

# Support with buying or selling your home



We help you to focus on moving,  
whilst we deal with the red tape.

Rated **Excellent** on



[hegarty.co.uk / conveyancing](https://www.hegarty.co.uk/conveyancing)

Legal support for business, for family, for life

"Clear and comprehensive advice helped us greatly in making informed decisions. We wanted to feel that we had done the best we can for our family"

Client Trustpilot Review



# Our experts make moving hassle-free

**Whether you are a first-time buyer, looking to move home or adding to your property portfolio, we offer a complete conveyancing service, all delivered with the highest level of client care.**

Our conveyancing specialists are experts in handling all types of property transactions across the complete spectrum of clients, from first-time buyers to seasoned investors.

Experienced in every type of conveyancing matter, we can manage all fees on your behalf and guide you through the process from start to finish.

**Buying a new home is probably one of the biggest purchases you will make and we understand the enormity of the decision.**

Whether you are buying a new build property, selling a property or are moving to a new home, we aim to make the process as smooth and stress free as possible.

We will guide you through the legal aspects of moving house and help you understand your rights and liabilities, making sure that the transaction runs as smoothly as possible.

**Ask about our  
fixed-fee  
packages**

**[enquiries@hegarty.co.uk](mailto:enquiries@hegarty.co.uk)**

## Keeping you informed every step of the way

You will be given the direct contact details of the person handling your case and we will keep you informed about the progress of your case every step of the way.

We can also help you to put in place arrangements for the future – a cohabitation agreement or will, for example – because everyone needs the peace of mind that comes with knowing your investment is protected, no matter what.

## A recognised quality mark you can trust

Our conveyancing services are recognised under the Conveyancing Quality Scheme (CQS). The scheme sets out the standards of competence, risk management and client service levels for SRA-regulated firms. It demonstrates our expertise in delivering quality residential conveyancing advice.



## No move, no fee

Sometimes irrespective of intentions and effort, when it comes to buying or selling property, things just do not work out as you hoped they would.

Quite often there are factors beyond your control which cause transactions to falter. In most cases, it is a break in the chain when a buyer somewhere down the line pulls out.

We recognise that when this happens it can be a real blow. The last thing you need on top of that is a bill for aborted work.



*Sarah Bent, Partner and Head of Residential Property*

That is why we offer a no move, no fee insurance policy. For a simple one-off payment at the start of your transaction you will be protected from the cost of our work if the sale or purchase falls through. Speak to a member of our team about no move, no fee insurance for details of how much it would cost to protect your move.

## No hidden costs

At Hegarty we offer fixed-fee packages for our conveyancing services, so you can be sure of your costs from the outset.

How much you will have to pay for your conveyancing depends on whether you are buying or selling property (or both), the value of the property you are selling / purchasing, and whether the property is leasehold or freehold. Our quote will show you how much you can expect to pay based on your individual circumstances, with no hidden extras.

Our quote will list all the fees that will be applicable to your transaction and will include a detailed breakdown of all costs involved. Our aim is to ensure our clients receive clear and honest pricing from the outset. We want our clients to be able to make an informed decision when choosing a conveyancer. Our team are always happy to talk you through the quote and are on hand if you need further information or advice before making a decision.

# The process of buying a house explained

1



## Agreement in principle

Find out how much you can borrow and obtain an agreement in principle.

2



## Property search

Look for a property and make an offer.

3



## Contact us

We will ask for some details and provide an estimate of our costs.

4



## Appoint us

We will check your identification and confirm your property details. You will need to provide us with monies to cover third-party costs such as searches.

5



## Documents

We will ask for a copy of the title deeds, draft contract, property information form, fittings and contents form and raise queries about documents.

6



## Searches

We will apply for searches including local authority search and drainage search if necessary.

7



#### Search results

We will receive results from searches and provide you with a report. Results may prompt the need for actions such as, copies of documents and further enquiries.

8



#### Sign contract

It is now time to check and sign the contract, transfer deed, mortgage deed and Stamp Duty Land Tax Return.

9



#### Completion date

Agree a completion date with seller's conveyancer.

10



#### Deposit

We will send your deposit and signed contract to seller's conveyancer and request mortgage advance.

11



#### Completion

We will send the balance of money to seller's conveyancer and you will now legally own the property.

12



#### Congratulations!

You can now collect the keys from the estate agent or developer and move in.

