

# Residential Conveyancing

HCR Law offers a broad range of property services including conveyancing (the buying and selling of your home). Once you have found that next property to move to or found a buyer for your existing property, we can help you navigate the conveyancing process. Whether it's a freehold or leasehold property, new-build or second-hand, listed or located in a conservation area, suburban or more rural, registered or unregistered, we have the expertise to help you with your move. We will seek to simplify the process for you as much as possible, using plain language and commonly used terms to help you understand each stage of the transaction. If an unexpected issue arises during the course of your transaction, we have experts in other departments who can help us provide a practical and pragmatic solution.

As you would expect, we are heavily regulated and to meet our regulator's requirements (whether that be the Solicitors Regulatory Authority (SRA), Lexcel or the Conveyancing Quality Scheme (CQS)) the service we provide must be to a consistently high standard. CQS imposes mandatory annual training on our staff who undertake residential conveyancing to ensure those high professional standards are upheld and our staff are up to date with any changes in the law and practice.

## Understanding the conveyancing process

When we talk about 'conveyancing' essentially, we are referring to the buying and selling of residential properties. The conveyancing process can feel rather daunting and, at times, rather long and drawn out especially when you find yourselves in a chain. The typical residential conveyancing transaction is currently taking anywhere between 12 and 18 weeks. There can be a number of factors which can impact on the time a transaction takes to get to completion – delays with search results and mortgage offers, issues with funding arrangements, issues revealed by a survey report being just a few. We will progress your transaction at the pace you would like us to but, sometimes, there are factors outside of our control which delay progress. We understand that this can be frustrating and we will do our best to keep you regularly informed. You can find out further information about the buying and selling process on the government's website: [www.gov.uk/buy-sell-your-home](http://www.gov.uk/buy-sell-your-home)

## Understanding our fees and the transaction process

Your home is probably the biggest investment you will ever make. Therefore, it is important that you choose a conveyancing firm who are diligent and thorough, who are accessible when you need to contact them, who keep you regularly updated and who can guide you through the various stages of the transaction. You will also want to know from the outset how much you are going to be charged. We will provide you with a fixed fee quotation at the outset and this quote will include the legal work associated with the various necessary steps of dealing with your property sale or purchase.

## Buying a property

If you are buying our fee includes the following stages of the transaction:

- Accepting your instructions and completing onboarding formalities
- Reviewing your source of funds and source of wealth information
- Receiving your draft contract information from your seller's solicitors
- Sending you a copy of the title plan to check the boundaries of the property accord with your expectations
- Discussing with you the pre-exchange search options and agreeing which searches are to be applied for
- Applying for the pre-exchange searches
- Reviewing your survey report (provided you have sent this to us)

- Reviewing the draft contract information and raising enquiries with the seller's solicitors
- Reviewing the pre-exchange search results and reporting to you on the findings
- Receiving your mortgage offer and reporting to you on the terms of this
- Receiving replies to enquiries, reviewing the replies and sharing this information with you
- Preparing your Title Report and sending this to you for review
- Arranging for you to sign your Contract and Transfer in readiness for exchange and completion and, where appropriate, requesting your exchange deposit
- Liaising with your seller's solicitors to agree a completion date
- Conducting pre-completion searches
- Exchanging contracts
- Requesting your mortgage advance from your lender
- Preparing a completion statement for you so that you know how much money you need to send us
- Sending you your Stamp Duty Land Tax Return (or Land Transaction Tax Return if the property is in Wales) for you to review and sign
- Completing your purchase
- Filing your Stamp Duty Land Tax Return (or Land Transaction Tax Return) and arranging for any Stamp Duty Land Tax (or Land Transaction Tax) to be paid
- Registering your ownership of the property at the Land Registry
- Sending you a copy of your completed registration and any other important documents you need to retain before we close our file.

