

**LABRUMS**  
SOLICITORS LLP EST.1990

Information Guide

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# Selling a house or flat





## Selling a property

Congratulations on taking the next step in selling your property! If you have instructed us to act on your behalf in selling a property, this guide is for you. We will now have several steps to go through before you hand the keys to the buyer.

This guide provides an overview of the steps common to most sales. As each sale is unique, you may find that not all the steps mentioned apply to you or they may happen in a different order from that listed below. Your sale may also involve additional steps which the team at Labrums can support you with.

This guide is intended as a starting point only, and we will support you with additional advice during your sale. If you have any questions after reading this, please [get in touch](#).

## Confirming the offer

Once you have accepted the offer from the person buying the property (buyer), the estate agents (agents) will ask you for our contact details. Please pass these details on. They should then send you confirmation in writing of the agreed terms of your sale (often headed “memorandum of sale”). This should include:

- The address of the property you are selling.
- Your name and current address.
- Our contact details.
- The name and current address of the buyer.
- The contact details of the buyer’s lawyer.
- The price you have agreed to sell for, including the amount of any deposit.
- The provisional completion date, if you have agreed one.
- Any furniture or other contents you have agreed that the buyer will pay extra for.
- Any other special terms you have agreed with the buyer.

The agents should send the memorandum of sale to us. Please tell us as soon as possible if anything in the memorandum of sale is incorrect or has been missed.

Legally, even if you have accepted the buyer’s offer, it is not binding on you or the buyer until contracts have been exchanged. There is a risk that the buyer may pull out of the sale before then. You also have the right to withdraw from the sale before then. In either case, unfortunately you will lose any money you have spent on the sale by that stage, for example, our legal fees to that point.

# Opening your file and confirming instructions

We have several legal requirements to comply with before we can start working for you and some instructions we will need to confirm. These include:

- Explaining the terms of our appointment (including our prices) to you.
- Confirming your identity. The agents may also ask you to confirm your identity with them or may already have asked you to do so, but we still need to do this step.
- Confirming whether you are the only owner of the property or whether you own it with someone else. We will need to confirm the identity of any other owners, as well as their instructions to act on their behalf. If you do own the property jointly with any other people, then references to “you” in this guide mean all the owners.
- Confirming whether there are any adults in occupation at your property other than you (for example, relatives or lodgers).
- Confirming the terms you have agreed with the buyer.
- Confirming whether you are selling a house or a flat and whether you have an outstanding mortgage on the property you are selling.
- Confirming whether there is a “chain” of properties being bought and sold at the same time. For example, are you buying another property?

We will also request an upfront payment from you to cover our costs.

We will write to you separately about all of these matters. After that, you will need to sign and return all relevant letters and questionnaires and provide the necessary proof of identity and money before we can support you further along your sale.

The instructions you provide play a crucial role in the advice we’ll be giving you and the steps we need to take. So, to ensure we can provide the best possible support, it’s essential that your instructions are clear and concise. If anything changes or you have any updates along the sales process, please inform us as soon as you can.





## Buyer's investigation



The buyer and their lawyer will need to do some investigations into the property. This will involve looking at the registered title at the Land Registry, obtaining some searches (for example, of the Local Authority and drainage records) and having a survey carried out. They may need us to assist to some extent with these investigations. For example, we may need to send them copies of documents relating to the registered title or answer questions raised by the surveyor or arising from the search results. We may need your help in answering these questions, so please try to respond as quickly as you can if we contact you to help minimise delays.

Always ensure that you answer any questions about the property as accurately as possible. Not doing so may delay the sale or have legal consequences.



## Draft contract and enquiries

We will draft the contract and send it to the buyer's lawyer. They will review the contract and negotiate it with us.

You will need to answer some standard enquiries about the property. We will send you the relevant forms to fill in. This will include completing a form (TA10 Fittings and Contents Form) to say what items you will leave at the property and what you'd like to take with you, such as wardrobes, carpets and curtains. On the form, you'll find an option where you can indicate whether the buyer has the choice to pay extra for any of these household items.



