practice, Home Property Law embodies the Group's ethos of providing clients with a boutique experience but with the confidence of working with an established, modern firm.

Here at Home Property Law, we know that the process of selling any property can be somewhat overwhelming, especially if it is your first time, but we hope that this guide answers as many of your questions as possible, guiding you through the process step by step.



Before the sale process...

So, you have come to the decision that you would like to sell your property, but before you go any further forward, there are a few things that we recommend you consider.

Firstly, figure out your finances. You'll want to have a rough idea of how much your property is worth, which will help you calculate how much money will be left to pay off any remaining mortgage payments. It is worth speaking to your mortgage lender to check if you can take your mortgage with you to a new property or whether you will have to pay any early repayment charges for switching your mortgage to another lender. You may find that, depending on your situation, now is a good time to remortgage to a better deal.



Moving to your next property...

The buying and selling chain can be quite difficult to work within. The person you are selling your property to is waiting for you to move out and you are waiting for the owners of your new property to move too. You may wish to consider renting for a while to reduce the critical time pressures in buying a new home. Whilst renting for a while can add to the overall expense, it may protect you from feeling pressured to compromise your sale price or being rushed into buying a house that isn't perfect for you.

Find an estate agent to sell your property...

There are a couple of options when it comes to selling your property. You can sell your home yourself, use a local estate agent or even use an online estate agent. There are pros and cons to each of these options, for example, online estate agents tend to be cheaper than local agents but takes a lot of hard work and time.

If you are thinking of choosing a local estate agent, there are a number of factors to take into consideration; how quickly do they sell, what is their sale success rate and what is the likelihood of achieving asking price? Once you have found an estate agent that you like the look of, you will need to agree on a fee. We recommend aiming for 1% plus VAT.

Get an Energy Performance Certificate...

Before you sell your current property or purchase your next home your new home, ensure you get a copy of the Energy Performance Certificate (EPC) for both properties. An EPC is a standardised document which ranks properties in terms of energy efficiency. Homeowners are legally required to provide potential buyers with an in-date EPC. If you do not have an EPC for the property you are selling, you can renew or get a new energy certificate from the GOV. UK website.

How much can you sell your property for?...

Deciding the price to put your house on the market at can be quite a difficult decision. We recommend you familiarise yourself with the market and have multiple evaluations carried out on your property. Whilst it can be tempting to favour the highest evaluation your property receives, you risk losing the interest of potential buyers.

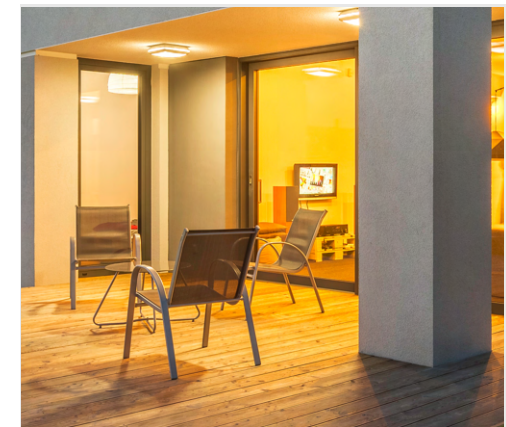
No matter what price you put your property on the market for, it is likely that buyers will try to negotiate a discount. We recommend that you add 5-10% onto the value you are prepared to accept, this way you buyers feel that they have received a fair discount and you don't feel like you have sold your property for less than you had hoped for.

Preparing your home for sale...

Making sure your home is in the best condition possible can have a substantial impact on the sale process. Highlighting your properties key features can only lead to you selling your home faster and potentially raising the value of your home. Making the smallest fixes, such as a lick of paint or a spring clean, can go a long way in the eyes of a potential buyer. This also includes what your property looks like from the outside, having a clean and tidy exterior with a cared for garden can make all the difference.

Finding a Conveyancer...

Once you have agreed an offer you need to find a conveyancing solicitor to handle the legal work involved in selling your property. Do some research on the firms that are in your area and get an idea on how much conveyancing fees cost. Your chosen estate agent is likely to have a conveyancer that they usually suggest to clients, but it is important to remember that the estate agent and conveyancer probably have a deal which is mutually beneficial. We recommend that you look at which conveyancers are available to you, read some reviews and hear what their previous clients have to say, collect some quotes and bear in mind that expensive doesn't always mean the best.