## Selling a property

If you are selling our fee includes the following stages of the transaction:

- Accepting your instructions and completing onboarding formalities
- Sending you some forms to complete so that you can provide some basic information about the property which we need to share with your buyer
- Receiving your title deeds (where the property is unregistered) or obtaining a copy of your title from the Land Registry (where your property is registered)
- Requesting an initial redemption statement from your mortgage lender
- Preparing a draft Contract
- Issuing the draft Contract and supporting documentation to your buyer's solicitor
- Liaising with you and then responding to any pre-contract enquiries raised by the buyer's solicitor
- Arranging for you to sign your Contract and Transfer in readiness for exchange
- Discussing and agreeing with you the completion date
- Exchanging Contracts
- Requesting a final redemption statement

- Requesting your estate agent's invoice
- Preparing a completion statement from you so that you know the amount you will be receiving on completion
- Verifying your bank account details with you in preparation for completion
- Completing your sale
- Redeeming your mortgage
- Settling your estate agent's account
- Remitting the proceeds of sale to you
- Sending the Transfer and any other relevant documentation to the buyer's solicitors
- Providing evidence to the buyer's solicitors (when received) that your mortgage has been fully repaid
- Settling any other payments e.g. service charge, rent
- Archiving your file.

Any legal advice falling outside the scope of works listed above may incur an additional charge. Examples of this may be the preparation of a declaration of trust or legal charge. Rest assured, we will also contact you to discuss any additional legal work required and agree with you a fee for undertaking this before we incur any further cost. We want to be completely transparent about this and avoid any surprises.

Our fees do not include any tax advice.

**Our fees for a residential sale and purchase fall into the following:**

TRANSACTION VALUE/TYPE	FACTORS IMPACTING ON COST	COSTS RANGE + VAT <sup>1</sup>
Up to £700,000	<ul style="list-style-type: none"> <li>• Transaction value</li> <li>• Freehold or leasehold property</li> <li>• Registered or unregistered property</li> <li>• Property location</li> <li>• Whether you are using a government help to buy scheme or currently have one secured on your home</li> <li>• Complexity</li> <li>• Urgency.</li> </ul>	Range between £500 plus VAT at 20% and £3,500 plus VAT at 20% (£100- £700)
Over £700,000	<ul style="list-style-type: none"> <li>• Transaction value</li> <li>• Freehold or leasehold property</li> <li>• Registered or unregistered property</li> <li>• Property location</li> <li>• Whether you are using a government help to buy scheme or currently have one secured on your home</li> <li>• Complexity</li> <li>• Urgency.</li> </ul>	Range between £1,500 plus VAT at 20% and £20,000 plus VAT at 20% (£300 - £4,000)

## Our fees for a mortgage or re-mortgage are:

TRANSACTION VALUE/TYPE	FACTORS IMPACTING ON COST	COSTS RANGE + VAT <sup>1</sup>
Mortgage	<ul style="list-style-type: none"><li>• Transaction value</li><li>• Freehold or leasehold property</li><li>• Registered or unregistered property</li><li>• Property location</li><li>• Complexity</li><li>• Urgency.</li></ul>	Range between £500 - £2,000 plus VAT at 20% (£100 - £400)
Re-Mortgage	<ul style="list-style-type: none"><li>• Transaction value</li><li>• Freehold or leasehold property</li><li>• Registered or unregistered property</li><li>• Property location</li><li>• Complexity</li><li>• Urgency.</li></ul>	From £500-£5,000 plus VAT at 20% (£100 - £1,000)

## Factors which could increase your legal fees

<sup>1</sup>There are a number of potential instances where we may need to increase your legal fees. These include:

- The property's title has not been correctly registered
- If the title to the property is unregistered
- If we discover a defect which requires indemnity insurance
- If your mortgage lender is separately represented
- If you have more than one mortgage lender
- If your funding includes a Lifetime of Help to Buy ISA
- The property is a new-build
- There are issues in relation to planning and building regulations
- The Property is Shared Ownership or Shared Equity
- If there are disputes with a neighbour or a family member
- If part of your funding is a gift from a family member or friend
- If part of your funding is from monies coming from overseas
- If the property is a Transfer of Part of a registered title
- We discover access and/or services issues
- You are buying a property which is subject to an existing tenancy
- The property is affected by Building Safety Act related issues.

