

## CONVEYANCING



Buying and selling property is often referred to as conveyancing. It means the process to transfer the legal ownership of a property from a seller to a buyer. Your conveyancing transaction with us will be dealt with by a qualified Solicitor or Chartered Legal Executive, Conveyancer or Paralegal who will be available in an office local to you. We encourage our clients to meet with and get to know the lawyer so that you are comfortable asking all of the important questions you will have. We provide a bespoke estimate and a bespoke service for residential conveyancing transactions. The estimate is based on how much work we anticipate being required. We discuss the matter with you and give you a single figure based on the information you provide. Our charges are transparent and we will give you a total inclusive figure. Our final charges will not deviate from the estimate unless we have notified you in advance and you have agreed to us carrying out additional work that could not have been anticipated at the time of the estimate. For you to better understand how that estimate is calculated we give some examples below.

Our starting point for the estimated fee for a **property value under £450,000** is **£1150 plus VAT for a sale** and **£1300 plus VAT for a purchase**. **Above £450,000** the starting point is **£1450 plus VAT**.

On a purchase, there will be other required fees, including Local Authority, Water & Drainage and Environmental searches in the region of £225 plus VAT, Land Registry pre-completion searches of approximately £19 plus VAT, a Lawyer Check of £16 plus VAT, a Land Registry fee, which will be dependant on the purchase price/property value, and an electronic transfer fee of £40 plus VAT. There will be an ID Check fee of £20 plus VAT. We charge £100 plus VAT for a Stamp Duty Land Transaction Return.

On a sale, there will be other required fees, in the region of £21 plus VAT for Land Registry title documents and an electronic transfer fee of £40 plus VAT per transfer. There will be an ID Check fee of £20 plus VAT.

### How much is Stamp Duty Land Tax / Land Transaction tax

If you buy a property or land over a certain price in England or Wales, when you complete the purchase you need to pay either:

- Stamp Duty Land Tax, or
- Land Transaction Tax

The amount you will need to pay depends on factors including the purchase price of your property. You can calculate the amount you will need to pay by using the [Stamp Duty Land Tax calculator](#) (if the property is in England) or the [Land Transaction Tax calculator](#) (if the property is in Wales).

Our estimates are based on our experience of the amount of work we would do on the average transaction and the additional work and risk created as the property value and size increases. Please note that it is important you ask for a bespoke estimate as this starting point can be adjusted by the individual lawyer based on some variables that may make a difference:

- The purchase price may not reflect the size or complexity of the property but simply a prime location and so it may be the case on higher value properties that the individual lawyer is able to reduce the starting point figure based on our local knowledge or in consultation with the Estate Agent.
- On a sale, if John Hodge Solicitors acted on the purchase recently we will know that the title will be good and documents will be readily available. This could reduce the amount of work involved.
- We have been carrying out conveyancing in this area since 1777. On a purchase we may have experience of specific issues with the title to a local property and so can anticipate the extra work required. Equally, we are likely to have come across the issue before and so can minimise the additional work required.
- Where there is more than one client it may or may not complicate the transaction and result in an increase to the fee. We do not increase the basic fee initially for joint owners but if for example we subsequently find that one of the owners is travelling in Mongolia the fees may be increased. We often have knowledge of our client's personal situation from previous matters and so can adjust the basic fee according to our knowledge of the availability of joint owners.

The individuals that will carry out the work are the solicitors in our residential property department, whose information can be found by clicking [here](#).

There will then be standard factors that cause us to increase the figure from the starting point:

**Mortgage** – This would increase the fee by **£350** as you have to pay for us to act for the lender as well as for you. There will be additional paperwork to consider and another party to correspond with.

**Leasehold Property** - This would increase the fee by **£600** given that we will have to consider the freehold title to the property and then the lease of that freehold title which will include a significant number of important clauses and requirements that we will need to check carefully, report to you and advise you on. There is considerably more work involved in acquiring a leasehold property and it is important that you are properly informed of your rights and obligations.

Any matters involving the **Building Safety Act 2022** will be subject to a bespoke fee.

**New Build Property** – This would increase the fee by **£500**. There are additional complications when dealing with a property that has not been lived in before. It is important that you understand the additional risks involved with things like unadopted roads or roads that have not been made up, a building and equipment that has not been tested and the different position you are in purchasing from a commercial developer rather than an individual.

**Deposit Assistance (to include gifted deposits) or Help to Buy/Lifetime ISAs** - This would increase our fees by **£600**. Where you are being gifted a sum or sums by third parties, we must undertake the same compliance checks against them as if they were our own clients. These include establishing the third party's source of funds and source of wealth and carrying out appropriate investigations. Where there are multiple third parties gifting funds to assist you with your purchase then we reserve the right to review our fee.

With Help to Buy or Lifetime ISAs, there is a significant amount of additional work required to ensure that these funds are released from the financial institution with whom the funds are held are released in time for exchange of contracts and completion.

**Separate Lender Representation** – Some less common lenders insist on having a separate solicitor acting for them in the transaction. You would imagine that would reduce the amount of work involved for this firm but in practice it is significantly increased as we have to correspond with an additional legal adviser who will generally require us to carry out the same work as we would do if we were acting for the lender as well as their own additional requirements and provide additional undertakings. This will add **£650** to our fees in addition to the £350 for the Mortgage. This is not common and so please check with us if you know who your lender is.

Each matter is different however a reasonable estimate for timescale is 8-12 weeks from receipt of a full draft contract pack by the buyer's solicitor until exchange of contracts.

### **Stages of the process**

The precise stages involved in the purchase of a residential property vary according to the circumstances. However, below we have suggested some key stages that you may wish to include:

- Take your instructions and give you initial advice
- Check finances are in place to fund purchase and contact lender's solicitors if needed
- Receive and advise on contract documents
- Carry out searches
- Obtain further planning documentation if required

- Make any necessary enquiries of seller's solicitor
- Give you advice on all documents and information received
- Go through conditions of mortgage offer with you
- Send final contract to you for signature
- Agree completion date (date from which you own the property)
- Exchange contracts and notify you that this has happened
- Arrange for all monies needed to be received from lender and you
- Complete purchase
- Deal with payment of Stamp Duty/Land Transaction Tax
- Deal with application for registration at Land Registry

John Hodge Solicitors are a local firm of solicitors that has been helping individuals, families and small businesses in this area for generations, since 1777 in fact.

We pride ourselves in providing an independent, personal service from our local accessible offices, putting the needs of our client first at all times.

Please contact us with any questions you may have about this subject or for a personalised estimate for a bespoke service.