# The process of selling your house explained

1



## Energy certificate

Commission an Energy Performance Certificate.

2



## Market property

Market the property for sale.

3



## Agree price

Agree a price with the buyer.

4



## Appoint us

We will check your identification and property details. You will need to provide us with monies to cover initial costs.

5



## Obtain forms

We will obtain official copies of the title and send the property information form and fixtures and fittings forms for you to complete.

6



## Complete forms

We will ask you to complete the property information form and the fixtures, fittings and contents form.

7



### Send forms

We will send draft contract, completed property information form, and fixtures, fittings and contents form to buyer's conveyancer.

8



### Sign contract

It is now time to check and sign the contract and transfer deed.

9



### Exchange

You are now legally bound to sell your property. We will receive the deposit and signed contract from buyer's conveyancer.

10



### Give keys

Leave your keys with estate agent. Keys will only be released once conveyancer confirms that money has been received.

11



### Completion

We will receive the balance of the money from the seller's conveyancer and you will now have sold your property legally.

12



### Congratulations!

Your property has now been sold.

# FAQ's

## Q. How long does it take?

The length of time a transaction will take is dependent upon many factors; such as the number of people in the chain, search results and mortgage offers.

The average time the conveyancing process takes is 8-12 weeks, however this is likely to be longer for leasehold properties.

## Q. Do I need a survey on a property I am buying?

If you are having a mortgage your lender will arrange a valuation survey on the property. This is a basic survey which is only for the benefit of the mortgage lender and will not consider the condition of the property in detail.

Your home is one of the largest purchases you will make, it is sensible to ensure its condition is checked properly for potential problems by an expert so, whilst it is not obligatory, we always recommend you commission a HomeBuyer report or full structural survey yourself. To find local surveyors in your area ask for recommendations from friends & family.

## Q. How is conveyancing for a new build different?

When buying a new build house, buyers may purchase a property before construction has begun or before the property is completed, this may mean that contracts are exchanged before the property is built and therefore a fixed completion date may not be given.

The conveyancing process can be slightly different for new build properties and proper checks on planning permission for the property and development will be necessary along with



checks that appropriate agreements are in place relating to the adoption of the roads and sewers, the access rights, and routes for other services.

## Q. What is Shared Ownership?

Shared Ownership means that buyers can buy a share of a property (between 25% and 75% of the home's value) and pay rent on the remaining share to a developer or housing association. You can take out a mortgage to pay for your share of the home's purchase price but this will need to be approved by the developer or housing association. At a later date, you could buy bigger shares to increase your share of the property.

**Ask about our  
no move, no fee  
policy**

**[enquiries@hegarty.co.uk](mailto:enquiries@hegarty.co.uk)**



## **Q. What happens if my transaction falls through?**

We understand that occasionally things don't go as planned within the buying and selling process. If a transaction fails the conveyancer will already have completed a proportion of work and therefore will charge for this, even though the purchase or sale is no longer going ahead.

We offer clients the opportunity to protect themselves against legal costs if the transaction fails. For a simple one-off payment, our 'no move no fee' protection policy covers your conveyancing costs in the event of a transaction falling through. Ask our team how much our 'no move, no fee' policy will cost for your transaction. Any disbursements already paid will not be refundable as these are paid to third party companies.

## **Legal jargon explained**

### **Title Deeds / Title Register**

Show who owns the property, and if there are any rights or obligations attached to it.

### **Property Information Form**

The seller completes this form to give general information about the property, for instance whether there have been disputes with neighbours, any guarantees on the property and if they have made any alterations.

### **Fittings & Contents Form**

The seller completes this form. It is a list of items being left or removed from the property on completion.

### **Transfer Deed**

This document transfers the legal title from the name of the seller to the buyer and is sent to the

land registry to register the new details.

### **Redemption figure**

This is the amount required to repay your mortgage.

### **Freehold**

Property and associated land owned outright.

### **Leasehold**

The exclusive right to reside in a property for a fixed period of time e.g. 90 years or 999 years. At the expiry of the lease you will have to vacate the property or purchase another lease.

This type of purchase may involve additional payments to the individual or company that owns the freehold – including maintenance or ground rent. You will also be limited by the lease as to how you can alter or use the premises.

### **Conveyancing/ Property Searches**

Enquiring with various authorities such as Local Councils to obtain additional information about the property you plan to purchase. This information may include identifying common drains and access rights to your property.

