

The Legals

Once you have chosen your estate agent, one of the first things you need to do is appoint a solicitor familiar with property sales transactions (conveyancing). From January 2019, a solicitor acting for a vendor must show evidence of 'title in full' (legal right to sell) to a prospective purchaser's solicitor when issuing contracts. Providing your solicitor with everything they require at the start of the sales process helps ensure they will be able to issue a contract quickly and avoid delays. Use our checklist below and discuss the details with your solicitor to help your sale run smoothly.

1. Title Deeds

- If your property is mortgage free, provide your solicitor with your Title Deeds (a legal document that states your legal right to own a property)
- If your property remains subject to a mortgage, ask your solicitor to request the Title Deeds from your lending institution (this can take 2-3 weeks)
- Let your solicitor know if you are in negative equity (special arrangements with your lending institution are required in these circumstances)
- Confirm vacant possession will be available or if the property is let, then full details of tenancy should be provided, including registration with Residential Tenancy Board (RTB)



**Sherry
FitzGerald**

2. Certificates of Compliance & Planning Issues

- If you have carried out any alterations or extensions to your property you must have relevant certificates of compliance on file, one of which may be a Certificate of Exemption from Planning. Speak with your solicitor about any works carried out as a wide range of supporting documentation may be required
- Let your solicitor know if there are any planning irregularities, sometimes these can be resolved
- Provide a land registry compliant map outlining boundaries of your property
- If the services to your property are not attached to the mains, then your solicitor will need you to source your septic tank registration and / or waste water treatment system with Protection Order and Water Service license
- Provide Home Bond/Premier Guarantee for the dwelling on sale if applicable

3. Taxes and Charges

- In relation to property tax, provide evidence of payment of the Local Property Tax and evidence of payment or exemption of the NPPR, (Non-Principal Private Residence) charge
- Provide your registration details from Irish Water
- If you own a Leasehold property which is still subject to a ground rent charge, your solicitor will need an up-to-date ground rent receipt

4. Managed Property

If your property is in a managed development with a service charge payable, provide your solicitor with the name of the managing agents and their contact details together with a copy of an up to date service charge statement.

5. BER Certificate and Advisory Report

Your solicitor will need these details unless your property is exempt.

6. Schedule of Contents

Details must be confirmed relating to fixtures and fittings included in the sale price and a valuation for same.

7. Personal details

- Provide proof of address in the form of a utility bill in your own name (dated within the last 3 months) and a copy of your photographic ID
- Give your solicitor a copy of your marriage certificate, if married and if separated, or divorced a copy of the separation agreement or divorce decree
- If you are non-resident, let your solicitor know as particular rules apply
- Confirm the PPS numbers and tax types of Vendor/s and tax type registered with Revenue Commissioners
- If you are an executor, ensure that a Grant of Probate application has been made