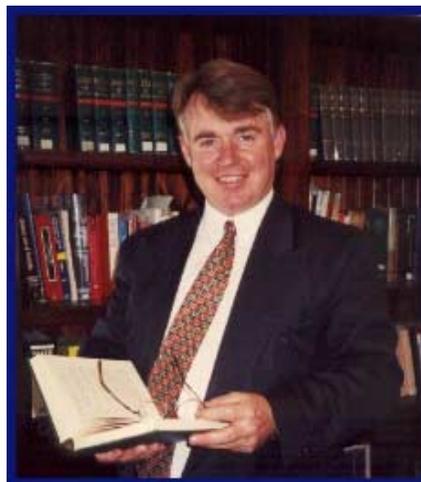


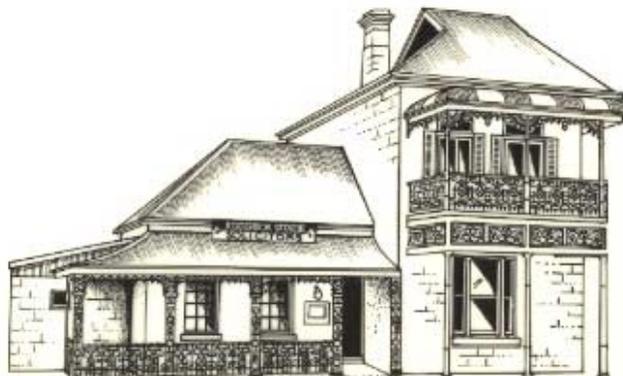
Glossary of Conveyancing terms...

1. **"Inclusions"** means the items which are going to be included in the sale of the property. These can be things such as stoves, dishwashers, air conditioners, light fittings, garden sheds etc. If these inclusions are agreed upon prior to exchanging contracts, they must be included in the property on settlement unless other agreement is reached between the vendor and purchaser, via their solicitors. **"Exclusions"** are the things which the vendor and purchaser agree not to include in the sale of the property. They can also include the items listed above.
2. **"Exchange"** of contracts happens after all parties have agreed on the terms of the contract and signed, indicating their acceptance. Upon exchange, a deposit is handed over (usually 10%) and the process of finalising the matter begins. You are not required to attend the exchange.
3. **"Cooling off period"** If contracts are exchanged under a cooling off period, purchasers must pay a 0.25% deposit on exchange and will have 5-10 working days to decide to proceed with the purchase. If they choose not to proceed, they will forfeit the 0.25% deposit to the vendor.
4. **"Final inspection"** - Before settlement takes place, it is advisable for the purchaser to make a final inspection of the property to ensure that all agreed upon conditions have been met. This inspection usually takes place on the day of settlement.
5. **"Settlement"** of your matter is the meeting which takes place between representatives of all parties concerned (solicitors, lenders and any other involved party). You are not required to attend the settlement. All documents are comprehensively checked and handed over. All cheques will be handed over.
6. **"Disbursements"** are costs which are involved in the purchase or sale of your property. These can include things such as your Pest and Building or Strata report, Land Titles Office searches, Council certificates, costs of bank cheques and costs of attending settlement. These items vary with each matter.
7. **"Stamp Duty"** is a State Government duty and is calculated on the purchase price of the property only. Legal fees and other costs do not form part of the dutiable amount. Your Real Estate Agent or Solicitor will be able to calculate the amount for you. The duty is required to be paid within 3 months of settlement, however most mortgagees insist that it is paid before settlement. The First Home Plus scheme may entitle you to a discount or complete waiver of Stamp Duty.

RODERICK STORIE SOLICITORS



- CONVEYANCING
- MORTGAGE ORIGATION
- CRIMINAL LAW
- COURT APPEARANCES
- FAMILY LAW
- WILLS & PROBATE
- COMMERCIAL LAW
- PERSONAL INJURY
- DEBT RECOVERY
- TRAFFIC OFFENCES



Located at the corner George & Bridge Streets,
Windsor – across from Macquarie Arms Hotel

Buying or Selling your home? Helpful information about conveyancing in NSW



This booklet has been downloaded in
Adobe Acrobat format from our web site.
It is a double-sided two page document.

