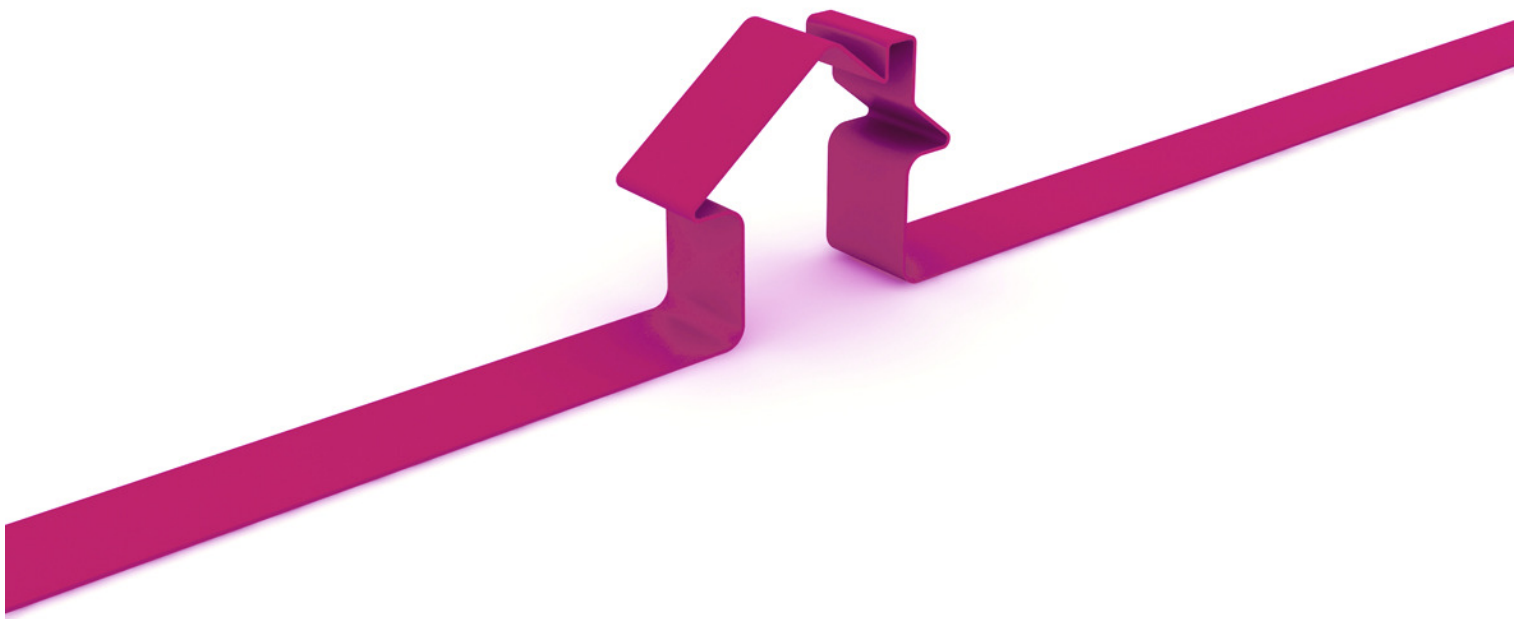


Guide to buying and selling your home



Whether you are thinking of buying, selling or re-mortgaging your home it pays to contact your solicitors at an early stage. Hopefully you'll find the contents of this guide helpful.

At asb law our team of qualified property lawyers is on hand to help you with your move.

For further assistance or information contact us at one of our offices listed at the back of this guide.

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1. The procedure for selling

1. Take instructions

We take your instructions and receive details of the transaction from the Estate Agents.

2. Obtain Title information

We obtain a copy of the Title for your property from HM Land Registry. We also apply to your lenders for any supporting documents, such as planning permissions, trust deeds, guarantees etc.

3. Questionnaire

We will ask you to complete a questionnaire, property information form and list of fixtures and fittings to enable us to give as much information as possible to the Buyer's solicitor.

4. Preparation of Contract

On receipt of your Title and completed forms, we will prepare a draft Contract and send this together with the other documentation to the Buyer's Solicitors. The solicitors may then raise enquiries about the property, with which you may be able to assist.