We will review all the replies and send them onto the buyer's lawyer. They will review them with the buyer and may raise further questions that you may need to answer.

If the property you are selling is a leasehold property (usually because the property is a flat), then you will be selling the right to possess the property for a fixed period of time. The lease will usually oblige you to make certain payments to the landlord, such as a yearly rent and a more regular service charge. The buyer's lawyer will want to see evidence that you have paid these sums for the last few years and how much you have paid.

When it comes to selling the lease, there's some extra information that the buyer's lawyer will need to read and review. It's possible that additional documents will need to be drafted and negotiated, and the buyer may have some extra questions to be answered. In some cases, we might need to involve your landlord to address certain inquiries. All this extra work can take a bit more time, but our team will do their best to handle everything efficiently and make the property sale a smooth and efficient process for you.

Depending on the answers received to the enquiries, and any comments in the buyer's survey, the buyer may want to have additional inspections carried out before they buy, such as an inspection of the boiler or the electrics.

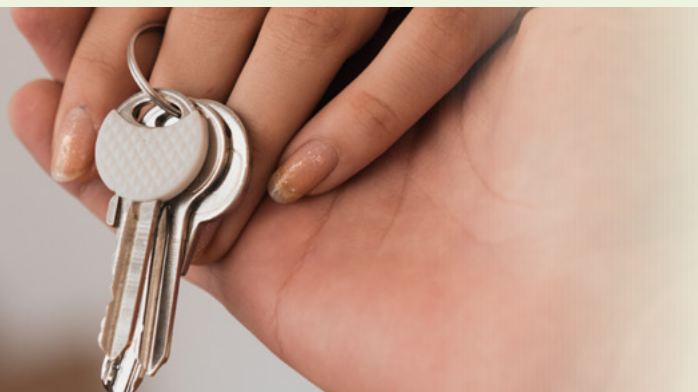
When we represent you, we always adhere to a set standard of practice known as the Conveyancing Protocol. The Conveyancing Protocol may impact your sale in some ways, for example, timings of the steps, the number of enquiries that can be raised and how much your contract can be negotiated.

## Preparing for exchange

The buyer should be ready to exchange once all their search results are in, they are satisfied with the replies to enquiries and the contract is agreed.

We will ask you and all other adults living in the property (aged 17 or over) to sign the contract and return it to us.

We will receive a deposit from your buyer on your behalf. If you are also buying another property at the same time and the property you are buying is more expensive than the one you are selling, the deposit needed for your purchase is likely to be larger than the one you receive on your sale. You have the option to use the deposit you receive from the sale towards the deposit on your new purchase.



## Exchange

We will agree a date for exchange with you and the buyer. If there is a chain, the date for exchange will need to be agreed with others in the chain too.

On the date for exchange, we will date the signed contract and receive the deposit from the buyer's lawyer (known as exchange or exchanging). You and the buyer will become contractually bound by the terms of the contract. Before we exchange, we will check that you are happy for us to proceed. We will also let you know when exchange has taken place.

The contract will state the completion date. This is when the buyer must pay for the property and you (and any other occupiers) must

- Vacate the property
- Remove all your furniture and other items
- Passover the keys

Once this happens, you've completed! If you are buying a property at the same time, completion of that purchase will usually be on the same day. We will agree the completion date with you, the buyer and any other parties in your chain before we exchange.

Completion is usually long enough after exchange to give you time to pack and book a removals company. In some cases (for example, when there is no chain) you and the buyer might agree that exchange and completion can happen on the same day, or within a few days of each other. This means you can settle into your new home as soon as possible.

From the date of exchange onwards, you must comply with the contract, including completing on the completion date. Withdrawing from the purchase, or delaying completion, can result in legal and financial consequences for you.



## Insurance

We highly recommend that you do not cancel your buildings insurance or contents insurance on the property you are selling until the completion date.

If you are also buying a property, you will normally need to put buildings insurance in place for that property from exchange. This means you will temporarily have two building insurance policies in place: one for the property you are buying and one for the property you are selling.