RODERICK STORIE SOLICITORS

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You're about to make one of the biggest decisions of your life...

Making the right choices when buying or selling a home is vital.

Remember, quality legal advice now can save you money in the future.

Unless you know what you're doing when buying or selling a home, you may be leaving yourself open to any number of pitfalls which may cost you dearly at a time when funds are crucial. The GST has added complications to the process and you may find that you are liable to pay GST when buying a property, which only adds to the financial burden.

Roderick Storie Solicitors take pride in the service we provide and hope this pamphlet will make this sometimes confusing process just that little bit easier...



<http://www.firsthome.gov.au/>

First Home Owners Grant

Phone:.....(02) 9685 2187 or 1300 130 624*

Fax:..... (02) 9689 6345

Email:..... first.home.grant@osr.nsw.gov.au

Post:..... Locked Bag 5920 Parramatta NSW 2124

*Freecall

Once you've found a property to purchase...

1. Make an offer to the Real Estate Agent, who will negotiate price and conditions with you and the Vendor (owner of the property) until your offer is accepted. (*Don't forget to consider Stamp Duty when working out your finances!*)
2. **"Cooling off period"*** - If contracts are exchanged under a cooling off period, the Purchaser must pay a 0.25% deposit on exchange and will usually have 5 working days to decide to proceed with the purchase. If you choose not to proceed, you will forfeit the 0.25% deposit to the Vendor.
3. If contracts are not exchanged under a Cooling Off Period, but your offer is accepted, you need to ring your solicitor to advise them of the details of the property. The Agent will usually send your solicitor a 'Sales Advice', which will contain the information needed to begin the process.
4. When purchasing, contracts are prepared by the *Vendor's* solicitor. Once a contract is received by *your* solicitors, they should contact you to arrange signing. Before signing the contract, your solicitor should explain it to you.
5. Consider how much deposit you can pay on exchange. Many lenders offer a Deposit Bond facility.
6. Your solicitor may recommend that you obtain a Pest and Building Report*, or a Strata Report*. Most lenders will require a report such as this before approving your loan. Your solicitor can advise you in relation to these reports.
7. Contact your lender and advise them that a property has been found. They will then begin the approval process, apply for Mortgage Insurance (if required) and will have the property valued. If all details are okay, you should receive unconditional, written loan approval. It is usual to take your mortgage documents to your solicitor for thorough explanation before signing and returning to your lender.
8. When all of the above steps are complete, you should be in a position to *exchange* contracts. (See next page for the remainder of the process).

**More detailed fact sheets are available on request.*

You've decided to sell your home...

1. Decide on which Real Estate Agent you will use. Collate any papers you have relating to your home before ringing your solicitor, including: Council rate notice, building inspection certificates, certificate of title and any other documentation you have at hand relating to your property since you purchased it.
2. Ring your solicitor and provide them with details of the Real Estate Agent, conditions of sale and information about you and your property and your mortgagee.
3. Your solicitor will order any searches and certificates which are required, as well as prepare your Contract for Sale of Land. A copy of the contract will be forwarded to your nominated real estate agent. Your solicitor will also negotiate details with any purchaser's solicitor. Please be aware that your property, including any improvements, must usually be inspected and approved by your Local Council ([Building Certificate or Section 149D Certificate*](#)) before the matter will exchange.
4. Once your contract has been prepared and sent to the real estate agent, your solicitor will send you a letter confirming that the contract has been issued and your agent may begin marketing your property.
5. When a purchaser has been found, negotiations will determine the final price of your property and detail any "inclusions" and "exclusions" (dishwashers etc) and special conditions which are to be part of the sale. You may be required to wait for the purchaser to obtain written approval for their finance before exchange can occur.
6. Contracts will be exchanged pending settlement, the time of which will be determined by many factors including the availability of finance approval for the purchasers, preferred dates for both you and the purchaser to move house etc, but generally is a 6 week period.