### **Disbursements**

Fees paid to third party companies that carry out specific tasks in the buying/ selling process. For example, the local authority for planning searches.

### **Enquiries**

Questions raised relating to property and the title of the property.

## Restrictive Covenants

A contractual agreement that may restrict how the property land can be used and developed.

## Exchange of contracts

Both the buyers and sellers sign a contract and their solicitors normally exchange them. On exchange both parties are committed to buy and sell the property. The deposit will have been paid and a completion date agreed. There are large financial penalties to pay if either side fails to complete after exchange.

## Completion date

This is the moving date. On the day of completion the balance purchase price is sent to the seller's conveyancer. The sellers should have left the property and left the keys with the agents. The conveyancer will only allow the estate agent to release the keys once they have received the balance of the purchase price.

## Deposit

An upfront payment to the seller or developer in the purchase of a house. This payment must come from the buyer themselves and not a loan.

# The costs involved in buying or selling property

Your conveyancing quote should be a breakdown of all of the charges for your transaction. Our quote includes everything you should expect to pay, including disbursements. If you are comparing quotes please check if there are any additional costs not specified in the quote to ensure you are comparing like for like.

There is no standard format for a quote but the items that are usually included are:

### 1. Conveyancer's fees

This is the cost for the work carried out by the conveyancer. Make sure you check whether this includes VAT.

### 2. Fees for acting for lender

If you are having a mortgage, your mortgage company will ask your solicitor to act for them as well and will make it a term of your mortgage that you pay the fee.



### 3. Official copies of the title

When you are selling a property your conveyancer must apply for a copy of the title and title plan from the land registry. These are commonly referred to as 'official copy entries'. If the property is unregistered these are not necessary.

### 4. Searches

The searches give information about the property. The main searches are:

- Local authority – this looks at whether the council has adopted the road, planning applications and permissions and tree preservation orders.
- Drainage – this shows if the property is connected to the mains water supply and sewerage system and if property is on a water meter.
- Environmental – this will search to see if the property may be on contaminated land, land liable to flooding, subsidence or landslip, or is near a landfill site.
- Land Registry – this will protect the buyer between exchange and completion and prevent any entries being made at the land registry.
- Bankruptcy – all mortgage lenders require evidence that the buyer is not bankrupt.
- Leasehold – often an

additional fee is added if the property is leasehold.

- Insurance – some firms will automatically include a fee for an insurance policy in case the transaction fails. At Hegarty we give clients the option of purchasing our 'No Move No Fee' policy.

### 7. Land registration fee

This is for registering the new owners of the property at the land registry.

### 8. Stamp Duty Land Tax

Stamp Duty Land Tax is paid to HMRC. The tax is charged at increasing rates for each portion of the price. There are different rules if you're buying your first home and for additional residential properties.

You can calculate the amount you will need to pay by using the HMRC calculator at <https://www.tax.service.gov.uk/calculate-stamp-duty-land-tax/#/intro>

Please note: Land Transaction Tax (LTT) now replaces UK Stamp Duty Land Tax (SDLT) in Wales. The Welsh Revenue Authority is responsible for collecting LTT and a tax calculator is available on <https://gov.wales/>

## Money Matters

If you are buying property, the deposit or purchase price must be cleared funds. Cleared funds refers to money that has cleared the banking system and is available for use. Cheques and bankers drafts take 8 "overnights" to clear. We can accept cash to a limit of £1,000. Owing to the Money Laundering Regulations we will ask you to produce bank statements for the account where the money is coming from.

We often suggest clients arrange an electronic transfer from their account to the Hegarty LLP client account. The money is already cleared and can be used immediately. Your bank/building society will charge you a small fee for this.

**“The conveyancing team were excellent, patient and supportive. I would highly recommend them to anyone thinking of selling a house.”**



## Your local legal team

### **Peterborough**

48 Broadway  
Peterborough  
PE1 1YW  
01733 346 333

### **Oakham**

66 South Street  
Oakham  
LE15 6BQ  
01572 757 565

### **Bourne**

11a North Street  
Bourne  
PE10 9AE  
01778 230 030

### **Stamford**

10 Ironmonger Street  
Stamford  
PE9 1PL  
01780 752 066

### **Market Deeping**

27a Market Place  
Market Deeping  
PE6 8EA  
01778 230 120



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