



**For Sale**

## **SPEED UP YOUR PROPERTY SALE**

A guide to avoiding the most common delays



Chartered property,  
land and construction  
surveyors



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## ABOUT THE SOCIETY OF CHARTERED SURVEYORS IRELAND

The Society of Chartered Surveyors Ireland (SCSI) is the independent professional body for Chartered Surveyors working and practising in Ireland. It administers the register of Building Surveyors and Quantity Surveyors and is named in the Building Control Act 2007 and it works in partnership with the Royal Institution of Chartered Surveyors (RICS), the pre-eminent chartered professional body for the property, land and construction sectors around the world. Members of the SCSI include auctioneers, estate agents, valuers and building and geomatics surveyors who are some of the main professions engaged in the property buying and sales process.

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Note: Information in this guide is not intended to provide, and is not a substitute for, professional legal advice. You should consult with a qualified and practising solicitor for advice when engaging in the property market.





**SALE AGREED**

# GUIDE TO AVOIDING DELAYS IN SELLING YOUR PROPERTY

This guide is designed to help you identify, and hopefully avoid, potential delays in selling your property. For most residential property sales, we estimate the average timeframe is about four to five months. However, for some property sales there can be delays and for a few, those delays can be significant.

Selling or buying a property is not always straightforward or quick. For most people it is the biggest purchase they will ever make, and the process is designed to protect them and their money.

Over the years, other protections have been built into the process for selling property including measures to prevent money laundering and a requirement to collect outstanding taxes on behalf of the Revenue Commissioners.

All of this has made the process more complicated and, in some cases, there may be as many as 15 parties involved in the transaction. Those involved range from the seller and the buyer to multiple financial institutions, government agencies such as local authorities, the Revenue Commissioners and the Probate Office (see page 6 for a full list).

Some of the process has become digitised but, unfortunately, much of it remains paper based. While there are already projects in place to develop e-Conveyancing and e-Probate, these will take time.

As things stand, there are several common delays in selling your property. If you are aware of them, you can plan ahead and try and avoid them wherever possible. Our shortlist of common delays when selling or buying a property is below and explained in more detail on page 7.

## SEVEN COMMON DELAYS IN SELLING (AND BUYING) YOUR PROPERTY:

1. **STARTING** – If you are the seller, you have to start the process by gathering the appropriate documentation and instructing your team (solicitor and estate agent).
2. **DEEDS** – Getting the title deeds for the property (usually the bank has them).
3. **PLANNING AND BUILDING REGULATIONS** – Ensuring that all planning permissions (back to 1964) and Building Regulations have been complied with.
4. **ROADS** – Confirming who has responsibility for maintaining the roads, lanes and services (water and sewage) for the property.
5. **TAXES** – There is an increasing number of taxes which have been attached to property and must be collected before a sale. These include Local Property Tax (LPT), the Household Charge, Residential Zoned Land Tax (RZLT) and the Fair Deal scheme.
6. **PROBATE** – If the property is being sold following the death of the owner, then the sale could be conditional or ‘subject to’ probate causing very significant delays.
7. **MONEY** – Having the finance in place to complete the sale (buyer) or having the final redemption figure from their bank to settle the existing mortgage (seller).



## WHO IS INVOLVED IN SELLING A PROPERTY?

There are many different factors that could affect how long a property sale will take to complete. A delay at any stage of the sale will have a knock-on impact on the timeline for the whole process. It takes a big team – anywhere up to 15 parties – to buy and sell a house. These include:

1. Seller
2. Auctioneer or Estate Agent
3. Seller's Bank or other Financial Institution (if there is a mortgage on the house)
4. Seller's Solicitor
5. Buyer
6. Mortgage Broker (common to find the most competitive mortgage for the buyer)
7. Buyer's Bank or other Financial Institution; (if the buyer requires a mortgage)
8. Buyer's Solicitor
9. Local Authorities (to identify any planning issues and clarify responsibility for roads and services)
10. Uisce Éireann (to clarify responsibility for water and sewer services)
11. The Revenue Commissioners (to ensure there are no outstanding taxes payable on the property including Local Property Tax or other outstanding charges e.g. Household Charge)
12. Building Surveyor (if required by the buyer or their bank)
13. Valuer (if required by the buyer or their bank)
14. The Probate Office (if the property is being sold following the death of the owner – the sale cannot be completed until the Grant of Probate or Letters of Administration issue)
15. The Land Registry, now part of Tailte Éireann (to register the house in the name of new owner).



