

### ***Impact of HIPs on conveyancing process***

As from 10th September 2007, the law requires sellers of residential properties with three or more bedrooms to have a Home Information Pack and to make it available to buyers of the property. When your buyer has been found and you have agreed a sale we will begin the conveyancing process for you.

The official copies have already been ordered so we will send these to your buyer's lawyers or ensure that they are able to access them directly. We will be drafting the contract of agreed terms between you and your buyer and sending any documents the buyers' lawyers would normally request themselves. Because they are part of your HIP pack they do not need to send for these documents and this may save some time. They will probably need to obtain an environment search and any other searches that affect the area in which your property is located (such as coal tin or clay mining)

### ***Queries on your HIP?***

When you have read the above you may have had some questions answered.

It is possible that you may have a very specific query on your property. For example, the plan shown is not the whole of the property you own or may be less than you own or the garage shown is not the one that you own. This type of query should go back to your HIP provider to ensure that all the facts are correct.

You may still have a specific query e.g. the title is not good or absolute but possessory, or you do not understand the right of way referred to or simply that you may want to know the title as shown in the HIP is alright or will it hold up the sale. Without investigating the title shown in the HIP in full at this stage we can not answer those types of question but in our experience all issues such as these come out during the conveyancing transaction and that there are very few difficulties that can not be resolved. We have excellent links with insurers providing defective title policies which we can access directly and advise you of likely costs almost immediately.

### ***Getting your house legally fit for sale***

As soon as you find a buyer you will want us to move quickly and get to exchange of contracts at the earliest opportunity. There will be factors outside of our control and yours such as the chain but there are a number of things that you can do now to help us shorten the time between finding a buyer and being ready to exchange.

### **In our experience the top reasons for delays are:**

1. Extensions or additions to the property. This almost inevitably causes delays if all the paperwork is not in hand. If you or your

predecessors have extended the property in any way questions will be asked by the buyer's lawyer. The bigger and more recent the extension the more questions are likely to be asked. Have the following information ready to hand to give to us when the buyer has been found.

- What is the extension/alteration how big is it (2 storeys? Any idea of cubic metres?
- When was it built/alterated?
- If you extended/alterated did you get planning permission. If so we need a copy
- Did you comply with all the conditions? You will be asked to confirm.
- If you haven't got a copy do you know where you can get a duplicate?
- If you didn't get planning consent was it because you didn't need it?
- If so do you have a letter from your builder/council confirming this?
- Did the work need building regulation approval? Did you obtain it?
- What was the date of it?

If you are not sure whether you needed planning or building regulation approval do not approach the council at this stage as you may invalidate any insurance that we may be able to arrange for you.

Finally did the work need anyone's consent? The freeholder? The builder under an original covenant?

2. Money – if you think you are in negative equity (including our fees and Estate Agency account) do you have arrangements to pay the rest of the money? We will need the balance before exchange.
3. Is there a tenant or a friend at the property – they will need to vacate or leave before exchange or sign the contract to say they will vacate on or before completion
4. Do you want money to be paid to anyone but the owners of the property – please tell us early so we can advise you

If after reading this you still have concerns on the content of your HIP and you do not want to wait until a buyer has been found we can offer a legal opinion on your HIP. There will be limitations on what we can tell you. It is likely that the HIP may not contain all the legal documents that we need and we can obtain these for you at an additional cost. We will not have access to the buyers survey or valuation which could contain information regarding planning or building matters and the buyer's lawyers may raise other matters with us which may not be apparent from the information in the HIP. The cost of the opinion is £100.00 and is payable up front but will be deducted from our professional charges if the matter proceeds to completion. If the matter does not complete for any reason the £100.00 will not be refunded as this is an additional service excluded from the

no-sale/no-fee guarantee.