5. Approval of Contract and signing up

When the Buyer's solicitors have dealt with their searches, investigation of title and enquiries they will approve the Contract for you to sign. We will then send the document to you for signature. At that time we will take your instructions concerning a completion date. Once you have signed there may sometimes be a delay until all the other transactions in the chain are ready to exchange.

6. Exchange

Exchange takes place and the date for completion is inserted in the Contract. The property should remain insured until completion takes place.

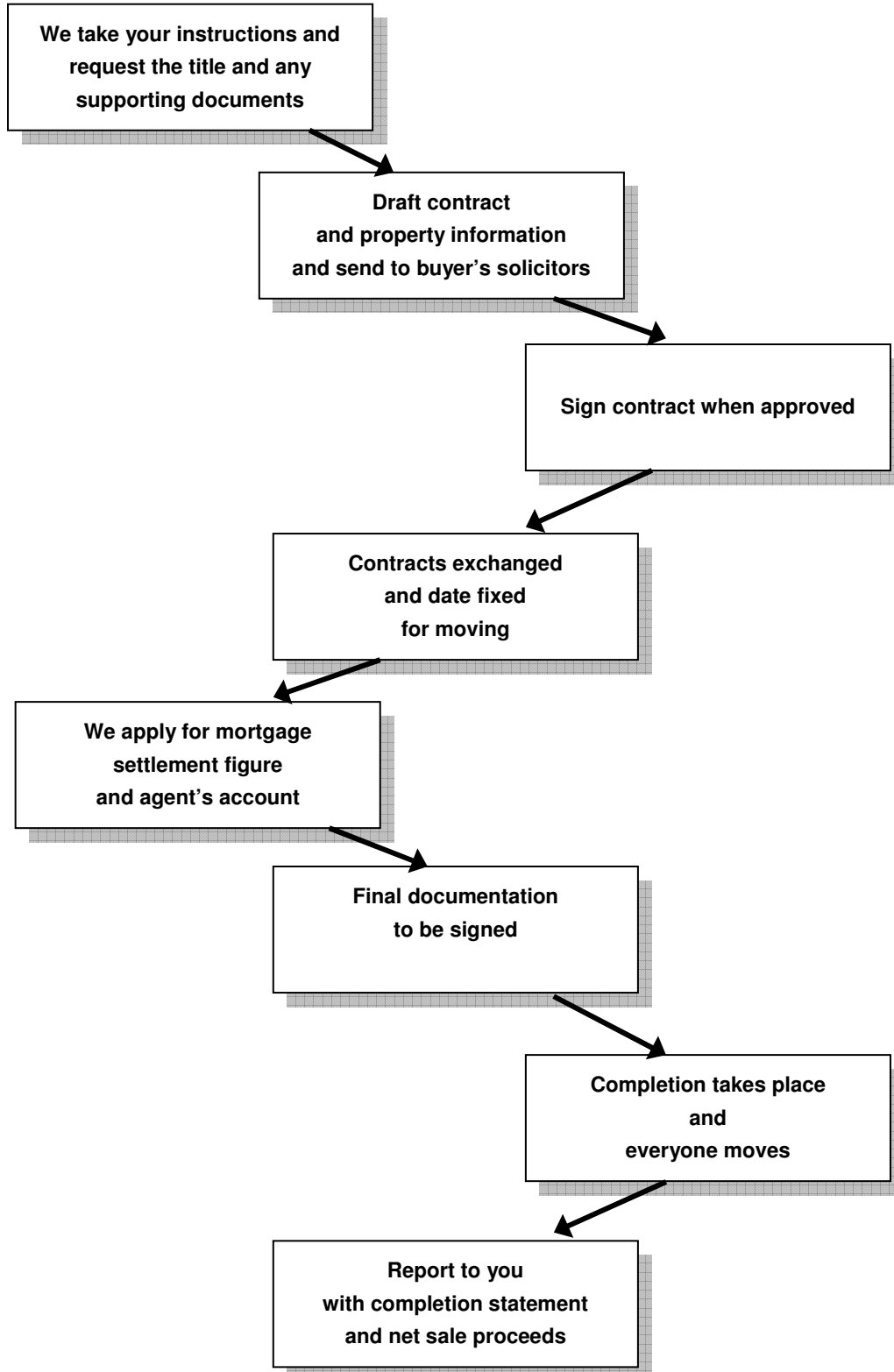
7. Signing Transfer Deed and approval of agent's account