This is not an exclusive list and there may be other factors specific to your transaction which require us to review our legal fees. However, we will discuss this with you where appropriate.

If your transaction does not complete then we will charge a fee based on the amount of legal work undertaken and all disbursements (payments to third parties) which we have incurred. Details of disbursements can be found below.

## Other charges

### Charges for bank transfers and ID checks

As a firm we do make a professional charge for Bank Transfer fees and Identity Checks. These charges will amount to:-

- Bank Transfer Fee £40 (CHAPS Payment) plus VAT at 20% (£8)
- Bank Transfer Fee £10 (BACS Payment) plus VAT at 20% (£2)
- ID Checks £30 per person plus VAT at 20% (£6)

## Disbursements

These are costs related to your matter that are payable to third parties, such as search fees. We handle the payment of disbursements on your behalf to ensure a smoother process.

With leasehold properties, there can be disbursements which are set out in the individual lease which relates to the property. This list is not exhaustive and other disbursements may apply depending on the terms of the lease. We will update you on the specific fees upon receipt of and review of the lease from the seller's solicitors.

DISBURSEMENT	FREEHOLD (FH)/ LEASEHOLD (LH)	CHARGE + VAT <sup>2</sup>
<p>Search Fees – will vary according to location and land area.</p> <p>All charges below are plus VAT at 20%</p> <p>The most common searches are:</p> <p>Local Authority Search - £90-£350</p> <p>Highway Search - £100</p> <p>Drainage &amp; Water Search – £50</p> <p>Flood Risk Search - £25-£30</p> <p>Environmental (desktop) Search £50</p> <p>Mining &amp; Ground Stability - £30-£60</p>	FH & LH	£250 - £450 plus VAT at 20% (£50 - £90)
Stamp Duty Land Tax / Land Transaction Tax	FH & LH	This will depend on the purchase price of your property – see the links below for calculations
Land Registration fees	FH & LH	See the link below for calculations
Obtaining up to date Land Registry documents and Land Registry searches	FH & LH	£10 – £25 plus VAT at 20% (£2 - £5)

A Notice of Transfer fee	LH	£50 -£250 plus VAT at 20% (£10 - £50)
A Notice of Charge fee	LH	£50 -£250 plus VAT at 20% (£10 - £50)
Deed of Covenant fee	LH	£50 -£350 plus VAT at 20% (£10 - £70)
Certificate of Compliance fee	LH	£50 -£350 plus VAT at 20% (£10 - £70)
Obtaining a Landlord or Management Company Pack	FH & LH	£50 -£350 plus VAT at 20% (£10 - £70)

<sup>2</sup>These fees vary from property to property and can occasionally be significantly more than the ranges given above. We can give you an accurate figure once we have sight of your specific documents. For mortgage-related disbursements, the above information relates to standard mortgages from high street lending institutions only and should there be any funding arrangements between private individuals or companies, a bespoke estimate and advice will be provided.

You should also be aware a ground rent or service charge are likely to apply throughout your ownership of a leasehold property. We will confirm the ground rent and anticipated service charge as soon as we receive this information.

<https://www.tax.service.gov.uk/calculate-stamp-duty-land-tax/>

<https://beta.gov.wales/land-transaction-tax-calculator>

<https://www.gov.uk/guidance/hm-land-registry-registration-services-fees>

## Let's talk timescales

STAGE OF TRANSACTION	INDICATIVE TIMESCALE*
How long will it take between our offer being accepted and us moving into your new home	12-18 weeks as a guide but sometimes less
How long does it take to complete the onboarding process	Usually a few days, depending on how quickly you provide your key information
How long does it take for contracts to be sent/received once the estate agent's sales memorandum has been issued	Anything from the same day to 2 weeks
How long do searches take	Typically 2-3 weeks
When will we receive our report	We will report to you at various stages of the transaction – when your searches are received, when your mortgage offer is received and in preparation for exchange of contracts.

