

Silver Package – Solicitor Service –step by step process

A Guide to who is responsible for what and when

Best suits-someone who is look for value for money service and is happy to deal at solicitor rather than Partner level

You make contact with us and discuss the buying process with the Solicitor (“Your Solicitor”)

You find the property you are interested in

You call Your Solicitor to let them know the details so that they can formally note your interest in the property.

Your Solicitor will note your interest in the property and let you know relevant details, such as how many other noted interests there are, whether any surveys have been instructed or carried out and the date and time of any closing date.

You can instruct your Solicitor to instruct a survey on your behalf being a Scheme 1, 2 or 3 (a copy of what these levels of surveys covers is enclosed).

Your Solicitor will remind you one day before any closing date.

You should contact **Your Solicitor** to discuss the terms of the Offer.

Your Solicitor shall give you guidance with regard to price comparisons for properties in similar areas and give you guidance as to what to offer for the property. They will ask you to let them have a note of your offer including any preferred date of entry and any extras such as furniture/white goods to be included in the offer.

You call your Solicitor at any time up to two hours prior to the time of the closing (exceptions shall be made only with prior arrangement with your Paralegal), with full details of your offer including in whose name the offer is to be drafted. Should you wish to discuss matters further with Your Solicitor then now is the time to do that.

The Paralegal assigned to you (“Your Paralegal”) will complete the offer and arrange for the offer to be delivered in time for the closing.

Your Paralegal will then call you within an hour of the closing to confirm whether or not your offer has been successful. If you are unsuccessful, the process starts again once you find an alternative property.

If your offer is successful:-

Your Solicitor will immediately instruct a survey on your behalf if one has not been done already prior to submitting your offer.

You will need to decide whether to instruct a Scheme 1, 2 or 3 survey valuation. (Please note that in most circumstances we would normally recommend a Scheme 2 survey)

Your Solicitor will discuss this with you and advise you as to the most appropriate survey in the circumstances.

Once the survey is received, **Your Solicitor** will discuss the terms with you and at this point you need to decide whether you wish to proceed with the purchase.

Once you have decided **you** should immediately inform your Solicitor who will inform the selling agents and ask them to issue what is known as a Qualified Acceptance to us.

Your Solicitor, on receipt of the Qualified Acceptance, will send this to you together with a copy of the offer submitted by us.

You should look through the document within 24 hours and contact Your Solicitor to go over this in more detail, or simply confirm that you wish us to proceed to conclude the bargain on your behalf.

Your Solicitor shall then conclude the bargain and send a copy of the concluding letter to you to put with the offer and Qualified Acceptance and this bundle of documents together make up “the missives”.

You, on receipt of the concluding letter, should then contact your financial adviser to let them know that the bargain is concluded, and when the date of entry is so that the financial adviser can start to process your mortgage with that date in mind. If you do not need a mortgage, please ensure your funds for settlement are available as below.

Your Solicitor shall send you a draft cash account 14 days prior to the date of entry and the balance shown as being due by you requires to be sent to us (i) if by cheque, no later than seven days prior to the date of entry, and (ii) if by bank telegraphic transfer, no later than two days prior to the date of entry.

Conveyancing

The Selling Agents will send us the title deeds to examine after the missives are concluded and it is at this time that we check that the title is in correct order to ensure that you are obtaining a valid and marketable title.

Your Paralegal will draft the Disposition by the Sellers in favour of you.

You must inform your Paralegal as soon as possible after conclusion of missives if the title should be written in the name of someone other than yourself.

Title

Most conveyancing transactions fall under the Land Registration scheme in Scotland and can be dealt with at paralegal level.

However, on some occasions, the title may be more complicated than normal (“a complex transaction”) and will require the input of a senior solicitor/Partner to sort the matter and check the title.

Unfortunately, until we receive the title deeds, we cannot know how complicated the matter will be.

In this event the package will require to be upgraded to the next level and you will be informed of this immediately

When this is to be taken in joint names the title is always drafted by us as “equally between you and to your respective executors and assignees”. The alternative is that it is written “equally between you and to the survivor of you”. This method can sometimes mean that any Inheritance Tax planning is defeated and we would recommend the first draft, unless you advise us differently.

The title will normally be drafted to match the mortgage if this is in joint names.

Your Paralegal will draft the Standard Security which is the mortgage document and send this to you with a covering letter explaining the consequences of signing it.

You need to contact your Paralegal to organise a time with them to sign the document with Your Solicitor.

Should you have any queries at this point about signing the security you can raise them with Your Solicitor at this meeting.

Date of Entry

Your Solicitor shall arrange for settlement of the transaction around 12 noon on the date of entry, as this allows time for the Seller to move out.

You should therefore not organise removal vans until after that time to avoid paying unnecessary charges.

Your Solicitor will contact you to let you know when your keys are available for collection from the office.

Post Settlement

You need to alert Your Solicitor if there are any defects in the property that will need to be brought up with the sellers agents.

We would recommend that you revert to us, by **NO LATER THAN THREE DAYS AFTER THE DATE OF ENTRY**, as matters such as the central heating are only covered provided they are intimated in writing by Your Paralegal on your behalf within a set time limit.