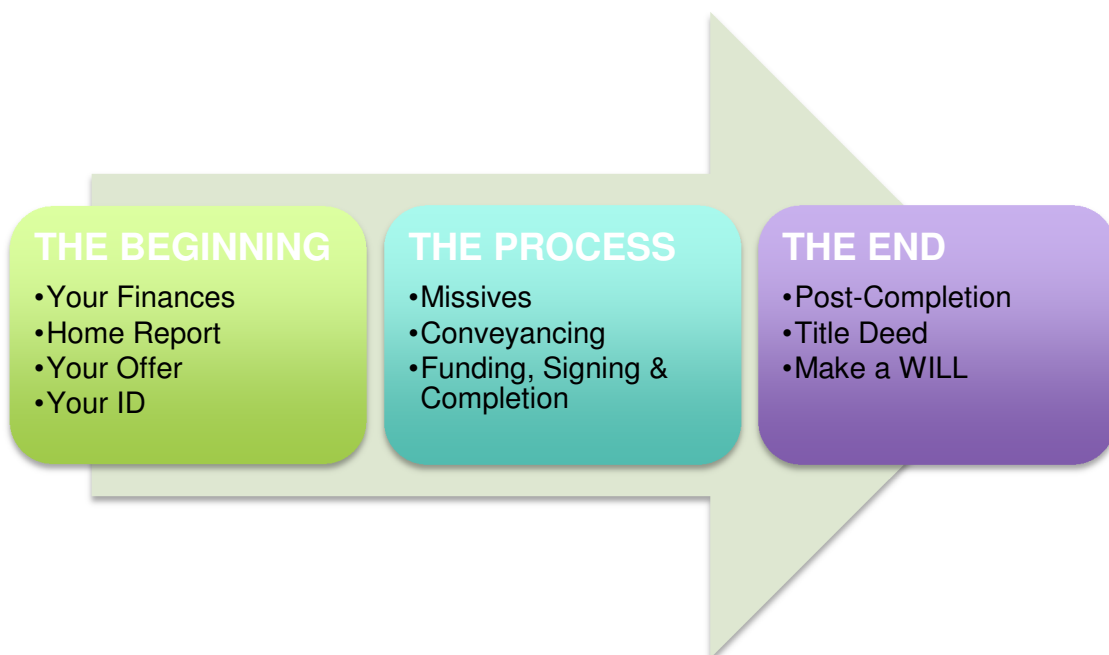


YOUR CLIENT JOURNEY

When **buying** property with Scullion LAW



Bespoke legal guidance when buying a home

At Scullion LAW we want to revolutionise your conveyancing experience.

Sourcing a new property can be exciting. It is probably going to be one of the greatest financial investments you will ever be involved with. We will help you secure the property you desire and make the conveyancing process (the complex transfer of legal titles from one person to another) as enjoyable as possible. Client Care is at the heart of everything we do.

Whether you are a first time buyer or an experienced buyer, we will do everything we can to complete on time and communicate in a way that suits you. This useful client journey guide can be used as an indicator to keep you on track throughout the process. We want you to understand what is required of you, why and when. **Please note timescales and complexity will vary depending on your individual circumstances.**

Our experienced team of fast, friendly, property professionals are on hand to clarify anything that you do not understand. Your happiness is always our priority from start to finish.

If for any reason we do not meet your expectations, please email our Client Care Manager Charmaine@scullionlaw.com so we can work together to iron out any issues along the way.

Thanks for trusting in Scullion LAW

Now, let's get started.



Missives and Myths

In Scotland, the buyer's solicitor makes a written offer to buy. Once accepted, the seller's solicitor accepts this in writing. A verbal acceptance is not a legally binding acceptance.

The seller's acceptance will itself normally contain qualifications to the offer. It may be that these qualifications will themselves need to be amended. This is done between the solicitors by an exchange of letters known as "**missives**" clarifying and finalising the details and conditions of the offer and acceptance. Until the missives are **concluded**, either the buyer or the seller can withdraw without penalty.

Once these details are agreed and the missives are concluded both parties have a legally binding contract which contains an agreed price and date of entry. This means the seller cannot accept a higher offer from someone else and the buyer cannot withdraw from the agreement or make a lower offer instead.

If the buyer cannot fulfil the obligations set out in the concluded missives, they may be liable to pay the seller damages, therefore it is important, before making an offer, that the buyer obtains legal advice and arranges finance to meet the purchase price.

THE BEGINNING

1. Your Finances

Before you start looking for a property you need to know what you can afford.