When will we sign our contract	This needs to happen before we can exchange. You can expect to receive your contract for signature around 4-6 weeks into the transaction.
At what stage will we exchange contracts	Exchange will take place once all reporting and due diligence has been completed. This will be approximately 6-8 weeks into the transaction
How long is the period between exchange and completion	This is very much dependent on the circumstances of the transaction but, typically, there is a period of 1-2 weeks between exchange and completion
What happens if our leasehold property requires an extension of the lease	This is likely to delay your transaction by 12-16 weeks
We're buying a new build property – does this change anything	Yes, typically with a new build you will have 28 days from instruction to exchange. Completion will depend on when house has been built
How long does a re-mortgage take	Anywhere between 2-6 weeks

\*Timescales are for guidance only, they may vary according to a whole range of factors including the number of parties in the chain, your mortgage provider, whether a leasehold property is involved or your project is a new build.

## Our people

We have various members of the team who may work on your matter. Regardless of who works on your matter, they will be supervised by Lisa Gibbs, Partner and Joint Head of Residential Conveyancing for our offices in Birmingham, Cardiff, Cheltenham, Hereford and Wye Valley or Samantha Houlden, Joint Head of Residential Conveyancing for our offices in Cambridge, London, Central England, Worcester and Thames Valley. Philip Parkinson, Partner is the overall Head of Real Estate. Our team members, their experience and their qualifications are listed below

Name	Office	Qualification/Position and Experience
Lisa Gibbs	Cardiff	Partner (Solicitor) Practising conveyancing since 2003
		Supervised by Philip Parkinson
Samantha Houlden	Cambridge	Partner (Solicitor) Practising conveyancing since 2002
		Supervised by Philip Parkinson
Simon Cooper	Cambridge	Partner (Licensed conveyancer) Practising conveyancing since 2012
		Supervised by Samantha Houlden

Alice Gathern	Cambridge	Associate Practising conveyancing since 2019
		Supervised by Samantha Houlden
Alison Mannas	Cambridge	Conveyancing Executive Practising Conveyancing since 2007
		Supervised by Samantha Houlden
Rosa Manzur	Cambridge	Legal Advisor Practising Conveyancing since 2022
		Supervised by Samantha Houlden
Sarah Loveridge	Cheltenham	Solicitor Practising conveyancing since 2020
		Supervised by Lisa Gibbs
Jane Mayglothling	Hereford	Legal Director (Solicitor) Practising conveyancing since 1996
		Supervised by Lisa Gibbs
Kate Potter	Hereford	Senior Associate (FCILEx) Practising conveyancing since 2013
		Supervised by Lisa Gibbs
Diane Cook	Hereford	Chartered Legal Executive Practising conveyancing since 1991
		Supervised by Lisa Gibbs
Jessica Enright	Hereford	Legal Advisor Practising conveyancing since 2014
		Supervised by Lisa Gibbs
John Banky	Thames Valley	Senior Legal Counsel (Solicitor) Practising conveyancing since 1989
		Supervised by Samantha Houlden
Laura Upshall	Thames Valley	Senior Associate Practising conveyancing since 2000
		Supervised by Samantha Houlden



Carla Sanders	Thames Valley	Conveyancing Technician Practising conveyancing since 2008
		Supervised by Samantha Houlden
Nayna Mahon	Thames Valley	Solicitor Practising conveyancing since 2023
		Supervised by Samantha Houlden
Rabinder Senghera	Worcester	Solicitor Practising conveyancing since 1998
		Supervised by Samantha Houlden
Jessica Watson	Worcester	Case Handler Practising conveyancing since 2010
		Supervised by Samantha Houlden
Tracey Crolla	Wye Valley	Senior Licenced Conveyancer Practising conveyancing since 2002
		Supervised by Lisa Gibbs
Tracey Gibbons	Wye Valley	Conveyancing executive (ACILEX) Practising conveyancing since 2000
		Supervised by Lisa Gibbs