

# First Time Buyer's Guide to Conveyancing



**Buying your first home can be a daunting experience. It is, after all, the biggest purchase you will ever make in your life! In this article, Sarah Clancy, Conveyancer and Trainee Solicitor at Prince Evans Solicitors LLP, explains the steps of buying your home for first time buyers**

**Of course you won't be going through the buying process on your own.** That's where your conveyancer steps in to guide you and help you through the process, and why it's so important to choose a conveyancer experienced in helping first time buyers.

## WHAT IS CONVEYANCING?

The term conveyancing refers to all the legal and administrative work associated with transferring the ownership of land or

buildings from one person to another. Essentially, it dots the I's and crosses the T's and makes sure everything is in place legally when a property is bought and sold. It begins once you have an offer accepted on the property you wish to purchase and doesn't end until money has changed hands and you have been registered as the legal owner of your new home.

## HOW TO CHOOSE YOUR CONVEYANCER

Choosing the right conveyancer can be like finding a needle in a haystack. How do you decide who to pick? First of all, make sure that your conveyancer is on the panel of the bank or building society you're using for

your mortgage. Consider opting for a "no-sale, no-fee" firm – this means you won't have to pay the legal fees if the sale falls through. It's also worth finding a "fixed-fee" service, which means you only pay the amount that's quoted when you sign up. This avoids nasty surprises further down the line. Whatever you do don't make your decision purely based on price. The firm you pick will be responsible for all of the legal work surrounding your property purchase, and if they miss anything, make a mistake or cause delays it could end up costing you a lot more than the amount you saved by choosing the cheapest service. Choose a firm experienced in the conveyancing process for first time buyers.

## WHAT HAPPENS NEXT?

Once you have chosen your conveyancer that's when the actual conveyancing process begins. Here we outline a simple guide to the next steps:

### BEFORE EXCHANGE

Your conveyancer will receive the draft contracts and other information about your property from the seller's solicitors including details of the legal title. They will then begin working away in the background, undertaking their checks on the property to make sure all is well with your new home. They will check the contract pack, raise any necessary enquiries, obtain a copy of your mortgage offer and carry out the conveyancing searches on your new home.

You might think your conveyancer is taking a long time undertaking their checks however there is a lot of work that goes into your purchase. A good conveyancer will keep you updated throughout so you should not be worried or fretting that nothing is happening.

Conveyancing searches will be carried out at the beginning of the conveyancing process, once contract papers have been received and before exchanging contracts.

Local authority searches are vital in

finding out key pieces of information that could be the deciding factor on whether or not you buy the property. The searches will highlight anything in the local area that will affect you while living in the property.

Environmental searches will provide details of the land within the property's vicinity and find out if the property was built on contaminated land. It will also be able to highlight if you're at risk of flooding. Drainage and water searches will also be carried out by your conveyancer and will uncover information on the area's sewage system and the property's water supply from your local water company.

Your conveyancer will usually carry out a chancel repair search as well – If there is a church near your property, a chancel repair search will find out whether you are liable for the church's repairs and maintenance or not.

Your conveyancer will receive a copy of your mortgage offer, once issued by the lender. Your conveyancer will review the mortgage offer and report on the legal terms of this to you. You should check your mortgage offer carefully to ensure that the offer you received relates to the mortgage product that you applied for. You should also ensure that you are able to satisfy any conditions attached to that offer before you accept the mortgage offer. Don't forget, your conveyancer is also acting on behalf of your lender, as your lender must be satisfied that your property is of good and marketable title and can be re-sold in the future.

### EXCHANGE OF CONTRACTS

Once you and your conveyancer are happy with everything following the enquiries and searches stage, it is then time to move towards exchange of contracts. Your

conveyancer will send you a contract to sign and then they will hold this signed contract until you give them your authority to "exchange" this contract with the seller's solicitors. Before exchange of contracts, you are not legally bound to purchase the property. Once contracts have exchanged, however, you are then tied in to the purchase and backing out at that stage could have severe financial consequences for you, including losing 10% of the purchase price of the property.

In the run-up to exchange of contracts your conveyancer will ask you to send them your deposit. The deposit required at the point of exchange is normally 10% of the purchase price, or 5% if you are purchasing the property through the Help to Buy: Equity Loan scheme.

On the day of exchange of contracts, your conveyancer will call the buyer's conveyancer and read out the contract over the phone to ensure they are identical. The contracts are then dated and a completion date fixed. If you are buying an already existing property, the completion date will usually be at least a week later on a date agreed by you and the seller. If you are buying a new build property, the completion date may be "on-notice", meaning that you will receive a notice in the future from the seller's solicitors when the property is ready for you to move into.

### WHAT NEXT?

Your conveyancer will now prepare their file for the completion date. This includes the final checks, such as a bankruptcy and Land Registry search on behalf of your lender, reporting to your lender and requesting funds in anticipation of the completion date.

## COMPLETION DAY

The day of completion is the day on which the property legally changes ownership, and the day you will receive the keys to your new home. At this stage, your conveyancer will be holding all the documents they need signed by you, they will be holding the remainder of your deposit and will have received your mortgage funds the day before, or on the morning of completion. The purchase price will be transferred to the seller's solicitors and they will formally confirm completion of your purchase. You can then go and collect your keys from the seller or their agents!

## IS THAT IT FOR THE CONVEYANCING?

Not quite! Your conveyancer will still have to finalise the transaction. If you are buying a leasehold property, they will have to send notice of your purchase to the freeholder. On the day of completion, or shortly thereafter, they will submit your Stamp Duty return to HMRC and pay any money due. Once the seller's signed documents are received by your conveyancer, they can then submit their application to the Land Registry to have you officially noted as the legal owner of your home.

It may take some time for the Land Registry to process this but don't worry, no matter how long it takes, as of the day of completion the property is officially yours. Once you have been registered at the Land Registry your conveyancer will then send you what is known as the "title" to your property. This shows, in writing, that you are now the legal owner.

Finding the right conveyancer can make the difference between a smooth and trouble-free house move and a stressful, time-consuming one, so choosing the right one is crucial. Selecting the wrong conveyancer could prove costly and could delay or derail the buying and selling process. No two conveyancers are the same, and service delivery can vary enormously. Here at Prince Evans we have conveyancers with decades of experience in helping first time buyers purchase their first home.



Prince Evans specialise in all aspects of conveyancing.

Please contact Prince Evans for all your conveyancing needs and for a friendly no obligation quote on 020 8567 3477 or nbh@prince-evans.co.uk