

# CONVEYANCING BLUEPRINT

## TRANSFERRING ATTORNEY

## CANCELLATION ATTORNEY

## BOND ATTORNEY

1

Receives Deed of Sale from estate agent or Seller. Attorney studies the contract in order to establish:

- Compliance with legislation. cash sale or subject to loan, deposit payable
- Any other suspensive or special conditions

- If a bond is registered over the property, bond must be cancelled
- Cancellation Attorney will be a panel attorney for the bank, who is the registered bond holder over the property

### RECEIVE INSTRUCTIONS

- Should sale be subject to Purchaser obtaining a loan, the relevant bank will instruct an attorney on their panel to register the bond.

2

- Requests FICA from parties and arrange for electricity, gas and electric fence certificates if applicable
- Applies for rate clearance figures and levy/Home Owners Association figures if applicable

Bond registered over property - Seller provides account number

- Attorney requests cancellation figures from the bank

### BOND APPROVED OR PURCHASE PRICE PAID IN CASH

- Requests FICA from parties and documents i.t.o. loan agreement i.e., copy of insurance policy
- Provides Purchaser with registration costs of bond

3

### FICA AND ALL REQUESTED DOCUMENTS AND INFO RECEIVED BY TRANSFER AND BOND ATTORNEYS

- Drafts Transfer Documents

- Cancellation attorney receives cancellation figures and original title deed from bond holder

Cancellation Attorney provides cancellation figures and their account for cancellation to Transferring Attorney. Account is payable by Seller.

Transferring Attorney provides Bond Attorney with draft transfer, guarantee requirements and cancellation figures

4

### SIGNING OF DOCUMENTS AND PAYMENT OF COSTS

- Seller and Purchaser sign transfer documents
- Purchaser provided with registration costs, including Transfer Duty
- Attorney applies for Transfer Duty receipt from SARS via E-Filing

- Purchaser signs bond documents
- Signed documents uploaded electronically to bank in order to obtain a "proceed to lodge"

Bond Attorney provides Transferring Attorney with original signed guarantee

Receives guarantee from Bond Attorney and delivers original guarantee to Cancellation Attorney

- Drafts and signs consent to Cancellation

5

### TRANSFERRING ATTORNEY RECEIVES CLEARANCE AND LEVY FIGURES (if applicable) AND PAYMENT OF COSTS

- Provides Seller, who is liable for payment, with clearance and levy figures
- Receives payment of figures and pays over to municipality and Body Corporate/Home Owners Association
- Receives payment of Transfer Costs from Purchaser, pays Transfer duty to SARS and obtains Transfer Duty Receipt

- Purchaser pays bond costs

6

### TRANSFERRING ATTORNEY RECEIVES CLEARANCE CERTIFICATE AND BOND ATTORNEY RECEIVES PROCEED TO LODGE

- Transferring, Cancellation and Bond Attorneys arrange simultaneous lodgement of documents at the Deeds Office

7

### DEEDS OFFICE PROCESS

- Deeds are examined and this process takes 6 - 15 working days, depending on the relevant Deeds Office, after which the deeds come up for registration
- If all in order, deeds are handed in for registration the following business day

8

### DELIVERY OF REGISTERED DEEDS

- The original Title Deed and Mortgage Bond are delivered to the Transferring and Bond Attorneys, who will send the deeds to the relevant bank if property is bonded, or to Purchaser if not bonded
- Delivery takes up to three months after date of registration, depending on the relevant Deeds Office

setting the standard