We will deal with the signing of the transfer deed before completion. We will also ask you to approve the agent's account and your redemption statement. We will then pay the agents account and any mortgage from the sale proceeds at completion.

8. Completion

On completion we will report to you and let you have a final statement together with a cheque for the net sale proceeds. Alternatively we can transfer funds due to you into your account as cleared funds on the day of completion. There is a bank charge for this service which is currently £36 + VAT.

Sale flow chart



2. The procedure for buying

1. Take instructions

We take your instructions and receive the details of the transaction from the Estate Agents.

2. Request documentation

We will request the draft contract and documentation from the Seller's solicitors, and will let you know when this arrives.

3. Investigation of Title and searches

On receipt of the documentation we will check the Title and carry out the necessary searches.

4. Pre-contract enquiries

We will raise additional enquiries with the Seller's Solicitors, if anything is not clear from the documentation supplied. You will have inspected the property and you should let us know if there are any aspects you would like clarified. For example, there may be someone in occupation of the property who is not the owner or the boundaries may appear to have been altered. You will have been sent a short questionnaire about this.

5. Mortgage and survey

You will have contacted your Building Society or Bank to make a Mortgage application if necessary. When you receive the Mortgage Offer, your lender will also send a copy to us together with the Mortgage documents for you to sign. Please read the mortgage offer carefully, bearing in mind the following matters:-

- a. Please note carefully the Special Conditions.
- b. You should obtain a copy of the Lender's valuer's report and you should look at this carefully. We would also recommend at this stage that you have your independent survey carried out as you may not be able to rely on the report prepared for the Lender unless this was specifically commissioned by you. It is obviously very important where you do not require a Mortgage to have a survey carried out. If you are buying a new property you should have it surveyed when it is ready for occupation.

- c. If you will be arranging the buildings insurance, we would recommend that you make preliminary enquiries about this now.

6. Report to you

When all the preliminary matters have been dealt with we will report to you and let you have copies of any important documents. This will usually include a plan of the property and details of any relevant rights and restrictions.

7. Signing up and deposit

We deal with the approval of the Contract and ask you to sign the Contract and other relevant documents. On exchange of Contracts, a non-returnable 10% (sometimes less) deposit is usually payable. If you do not have this available you should tell us as early as possible so that other arrangements can be made (e.g. agreement of a reduced deposit or the use of your buyer's deposit if you are selling).

8. Exchange and insurance

Exchange of Contracts takes place and the date for completion is inserted in the Contract. You are then contractually bound to buy the property and you will be able to take possession as from the completion date. You must effect adequate insurance cover from the date of exchange.

9. Statement and final searches

We complete the final searches and we will send you a financial statement. We also obtain the Mortgage Advance the day before completion.

10. Completion arrangements

The usual arrangement is that the Seller will leave the keys at the Estate Agents for you to collect on the morning of completion, after the Seller's solicitors have received the purchase monies from us. Sometimes there is money due to you and we will then send you a statement together with a cheque unless you have instructed us to have the money transferred direct in a Bank or Building Society account. There is a bank charge payable for this service, which is currently £36 + VAT.

