

# HERRINGTON & CARMICHAEL LLP



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## RESIDENTIAL SALE & PURCHASE

### QUESTIONNAIRE

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**CLIENT:**

**PROPERTY TO BE SOLD:**

**PROPERTY TO BE PURCHASED:**

Please answer all the questions to the best of your ability. It is important that your answers are correct. If you do not know an answer; write "do not know" rather than taking a guess. Where you have a choice of answers please circle or tick the correct answer. If any of the typed replies inserted on your behalf are incorrect in any way, please alter the replies by hand. Please contact us if you need assistance completing the form.

**Please note:**

1. If any of your answers change after you fill in this questionnaire but before the transaction is completed, please tell us immediately. This is as important as giving the right answers in the first place.
2. Please tell us immediately about any notices you receive at any time before completion which affect the property.
3. You should let us have any letters, agreements or other documents which help answer the questions. If you know of the existence of any that you are not supplying with these answers please tell us about them.

## SECTION A – ABOUT YOU

### PERSONAL DETAILS – If there are more than two sellers/buyers, please provide details for all

	<u>FIRST SELLER/BUYER</u>	<u>SECOND SELLER/BUYER</u>
Surname:		
Forenames: (insert all)		
Date of Birth:		
Address including postcode:		
Previous address if you have lived at the above address for less than 3 months:		
Date moved from old address:		
Tel (Home):		
Tel (Work):		
Mobile:		
E-mail:		
National Insurance Number:		
Occupation:		
Have you previously owned a residential property either in or outside of the UK?		
Are you an existing client of this Firm? If not, how did you hear of us?		

### MONEY ON ACCOUNT

We require money on account of costs as we need to pay others for providing information. Please therefore provide a cheque for the following amount and tick the corresponding box: -

Sale and purchase of freehold property	£450	
Sale and purchase of leasehold / shared ownership property	£550	

### WILLS

Have you made a Will? If so, are we holding it?	
If you have not made a Will, may a member of our Wills' Department contact you?	

## IF THERE IS MONEY DUE TO YOU ON COMPLETION

We can either (1) arrange for a telegraphic transfer into your bank account on the same day which will attract a fee of £41.13 for this service or (2) we can arrange for a BACS payment into your bank account which will take a minimum of three days but does not attract a fee. To enable us to make the transfer please provide the following details: -

Bank:	
Address:	
Sort Code:	
Account Name:	
Account Number:	

Any money due will be sent to the name(s) of the owner(s) of the Property. If you prefer a transfer to be sent to only one of you or any other person, please provide us with **written instructions signed by all owners of the Property.**

I wish any money due to me to be sent via:	Telegraphic Transfer	
	BACS	

## PROOF OF ID

We are obliged to comply with Money Laundering Regulations, which require us to obtain and retain as part of our records, proof of any client's identity and address. Please provide proof in the form of the original of your current Passport or new style photo Driving Licence and tick the corresponding box. We will need to meet you to verify your identity against the photograph and will retain the originals until you call into the office. If you would prefer not to part with the originals, please bring them into the office with this form in order that we can take the required copies.

**Please note that owing to the terms of the Money Laundering Regulations, we are not permitted to start work on your sale until you have supplied these documents.**

Passport	
Drivers Licence	

**In addition** we will need to see the originals of two items from the following list; please enclose the relevant document and tick the corresponding box in order that we know what to return to you once we have taken copies for our file: -

Pension Book	
A mortgage statement for the mortgage accounting year just ended.	
Benefits Book	
Council Tax Demand in your name for the address that is your normal residence.	
Two different household utility bills in your name and for the address that is your normal residence.	
Bank statement	
Credit Card with an original statement not more than three months old	

**JOINT OWNERSHIP**

Under English Property Law if more than one person owns a property, it is held by the proprietors on what is called a Trust for Sale. This Trust can have one of two forms:

Joint Tenancy	On the death of one of the owners a property held on a joint tenancy will pass automatically to the survivor. This right of survivorship operates on death, whereas a Will comes into effect the moment after death. It follows, therefore, that it is impossible to leave an interest in a property held as joint tenants in a Will, as by the time the Will comes into effect, the property has ceased to form part of the deceased's Estate. Most married people hold their property this way. If there is any dispute between joint owners over their respective shares in the property, for instance on a separation, under present law the Courts may order that, irrespective of any inequality in contributions, the property is held in equal shares.
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Tenancy in Common	<p>Under this form of joint ownership, each person holds shares in the property and this share can be disposed of by Will to a person other than the co-owner. It is often advisable for unmarried couples, or parents and their children, to hold property in this way. The co-owners may agree that they should have equal shares in the property and this will be assumed unless you indicate otherwise. If one party has contributed more to the purchase price than the other, it is possible to reflect this difference by declaring that the property is owned in appropriate portions.</p> <p>This is of particular relevance if either or both property owners are bringing monies into the purchase from the sale of another property which may have been owned solely or jointly with a previous partner. In this situation, it is important to consider the competing needs and claims of the other co-owner and the children of any former relationship. If you choose Tenancy in Common, it is necessary for us to prepare a Declaration of Trust showing the shares attributable to each party and an additional charge will be made for preparing this document.</p>
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Would you please let us have your instructions on how you would like your property to be held; please note that ***you can only choose one option.***

Joint Tenancy	<input type="checkbox"/>
Tenancy in Common in Equal Shares	<input type="checkbox"/>
Tenancy in Common in Unequal Shares	<input type="checkbox"/>
Please provide details of shares:	

**SECTION B – ABOUT THE PROPERTY BEING SOLD**

<b>DETAILS</b>	
Address including postcode:	
How many bedrooms are there are the Property?	
What year was the Property built (approx)?	
Is the Property freehold/leasehold/shared ownership?	
If you have not yet accepted an offer; what is the market price?	Marketed at: £
Or, what is the sale price if you have accepted an offer?.	Price Agreed: £
Have you agreed to sell any furniture or other items?	YES/NO If yes, please provide details:
Property type – <b><i>please tick only one box:</i></b>	<u>The Property is a:</u> Bungalow <input type="checkbox"/> Flat <input type="checkbox"/> House <input type="checkbox"/> Maisonette <input type="checkbox"/> Other (please specify) <input type="checkbox"/>
Building type – <b><i>please tick only one box:</i></b>	<u>The Property is:</u> Above a shop <input type="checkbox"/> Detached <input type="checkbox"/> Divided house <input type="checkbox"/> End-terrace <input type="checkbox"/> Mid-terrace <input type="checkbox"/> Semi-detached <input type="checkbox"/> Towerblock <input type="checkbox"/> Other (please specify) <input type="checkbox"/>
If you are not living at this property, please provide details of any tenancies.	

**ESTATE AGENTS**

Are you selling through an estate agent?

YES/NO

If yes please insert the agents name and telephone number

Name &amp; address

Contact Name:

Tel:

What commission has been agreed with the estate agents?

If no agent is involved, please give the name and address of the Buyer and the Buyer's solicitors

Do you wish us to obtain the Energy Performance Certificate (EPC)? If not, who is preparing this on your behalf?

**APPOINTMENT WITH HOME INSPECTOR**

If we are obtaining the EPC, this requires a Home Inspector to carry out an assessment of the energy efficiency of your property, and as such he will be required to contact you to make an appointment. By signing this form you authorise us to provide the Home Inspector with your contact details and a note of your telephone numbers in order that they may arrange a mutually convenient appointment.

If you do not wish us to disclose this information, please contact us immediately as we will need to make alternate arrangements.

The Energy Inspection is in addition to any survey or valuation that may be arranged by your prospective buyer or your Estate Agent.

**TITLE DEEDS & DOCUMENTS**

**If you hold the Deeds, please arrange for them to either be brought into our office or sent to us by recorded/registered post.**

**If held by a bank or other solicitors, please let us know their details.**

Do you have any other original documents relating to the property – i.e. planning permissions/guarantees?

