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PROPERTY SALES

Conveyancing

The legal work involved in preparing the sales contract, mortgage and other related documents, is called conveyancing. While you can do your own conveyancing, most people engage a licensed conveyancer or solicitor.

Who can do conveyancing work?

- A Licensed Conveyancer
- A Solicitor
- Doing your own Conveyancing

The conveyancing process

Conveyancing can involve these steps:

- examining the contract for sale
- arranging building and pest inspections
- examining a strata inspection report (if the property is in a strata scheme)
- arranging finance if necessary
- exchanging the contract of sale
- paying the deposit
- arranging payment of stamp duties
- preparing and examining the mortgage agreement
- checking if there are outstanding arrears or land tax obligations
- checking if [swimming pool compliance documentation](#) is needed
- finding out if any government authority (Bega Valley Shire) has a vested interest in the land or if any planned development could affect the property
- finding out any information that may not have been previously disclosed such as a fence dispute or illegal building work

Peta Burchell 0448 782 945
peta@burchellhiggins.com.au

Guy Higgins 0427 944 435
guy@burchellhiggins.com.au

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- calculating adjustments for council and water rates for the property settlement
- overseeing the change of title with NSW Land Registry Services
- completing any final checks prior to settlement
- attending settlement.

Costs

Fees will vary between solicitors and conveyancers. As well as a legal service fee you will usually be charged for disbursements, which may include:

- a title search
- certificate fees charged by authorities with responsibility for water, electricity, roads, schools etc.
- photocopying
- registering the mortgage
- registering the transfer.

Conveyancing costs, other than legal fees and disbursements, may include:

- building and pest inspections
- survey report
- establishment of mortgage
- home building insurance
- valuation fees
- mortgage insurance
- stamp duty and mortgage duty
- levies, if the property is in a strata or community scheme
- council and water rates.

Legal practitioners and conveyancers must disclose certain information to clients, generally before or when they are retained. This includes information about their costs for doing the conveyancing.

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Important: Before the conveyancer or solicitor starts the work, ask for an itemised statement of the likely costs to give you a better idea of the total.

Find more information about conveyancers' disclosure obligations.

For more information about solicitors' disclosure obligations visit the Law Society's website or contact the Law Society on the number below.

Need more information?

Australian Institute of Conveyancers NSW Division

Tel: 9633 1355

www.aicnsw.com.au

The Law Society of NSW

Tel: 9926 0333

www.lawsociety.com.au

The Office of the Legal Services Commissioner

Tel: 9377 1800 or 1800 242 958

www.olsc.nsw.gov.au

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