

What goes into the conveyancing process?

If you've just bought a new home – or are planning to in the near future – it's a good idea to get to grips with the conveyancing process. To help you do that, we've put together a simple guide that explains what happens at each step along the way. The process starts once you've found your dream home and the seller has accepted your offer.

01 Instructions are sent

If the seller has an existing home loan, they will instruct their transferring/cancellation attorney to cancel their bond. And the relevant registration attorney, selected by the bank, will be instructed to carry out the transfer and bond registration.

02 The documentation is signed

Once all the conditions are met, the registration attorney will draft the transfer and bond documents. The buyer and seller will then sign the respective transfer documents, and the buyer will sign the bond documents. Next, the buyer will pay all relevant transfer costs, and the seller will pay their rates, including advance rates. Finally, the transfer attorney will apply for a transfer duty receipt from SARS, a rates clearance certificate, and a levy certificate, and make the necessary payments.

03 Compliance certificates are supplied

At this stage, the seller is required to provide the relevant compliance certificates – for example, the electrical, plumbing, borer beetle, gas, and electric fence certificates.

04 The guarantees are provided

In this step, the attorneys will provide guarantees from the buyer's bank for the purchase price – or for the balance of the purchase price, if a deposit is being paid upfront. If the seller has an existing bond on the property, preparations will be made for it to be cancelled. And the attorneys will ensure FICA compliance to protect against fraud.

05 The documentation is lodged

Once all the documents are signed, the certificates are obtained, and the costs are paid, the attorneys will prepare the documents for lodgement at the Deeds Office.

06 Registration and proceeds

Now's the time for the conveyancers to register the deeds at the Deeds Office and for ownership to pass from the seller to the buyer. The buyer's new bond is registered, and the seller's existing bond is cancelled. And several important payments are made: the guarantees are paid, the seller is paid out the net proceeds, and the estate agent is paid their commission.

07 The buyer is officially a homeowner!

The new owner can now take occupation of the property.

08 After the sale is complete

After about three months, the original title deed and bond documents will be delivered back to the attorneys by the Deeds Office. If the property is bonded, the original title deed will be delivered to the bank – or, if it's unbonded, the title deed will be delivered to the owner. Finally, the attorneys will send a copy of these documents to the buyer and the seller.

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