Accept an offer...

Once you have received an offer it is important to look into what kind of buyer you're dealing with. First time buyers are chain-free, meaning that they are not reliant on the sale of a previous house in order to buy your house. This can often mean that the process of selling your house is much quicker than selling to a buyer in a chain. They may have a fixed term tenancy though so make sure to double check their situation.

A buyer in a chain commonly needs to sell their property before they buy yours. The length of the chain can vary too, for example, your buyer may be selling their property to a first-time buyer, or they could be in a chain of 10 buyers, all of which plays a role in the risk of delays or a sale falling through.

Cash buyers are often the most attractive type of buyer, although you may find that you end up accepting a lower offer in exchange for the greater security and flexibility you will get. If you are made an offer by a cash buyer, make sure your estate agent gets confirmation of the funding situation from a professional acting for your buyer, such as their accountant, solicitor or bank, before accepting any offer.

Negotiate the draft contract...

You and your buyer will have to decide on a couple of things before you exchange contracts. Firstly, you need to agree upon the length of time between exchange and completion. This usually falls between 7-28 days after the exchange of contracts.

Secondly, you will need to agree upon what fixtures and fittings will be included and how much the buyer will pay for them.

Finally, the buyer will have had a survey done on the property, which may flag any problems that your property has. Buyers may then ask for discounts to be made to the purchase price in regard to anything that may need fixing.



Exchange contracts...

Exchanging contracts with your buyer is the moment when you become legally committed to selling the property, in the same sense, it is at this point that the buyer becomes legally committed to buying the property from you. If for whatever reason you pull out of the sale after this point, and it is deemed without reason, the buyer's deposit will be returned to them, and you may be sued.

Moving out of your property...

You are allowed to move out of your property as late as you like up until the day of completion. You may find that moving out slightly ahead of completion day will reduce stress on the day, but for many, this is only possible if you have your next property ready and waiting for you. It is important to remember that your buyer and their estate agent may come to your property at any time during the period between you moving out and completion to ensure that everything is in order. As per the contract, your property needs to be in the exact condition agreed upon, including all of the fixtures and fittings.

Complete the sale...

Completion is when the property changes ownership, you accept payment, and hand over the keys. The date and time of this will have been already agreed in the negotiation of the draft contract. On the day of completion, the money is transferred and any deeds for the property are transferred between each side's conveyancer. At which point, your conveyancer will register the transfer of ownership with the land registry.



Pay off your existing mortgage...

On the day of completion, the mortgage company will give you and your conveyancing solicitor a precise redemption figure for your mortgage. As the buyer will have transferred the money to your conveyancing solicitor, they will pay off the remainder of the mortgage for you.

Pay your conveyancer and estate agent...

Once you have completed your sale and paid off the existing mortgage your conveyancer will send you an account, covering all of their costs and disbursements, as well as the sale price of your house and redemption of the mortgage. If you are part of a chain and are using the same conveyancing solicitor for both the sale of your property and the purchase of your next, they will settle up for both transactions at the same time, including stamp duty for the house you are buying.



So what is the process at Home Property Law?

- 1.** To instruct us, you will need to provide your ID and complete and return the client care documents, fittings and contents form and property information form. This can all be done online through our online portal which massively speeds up the process for you.
- 2.** If you are selling a leasehold property, we will liaise with your landlord and/or management company to get leasehold information. If you have a mortgage on the property, we will write to your lender to get an up-to-date redemption statement. We will then get copies of your deeds from the land registry.
- 3.** We will prepare a draft contract pack and send this to your buyer's solicitor for them to check through and raise any queries with us. We hope to deal with any enquiries raised by your buyer's solicitors, but we may need your assistance with this.
- 4.** We will send you the contract and transfer deed to sign once they have been agreed and speak to you and your buyer's solicitor to agree a completion date.
- 5.** Once a completion date has been decided upon, we will request another redemption statement from your lender, calculated up to the agreed completion date. At this point, we will send you a completion statement to check.
- 6.** Once the contracts have been exchanged, the sale of the property is legally binding, and the next step is completion.
- 7.** When we have received the purchase monies from your buyer's solicitor, we will pay off your mortgage, estate agent's fees and legal fees and send the net sale proceeds to you.





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