

# HOW YOU CAN HELP

## VERY IMPORTANT

When you instruct us to deal with your property transaction, we will obviously do our best to achieve the outcome that you require. But we do not inspect properties, whether they are being sold or purchased, and so there are aspects of the transaction which we will inevitably never know about unless we are told; arising from the physical state of the property, its contents, and its surroundings.

There are also matters which may arise which if not brought to our attention promptly may have an adverse effect on a transaction and increase the amount of work which is required.

So we ask you to ensure that we are informed of any aspect of the transaction which comes to your attention and which might affect the investigations or other work we carry out on your behalf. This leaflet is intended as a guide to some of those matters. It is not intended to be conclusive.

## FINANCIAL CONSIDERATIONS

We often find that arranging finances on a property can be the most difficult part of the transaction. We ask you to keep us informed of progress, and the timescale of your financial arrangements. Especially important are:

- Do your Mortgage lenders need details of your property which we can supply them with?
- Do you have to give notice to withdraw or transfer money?
- Is there a penalty provision on your existing mortgage which would make a delay sensible?

## THE CONDITION OF THE PROPERTY

We are not Surveyors, but often your survey report will contain a section which contains action points for your lawyer. You should ensure we have a copy of that so we can indeed take action.

There is otherwise a risk that your Surveyor's good advice will not be acted upon.

You should also consider the location and environment of the property. Local Searches do not reveal local planning applications, and these can impact on you. It is

therefore sensible to take into account the potential that neighbouring properties may be developed.

We recommend undertaking searches of datasets relating to pollution, local commercial activities and flooding.

## **ALTERATIONS TO PROPERTIES**

Much of this is about paperwork. Many changes to properties need permission and those that don't may give rise to other paperwork such as guarantees. A person buying a property might reasonably expect to have access to any relevant paperwork, for the following reasons:

- To make sure that any permissions or consents which are required have been obtained
- To have some assurance that the works were done properly.

Lack of paperwork may mean that works have not been authorised or properly inspected, or that works have not been undertaken properly. Of course even works with the proper paperwork are not automatically guaranteed, and many guarantees given on completion of works are not enforceable even if they can be passed on to a new owner. The company issuing them may have ceased trading, or subsequent work to the property may have invalidated the guarantee.

When considering any work done to a property, the following questions need to be asked:

1. Does the work require any change to the extent of a property (such as a roof room where the attic is not included in the lease)?
2. Does the work require the permission of any third party as a result of covenants in a lease or other document?
  - (i) Landlords
  - (ii) The Original Developer or Builder of a development (could be 100 years ago)
  - (iii) Neighbours
3. Does the work require planning permission?
4. Does the work require building regulations approval?
5. Does the work require listed building consent?
6. Does the work require conservation area consent?
7. Does the work require consent to fell or prune a protected tree?
8. Has your surveyor verified that the work has been done to a proper standard?
9. Was a building regulations completion certificate issued?
10. Were there any guarantees issued for the work? Are they valid?

Our advice to you is to advise us of any alterations or other works you think may have happened to a property, including:

- Removal of walls
- Extensions
- Loft/Basement Conversions and extensions
- Balconies
- New porches
- Conservatories
- Garden buildings
- New fences or walls
- Pavement crossovers
- Tree removals
- New kitchens or bathrooms
- Double glazing
- Timber and Damp treatment

If the building is listed or in a conservation area, then other changes to the property may also be relevant, such as:

- Window replacements
- External painting or treatments
- Internal non-structural refurbishments (listed buildings only).

It is also very important to have these considerations in mind in respect of works that you intend to carry out, as if and when you sell the property, these issues may arise then.

**MONEY**

Getting money to us in order to deal with your transaction is obviously very important. We need cleared funds to complete transactions. Payment methods: which we accept are as follows:

Method	Advantages	Disadvantages
Cheque	Costs you nothing to issue.	Takes 7 working days to clear. We require this gap between payment and use, as Banks do can advise non-clearance as late as this.  We would discourage you from using cheques.
Cheque + Special Clearance	Costs you nothing to issue.	Takes between 1 and 3 days to clear, but we have had several cases recently where cheques have been lost or delayed in the post between branches, and banks are increasingly unwilling to offer this service. We do not recommend this form of payment.
CHAPS payment	Guaranteed same day credit to our account.	The guarantee is not time specific so CHAPS

		payments should be made the day before money is required by us. Costs you a fee (charged by your bank).
Banker's Draft	We treat these as cash providing they are received in time to pay in.	Costs you a fee (charged by your bank).
BACS money transfers, sometimes called "direct credits".	Costs you nothing. Normally takes 2 or 3 working days. Instant payments can be made which arrive that day.	You need to ensure your bank identify the payment as coming from you, and also advise us of the amount and originating bank as our bank do not automatically notify us of these credits.
Cash	Immediately cleared	We are reluctant for security reasons to accept cash payments for sums due in excess of £100.

Not having cleared funds can cause delays and can cost you money. Our bank details will be supplied on request.

**IMPORTANT:**

**This is a brief guide for clients issued by A. L. Hughes & Co. It is not intended as a detailed exposition of the law, and in all cases you are advised to take specific advice on any particular proposal.**