If you need a mortgage, please speak to a mortgage adviser to find out how much you can borrow. A formal offer can quickly lead to a binding contract so it is important that your funding is securely in place from the beginning. This is your sole responsibility to organise.

We are proud to work closely with **Mortgage Advice Brokerage** from our office in the West End. If you would like to speak to them, please contact George or David on 0141 339 9025. They have a useful mortgage calculator available through their website [here](#).

2. The Home Report

Once you've found the property you like, please request a copy of the Home Report from the Estate Agent. This contains a Property Questionnaire, the Single Survey and Valuation, plus an Energy Performance Certificate.

The Single Survey Report tells potential buyers about the property, its condition and accessibility and any repairs that may be required (specialist treatments, damp, rot etc.). It will also provide an opinion of the property's market value. The Home Report must be no more than 12 weeks old when the property goes on the market. If a property has been on the market for 12 weeks, you may need to instruct a Surveyor to resurvey the house or "refresh" the valuation to satisfy your lender. There are certain circumstances where a Home Report may not be necessary but we shall advise you as we go. Every property is unique, that is why our service is bespoke.

Please read the report in great detail and ask us if you have any questions. Once you are happy, we at Scullion LAW can then **note interest** with the selling agents on your behalf.

3. Your Offer

By formally **noting interest**, this means the seller cannot sell the property without first advising you of any other potential buyers. If you are the only person interested or if the property is advertised at a fixed price, it may be possible to put an **offer** in straight away. If several potential buyers note interest in the property, the seller will set a date and a time (known as a closing date) for offers to be made. To allow you the best chance of securing the property, you must submit your best offer. It will then be up to the seller to decide who gets it.

4. Your Identification

At this stage in the process, **The Law Society require us to obtain suitable forms of identification (ID) from you before we can carry out any work**. Kindly bring in photographic ID such as a UK drivers licence, current UK passport or your original birth certificate; AND proof of address consisting of a bank statement or utility bill (both dated within the past 3 months) or your current Council Tax bill, to our reception to be photocopied. These can be photocopied whilst you wait at our reception for free or you can scan the originals from the comfort of your own home (please note a small charge will be incurred as we need to verify them for you). Mobile phone bills and store bills are not acceptable. If in any doubt please give us a call before you drop in to our office, so it is not a wasted trip for you.

THE PROCESS

5. Missives

Once your offer has been accepted, if you are using a mortgage, you must let your broker / lender know this and advise them of the completion date to ensure that your mortgage offer is issued in plenty of time. Please note this is YOUR responsibility.

Once the offer is accepted verbally, it will be followed by a written acceptance which will contain a number of points about the property. We will discuss these with you in some depth.

If anything is unclear, just ask. We will make sure that the contract reflects exactly what has been decided between you. **The nature of the offer / acceptance process often means there is a great deal of communication from us at the start of the process within a short period of time upon taking instructions. Once negotiations are complete, there often follows a quieter period where communication is less frequent. It is simply the nature of the conveyancing transaction... so please be patient with us during this time.**

If you are using a mortgage, once it is approved the lenders will provide a copy of the formal offer of the loan to us both. Once these are issued, you will be in a position to instruct us to **conclude missives**. We will sign the missives for you, as your agents. They do not need to be signed by you. **Once missives are concluded, the contract will be legally binding upon you** which means you cannot simply walk away without facing a penalty.

6. The Conveyancing

At the same time as receiving the acceptance from the seller's solicitors, we would expect also to receive the title deeds along with the various reports and searches. These form an integral part of the conveyancing process. Communication will be less frequent at this point.

Our role is to ensure the property is free from any difficulties to allow you to complete the transaction. It may take some time for us to read, check and double check the Land Certificates, other titles and reports (for example to make sure the seller actually owns the property, that the deeds are free from defects and do not contain any unusual or unreasonable conditions that will affect your use of the property).

If there are any queries we will raise them with the seller's solicitors. You will appreciate that we are reliant upon the seller answering these questions to our entire satisfaction on your behalf. Please be assured your best interests are always our priority and we want to ensure that the title to the property is in good order to allow you to move in. We will do everything we can to complete on time, but there may be some circumstances which are out of our control.

7. Funding, Signing the Mortgage Documents & Completion

At this point we will send you a financial breakdown (known as a Cash Statement) which details the amount you are required to pay us (by way of deposit, LBTT, solicitors fees etc.). It also details how to get these monies to us. If there are any queries please let us know.