YES/NO

*If yes, can you please forward these documents to us with this completed questionnaire.*

**MORTGAGE AND OTHER SECURED LOANS**

Do you have a mortgage or loan secured on the Property? If yes, please provide the name and address of all Lenders:	YES/NO
Name & Address of Lender	
Amount owing:	£
Account Number:	
Name and Address of Lender	
Amount owing:	£
Account Number:	

**ALTERATIONS TO THE PROPERTY & OTHER INFORMATION**

Has the Property been altered since its original construction (either by you or previous owners)?	YES/NO
If yes, what work was done and when	
Was planning permission or building regulation consent obtained for the work?	YES/NO
<b><i>If yes, please ensure you forward the original documentation to us with this form together with any letters from the Local Authority</i></b>	
Is there any other information about this property that we should know about at this stage, which may be relevant to the sale?	YES/NO
If yes, please give details:	

**SECTION C – ABOUT THE PROPERTY BEING PURCHASED**

DETAILS	
Address including postcode:	
What year was the Property built (approx)?	
Is the Property freehold/leasehold/shared ownership?	
What is the price agreed with the Seller	£
Do you wish us to carry out a Water & Drainage search at a cost of approximately £60-£70. The search will confirm (amongst other matters) if the Property is connected to mains drainage. It will also confirm whether or not a sewer passes within the boundaries of the Property. This information is important as the existence of such a sewer may restrict your ability to extend the Property.	
If the searches reveal that the Property is within a flood risk area, do you wish us to carry out a Flood Report at the cost of £18.98?	YES/NO
Have you agreed to sell any furniture or other items?	YES/NO If yes, please provide details:
Property type – <b><i>please tick only one box:</i></b>	<u>The Property is a:</u> Bungalow <input type="checkbox"/> Flat <input type="checkbox"/> House <input type="checkbox"/> Maisonette <input type="checkbox"/> Other (please specify) <input type="checkbox"/>
Building type – <b><i>please tick only one box:</i></b>	<u>The Property is:</u> Above a shop <input type="checkbox"/> Detached <input type="checkbox"/> Divided house <input type="checkbox"/> End-terrace <input type="checkbox"/> Mid-terrace <input type="checkbox"/> Semi-detached <input type="checkbox"/> Towerblock <input type="checkbox"/> Other (please specify) <input type="checkbox"/>
Will this Property be your main residence? If not, please provide full details for purchase – i.e. buy-to-let, holiday home etc.	YES/NO
Please give the names and ages of all persons other than you who will live at this property	

<b>ESTATE AGENTS</b>	
Are you buying through an estate agent?	YES/NO
If yes please insert the agents name and telephone number	Name & address  Contact Name: Tel:
If no agent is involved, please give the name and address of the Seller and the Seller's solicitors	

<b>MORTGAGE / LOAN AND INSURANCE</b>	
Are you obtaining a Mortgage?	YES/NO
If Yes, please provide the Lender's name and address:	
Application Number:	
Amount:	£
Are you obtaining any further borrowings? (for instance a keyworker loan)	YES/NO
If Yes, please provide the Lender's name and address:	
Amount:	£
Are you obtaining a mortgage/loan with the assistance of a broker?	YES/NO
If yes, please provide the broker's details:	Name: Address:  Contact: Tel No:
Is anybody other than you providing all or part of the purchase price? If yes, please provide full details	
Who is arranging Buildings Insurance?	

## ABORTIVE COSTS PROTECTION

You can protect yourself against the possible payment of our fees by taking advantage of our **Abortive Costs Protection Scheme**. The cost of protecting yourself against having to pay our fees in respect of an abortive transaction is a non-refundable fee of £75.00 plus VAT for each transaction and/or if you decide to take advantage of this protection scheme for a sale and related purchase, it will cost £125 + VAT. The protection scheme would be in respect of our legal fees only, and would not include any disbursements (such as obtaining documents from the Land Registry or search fees) which we may have incurred on your behalf.

Please indicate your choice. If you decide to take advantage of the protection cover; a cheque for the amount payable must be returned to us with this form.

I wish to take advantage of the abortive costs protection for my sale only and enclose a cheque for £88.13	
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I wish to take advantage of the abortive costs protection for my purchase only and enclose a cheque for £88.13	
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I wish to take advantage of the abortive costs protection for my sale and purchase and enclose a cheque for £146.88	
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I do not wish to take advantage of the abortive costs protection	
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**Once you have read and completed all the questions, please sign and complete as follows: -**

I/We have read and fully understood and accept the basis on which you have offered to undertake my/our conveyancing and authorise you to proceed on that basis.

Signature:	Date:
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Signature:	Date:
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