If you are selling or buying a leasehold property, your landlord will usually insure the building themselves and ask you to contribute to the cost of that insurance. This means you will not need to cancel, or take out, any buildings insurance policy yourself for those properties.



# Preparing for completion

The completion date will be the day you need to move out of the property and hand over the keys. The buyer will pay for the property and move in.

When you're between exchange and completion, it's a good idea to begin making preparations for your move. We've put together a helpful checklist at the end of this guide to assist you in organising the tasks that need to be done, both before and after completion. The list is not exhaustive, so there might be a few additional things you need to take care of.

We will need you to sign any final paperwork needed for the completion, for example, there will be a legal document called a transfer that actually transfers ownership from you to the buyer.

You will need a witness to watch you sign and then add their details underneath your signature. This should be an adult who knows you and not be a family member.



Joint owners cannot witness each other's signatures. We can witness for you if you need.

If you have a mortgage on the property you are selling, we will contact your lender before completion to confirm how much they need to be paid to redeem the mortgage.

Before the completion, we'll be sending you a completion statement. This statement will outline all the details about the money you owe us, including our legal fees, so you'll have a clear picture of everything. If you have any questions or need any clarifications, don't hesitate to ask.





## Completion

On the completion date, it's time to leave the property in the morning and hand over all sets of keys to the agents. The property must be clean, tidy and free from all rubbish and you must leave only those items you agreed to leave behind. It is a good idea to keep a copy of the Form TA10 Fittings and Contents Form with you so that you can check what you agreed to take to your new home, and what you're leaving.

On completion, we receive the money from the buyer's lawyer and then date the transfer form. We will contact you to confirm we have completed. If you are buying another property on the same day, be aware that there may be a gap between completion of the sale and completion of the purchase, as money can take time to transfer between bank accounts.

## After completion

If you have a mortgage on your property, we will send the money from the sale to your lender to redeem it. We will send any deeds and paperwork needed to the buyer's lawyer so that they can register the buyer as the new owner of the property at the Land Registry.



## Moving home checklist

Below is a list of suggested tasks to help you prepare for completion and settle into your new home smoothly. We've included some important items, but keep in mind that your situation might have a few additional tasks to consider:

- Book a removals company. Removals companies can get very busy, so do this as soon as possible after exchange.
- Book storage, if needed.
- Book a hotel room or accommodation for the days around the move, if needed.
- Arrange additional support if needed, for example, care for pets or other family members.
- Let utility and service providers (such as gas, electricity, water, TV, telephone, Wi-Fi and any house alarm provider) know the date you are moving. Do this as soon as possible after exchange as they will need advance warning. This may involve transferring accounts to your new property or closing existing accounts and opening new ones for your new home.
- Take meter readings (at your existing home and the new property) on the day of the move and let the relevant companies know these readings.
- Register for council tax payments at your new home. Alert your current local authority of your move so any existing account can be closed.
- Apply for any necessary parking permits at your new home. Cancel any permits for your existing home.
- Consider a postal redirect to your new home and give your new address to family and friends.
- Alert banks and companies of your change of address. The companies to alert will include credit card companies, any companies you have accounts with and any who contact you or deliver to you regularly.
- Update the electoral roll, your driving licence and your car ownership details.
- Let your car insurers know of your change in address.
- Cancel any buildings and contents insurance for the property you are selling. Put contents insurance in place for your new home from the day you move in.
- Sign up to local services such as the local doctors and ensure you have enough of any medication you take to see you through the moving period.





## Get in touch with our experts

Our expert residential conveyancing solicitors will help you sell your property, wherever in the UK you are. We understand the importance for a quick, seamless transition, so our solicitors make the process as efficient and painless as possible.

Our client-centric team will keep you informed at every step of the way, while giving you access to a secure portal for you to access relevant documents in real time.

Our experts will also be at the end of the phone to answer your property buying questions. Call us on [01727 858807](tel:01727 858807) or use our [online enquiry form](#) and we will be in touch.