Please note there are certain money laundering requirements set out by the Law Society that we need to follow before any monies can be transferred to us. We need satisfactory evidence regarding the source of your deposit/ funds before we can complete any transaction. We will advise you of the written supporting documentation that we need from you. Please be patient whilst we complete our checks this is an important part of the process. We do not make these requirements but we are expected to follow them.

Until such time as we have satisfactory evidence of your funds we are unable to complete any transaction on your behalf. Once we have proof of the source of your funds, any monies due by you can be transferred in to our account.

At the same time, we shall obtain the loan funds from your lender. We will need you to sign the Standard Security or formal mortgage document and we will then liaise with your lenders regarding the release of loan funds to complete the purchase and will arrange to have the security or mortgage documents signed by you. On the date of completion, we forward the settlement price to the seller's solicitors (normally in the form of a cheque) and in exchange you will receive the keys to your property. This is often the most exciting part of the process.

At the same time the title deeds in your favour will be forwarded to us by the seller's solicitors and we will then arrange for the registration of your title with the Land Register of Scotland.

THE END

8. Post-Completion

Following on from completion, you have a limited time to check that all the systems are working and report any problems to us within **5 days from getting the keys**. It is your responsibility to check everything (such as electrics, heating, water etc.) and inform us of any problems before the 5 days are up. We will then notify the seller's solicitors and ask them to fix it. If they do not offer to fix the problems, your only option is to raise a court action which we can advise at the time. If you are in any doubt please check ['Your Property Transaction'](#) on our website which contains more detailed information.

9. Your Title Deed

Once the registration process is complete, an updated Land Certificate (or title deed) will be issued electronically by the Land Register showing you as owners of the property, we will forward a copy to you but at the same time, we will retain your title deeds here along with any additional documentation (example: alterations, damp guarantees etc.) You are now the legal owner of the property and the conveyancing process is effectively complete. Congratulations.



Small print Please note there are other costs involved in buying a property in addition to the purchase price, such as Land and Buildings Transaction Tax. These are dependent on the value of your property. We will calculate them and explain to you in detail so there are no

surprises. We pride ourselves on being open, honest and transparent leaving you with a positive lasting impression. We hope that you use us again and recommend us to others.

About 7 days before your date of entry, we will ask you to transfer the deposit to our account so it's cleared along with evidence of where the funds have come from. Please note that because the majority of conveyancing transactions in Scotland settle by cheque you must allow 4 working days for funds to clear before these can be released to the seller. The cheque is guaranteed by the Law Society of Scotland. Thanks for your patience and understanding.

If at any point during your transaction, you have any questions, kindly let us know as we are more than happy to help. We hope that you will review us on Facebook, Google and recommend our services to your friends and family. We are a multiservice law firm offering award winning service and we are always delighted to take your call. Thank you for your continued cooperation and we hope you are happy in your new property.



Testimonials from satisfied clients



“My husband and I would like to thank the team at **Scullion LAW** for making our house purchase such an enjoyable and easy process. The level of service was outstanding, they answered all our (many, many) questions promptly and kept us up to date regularly on what was happening. Buying & selling is a stressful process so we were delighted to put our trust in Scullion. Would recommend them to others”. **Gillian Muir**

“Recently moved house and **Scullion LAW** were great. We couldn't have received a more efficient and professional service. Nothing was a problem and we were always kept up to date as the moving date came closer. We are now in the process of using this firm to update our Will and create a Power of Attorney. They are always there when we need them” **Jen Ralph**

“Buying a new property was overwhelming at times with mixed emotions of joy, stress, panic and sometimes we felt completely out of our depth moving back to Scotland from London with a new baby. As first time buyers we were not familiar with all the stages involved in the conveyancing process but the team at Scullion LAW put us at ease and despite a few bumps along the way, we were delighted overall with the service provided and are now happily settled in our new home. We could not have done it without them”. **Diane & Jonathan**

If you are happy with our service please review us on Facebook & Google.

Thank you for trusting in Scullion LAW.

#ScullionLAW @ScullionLAW

NOW MAKE A WILL TO PROTECT EVERYTHING THAT MATTERS TO YOU.

Now your personal circumstances have changed we strongly encourage you to update your Will. You can download our useful [questionnaire](#) from our website. This will help you to carefully consider what you would like to happen to the people and things you care most about (such as your money, property and possessions) when you die. Once you are settled and have time to meet with our Private Client team please call for an appointment 01698 283 265 or 0141 374 2121 or email info@scullionlaw.com. We can meet you at home or at our offices in Glasgow Saltmarket, West End or in Hamilton. Whatever is most convenient for you.