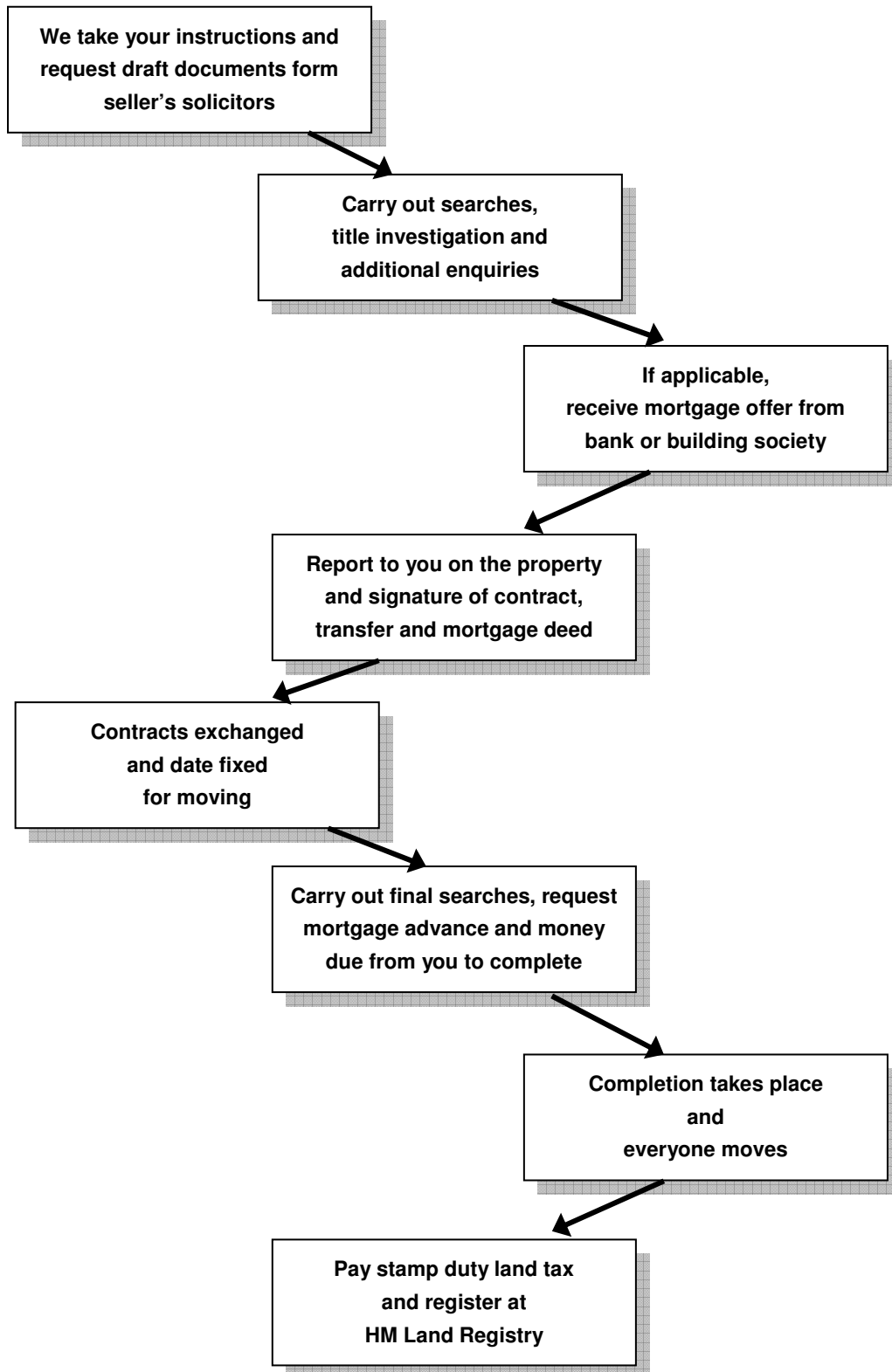
11. Post-completion

We will then deal with paying the stamp duty land tax to the Inland Revenue and registration of your Title at the Land Registry. The registration will usually be completed within three months.

12. And, finally

We will check that the Title has been registered correctly. The fact that you will be the registered owner at HM Land Registry will be your proof of title; a recent Act, the Land Registration Act 2002 has abolished title deeds. We will send you a copy of the updated register. Any supporting documentation can either be placed in our deed stores for safe keeping or sent to you.

Purchase flow chart



3. The procedure for selling and buying

1. Where your sale and purchase have to be synchronised then we will normally report to you and ask you to sign the sale and purchase Contracts when we are ready in both transactions.
2. If you are buying, but the sale transaction has not yet been arranged, it is a good idea for you to let us have the details of your property so that we can apply for the register and gather together all the documentation in readiness.

