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Avoiding delays in the conveyancing process

Many causes of property transaction delays are out of your conveyancer's control. They are typically due to the complexity of the property, the chain, or waiting on documents from other parties.

Finding ways to minimise these delays can help make the whole process more straightforward and less stressful.

1. **Not returning initial papers, identification and transferring funds to the conveyancer -** Without instruction papers, ID and initial monies on account, your conveyancer cannot start work.
2. **Waiting for the mortgage valuation and a survey to be completed -** A flexible seller granting early access to the property will help. Arrange your survey promptly, and ensure you flag any specific issues you want the surveyor to look at.
3. **Obtaining leasehold packs from third-party managing agents -** Managing agents must supply full information on behalf of the freeholder. When selling a leasehold property, ensure you pass the details of the landlord or managing agents as quickly as possible to your conveyancer.
4. **Providing incorrect information on mortgage application forms -** If you need to arrange a mortgage, speak to your mortgage advisor or lender to ensure you can get a mortgage at the outset of the transaction. Errors in applications often require new applications and new mortgage offers to be produced.
5. **Not declaring gifted deposits or essential source and origin of funds information -** Under money laundering regulations, your conveyancer must investigate the source of all funds. Your conveyancer needs to seek lender approval if a gift is used alongside a mortgage.
6. **Mortgage offer expiring before exchange of contracts -** An expired mortgage offer at the point of exchange will require a new application. You must keep the expiry date of your mortgage offer in mind during the transaction. If the expiry date is getting close, you may be able to ask your mortgage company to extend the offer for you. Keeping your conveyancer up to date with the situation can ensure that this does not lead to a delay.
7. **Not supplying complete or adequate replies to the enquiries of the buyer's conveyancer -** Inadequate replies from the seller to the buyer will cause delay and frustrate both sides.
8. **Not receiving responses and legal documents from others in the chain -** Replies must come from the other side's conveyancer.
9. **Others in the chain are not ready to exchange or have different time scales -** One of the biggest causes of delays in the conveyancing process is caused by somebody else in the chain pulling out of their sale or purchase. Delays can also occur because not all sales are moving at the same pace. Some buyers are more prepared than others, and some mortgage agreements come through faster than others.
10. **Not signing required legal documents on time -** Failure to read and sign the contract documentation may result in delay. All legal documentation and paperwork must be signed and delivered on time.

Tips to help avoid delays in the process:

There are some simple steps buyers and sellers can take to help avoid delays throughout the conveyancing process.

Our conveyancers have many years of experience in providing straightforward advice to clients to enable them to buy or sell as efficiently as possible.

Buyer:

- Once your offer has been accepted, ensure that the estate agent sends the particulars through promptly.
- Return instructions, ID, and money on account at the earliest opportunity. This will allow the conveyancer to order the pre-contract searches once the contract papers have been received.
- Enlist a surveyor as soon as your offer has been accepted.
- Complete the Source of Funds Form and advise of any gifted deposits from the outset.
- Provide your conveyancer with your own enquiries at the beginning so that these can be raised alongside theirs, not once reports have been finalised and exchange is pending.
- Obtain quotes for building insurance so that you don't reach the point of exchange and find out that you cannot insure the property.
- Sign the contract documentation provided and hand it back in accordance with the instructions given.
- Communicate with your conveyancer and make yourself available by telephone or email.

Seller:

- Once you have accepted an offer, ensure that the estate agent sends the particulars through promptly.
- Return instructions, ID, and money on account along with completed Property Information and Fixtures and Content Forms. This enables the contract papers to be produced as early as possible.
- Be flexible when allowing access to the property for the mortgage valuation and/or survey to be undertaken.
- If you are selling a leasehold property, advise the conveyancer of the contact details for the managing agent so that the management pack can be ordered.
- Respond quickly to requests for additional information and be clear with all responses.
- Sign the contract documentation provided and hand it back in accordance with the instructions given.
- Communicate with your conveyancer and make yourself available by telephone or email.

If you have any questions about the conveyancing process, please do not hesitate to contact our team at enquiries@solegal.co.uk.