

Acting for the buyer: Action list for pre-completion and completion activities

Pre-completion procedures

Acting for the buyer

- When acting for buyer and lender together and if purchasing registered land, apply for a Land Registry search in the name of the lender only; in this way the buyer will also obtain the benefit of the search priority protection.
- When buying from a company consider the necessity of a company search to check on the continuing ability of the vendor company to sell.
- Do not get confused about what search is required:

For registered land:

- (a) OS1 (buying the whole title), OS2 (buying part of the title);
- (b) K16 land charges bankruptcy search against the buyer, if you are also acting for a lender;
- (c) company search if buying from a company.

For unregistered land:

- (a) K15 full land charges search against past and present estate owners, post-1925;
 - (b) K16 land charges bankruptcy search against the buyer if you are also acting for a lender;
 - (c) company search if buying from a company.
- If buying unregistered land, try to get pre-root title details for your land charges search or all old land charge search results.

Completion

Acting for the buyer

- When completion is by post make sure all the proper safeguards (undertakings etc.), are in place and evidenced in writing.
- If completing in person, on receipt of the deeds and documents of title always check that all the expected documents have indeed been passed over to you. Tick off each one using a checklist.
- In registered land, ask for the old land or charge certificate (if still in existence) and executed transfer (and original lease if the title is an existing registered leasehold).
- If registered land and a sale of part, and there is an old land or charge certificate in existence, ask for the seller's land or charge certificate. Although no longer proof of title it may contain copy entries that could be of interest to the buyers.

- If the seller has a mortgage, ensure that you obtain the seller's practitioner's undertaking to redeem in the form suggested by The Law Society together with his confirmation of appointment as agent on completion for the seller's lender.
- Check the execution of the purchase deed and inspect any relevant powers of attorney in support and obtain certified copies of the powers.
- If relevant, inspect original grants of representation and compare with your previously-supplied office copy grants.
- Inspect and approve all original receipts or current demands relevant to the details in the completion statement.
- If the subject property is subject to a tenancy, obtain a rental authority issued by the seller or the seller's practitioner authorizing the tenant to pay all future rent to the buyer or as the buyer directs.