4. Financial aspects

Stamp Duty Land Tax

Stamp Duty Land Tax is simply a Government tax on the purchase of land. This tax is subject to change and is currently charged at a flat rate of 1% on the total purchase price if it is over £125,000. If over £250,000 the rate is 3%; over £500,000 the rate is 4%; over £1million the rate is 5%.

Stamp Duty Land Tax is not payable on certain items within the property that are being left by the Sellers, so if you are buying goods or movables, such as carpets or curtains for a separate price, no Stamp Duty Land Tax is due on these.

If you are buying a new Lease please note that Stamp Duty Land Tax is also payable on the average amount of rent payable over the remaining term of the Lease and is also dependent on the number of years the Lease has left to run. The Inland Revenue has a complicated formula for calculating the amount of Stamp Duty Land Tax payable. The Stamp Duty Land Tax payable on the rent is paid irrespective of the purchase price.

You may be exempt from paying Stamp Duty Land Tax if you have not previously owned a property and the value of the property to be purchased is under £250,000. If you think you may qualify please inform us when you instruct us.

Land registration fees

After completion the buyer's title must be registered at the Land Registry and a fee is payable for this according to the purchase price.

Value or Amount	Fee
£0 - £50,000	£50
£50,001 - £80,000	£80
£80,001 - £100,000	£130
£100,001 - £200,000	£200
£200,001 - £500,000	£280
£500,001 - £1,000,000	£550
£1,000,001 and over	£920

If you are buying a new Lease then there may be an additional Land Registry Fee payable in respect of the rent.

Search fees

It may be necessary to carry out searches, such as an environmental, plan search or chancel search, the fees for which are available on request.

Other fees and costs

New freeholds or leaseholds

If you are buying a new freehold or leasehold property then the seller's solicitors may charge for preparing the documentation.

Landlord's registration fee

If you are buying leasehold, it is a usual requirement to register the transfer to your name and any mortgage with the landlord's solicitors. The registration charge varies widely but is generally between £20 and £100 and will normally be specified in the Lease.

Bank transfer fee

On the completion of a purchase there is usually a bank transfer effected. The fee for this is £36 plus VAT. In addition, if you wish us to send funds direct to your new or existing bank account following a sale we are happy to do this at the same charge. This may in fact save you money instead of waiting for a cheque to come through the post and be cleared by your bank.

Our fees

Please contact us for an estimate of our fees. We will be happy to confirm in writing together with a note of the other likely disbursements. We will also supply you with a leaflet detailing our Terms and Conditions when we receive your instructions; this can be sent to you beforehand if requested.

5. The way we do business

asb law has 22 partners and over 160 legal and support staff providing a range of specialist services to businesses, public sector bodies and individual clients.

With offices in Crawley and Maidstone, asb law provides unrivalled coverage across the South East.

The way we do business is governed by a simple set of principles, which define the very essence of the firm - and explain our success:

Clients

The delivery of high quality, creative services to our clients is our priority. We will always aim to exceed expectations. To go the extra mile.

People

We invest in people, develop their skills, give early responsibility and opportunity, and encourage everyone to contribute to the development of the firm and all it stands for.

Teamwork

Individual qualities and abilities are brought together so that collectively we meet the objectives of our clients.

Integrity

We take responsibility and accountability for our decisions and actions – individually and collectively – to meet the commitments we make.

Our lawyers are dedicated to providing legal services to both private and corporate clients.

Meeting your needs:

- Residential property
- Preparation of wills
- Administration of estates
- Trusts
- Landlord and tenant
- Personal Injury claims
- Matrimonial and family
- Employment issues

...and, the needs of your business:

- Dispute resolution
- Corporate finance
- Employment
- Commercial property
- Planning
- Commercial contracts
- Recovery and insolvency

Contact us

For further information please contact your nearest office:

Crawley

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West Sussex RH10 1AS

Tel 01293 603600

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Maidstone ME14 3EN

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