## COMMON DELAYS IN SELLING YOUR PROPERTY

### 1. STARTING AND GETTING YOUR TEAM IN PLACE

There is a lot of official documentation needed to sell a property. Knowing what you need and gathering the appropriate documentation as early as possible will help avoid delays later. Appointing and instructing the team who will help you with the sale (solicitor and estate agent) as soon as you decide to sell will start the official process and help avoid delays.

### 2. GETTING THE TITLE DEEDS TO YOUR SOLICITOR

The legal process of selling a property cannot begin until your solicitor has the title deeds for the property (proof of ownership). If your property has a mortgage, then your bank usually holds the title deeds and any delay in getting them to your solicitor will delay the start of the process.

### 3. PLANNING PERMISSION IS NOT IN PLACE

To complete a sale it is a legal requirement to examine the planning history of a property over a period of almost sixty years in order to determine whether or not there is any unauthorised development (e.g. an extension without planning permission). If you have to apply for retention of an unauthorised development, it will delay the sale significantly.

### 4. CONFIRMATION OF WHO LOOKS AFTER THE MAINTENANCE OF ROADS AND SERVICES

To complete a sale you need documentation from the Local Authority and service providers, such as Uisce Éireann, to establish whether the roads and services (water and sewage) leading up to, and into, the property are maintained by them (this is known as 'in charge'). Depending on where you live the timeframe for getting this documentation can vary significantly, causing delays.

### 5. PAYING PROPERTY TAXES

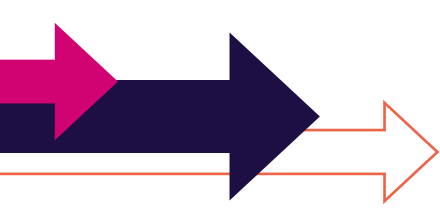
Before you finalise the sale you must have confirmation from the Revenue Commissioners that all outstanding taxes have been paid. Local Property Tax (LPT), the Household Charge, Residential Zoned Land Tax (RZLT) and the Fair Deal scheme are all charges on real estate which, if not paid in full, cause delays.

### 6. SALE 'SUBJECT TO PROBATE'

If the property is being sold following the death of the owner, then the purchase could be conditional or 'subject to probate'. Probate is the official process of agreeing how the inheritance of the property and possessions of the deceased person is to be distributed. If this has not been finalised in advance of the property sale it can cause very significant delays.

### 7. FINANCE IS NOT IN PLACE

If the buyer of the property does not have the money or finance in place to complete the purchase (either they are waiting on the sale of their own property or mortgage approval), the sale cannot be completed. Delays can also be caused if the seller does not have the final redemption figure from their bank to settle the existing mortgage.



## PLAN AHEAD FOR A SPEEDY SALE

You can be prepared and reduce delays in your property sale by following these steps (all are detailed throughout this guide).

### DO YOUR RESEARCH

Everyone engaging in the property market, both buyers and sellers, should read this guide to know and understand what is needed for a hassle-free sale. The best place to start is by doing your research to get ahead of any potential roadblocks that may add time to your property sale.

### GATHER YOUR DOCUMENTATION

Gathering the documents that will be needed for your property sale early in the process can help reduce delays later. This guide sets out what you need and how long this might take to help you get organised as early as possible. Each section has a checklist to make this easier.

### SET BUDGET AND TIMEFRAME

Often external factors can delay the process so it's a good idea to be aware of the timeframes involved when dealing with third parties, and related costs where applicable. Look at the Documents Checklist at the end of this guide to see where delays can happen at each stage.

### BUILD YOUR TEAM

It's important to find and appoint an estate agent and solicitor as soon as you make the decision to sell. Quick links to finding an estate agent, solicitor, and other service providers you will need to engage with are available in this guide.

Finally, don't be put off by the volume of documentation required. Properties are bought and sold every day of the week in Ireland and while the process might seem complicated, it exists for the protection of everyone involved in the sale.





## GATHER YOUR PERSONAL DOCUMENTATION

The property sale process starts with you. You need to gather information and documentation relating to you and your personal circumstances. These are needed to prove your identity.

Many of the documents are required for your solicitor to comply with Anti-Money Laundering (AML) legislation. Solicitors and organisations which might be targeted by money launderers are required to put strict controls in place to verify a client's identity and to report any suspicious transactions. Your solicitor may also refer to this as 'Know Your Client'.

The good news is that you can access most of these documents online. The cost and time involved will vary depending on whether you need to get new documents, but should not be excessive.



### CHECKLIST

- ✓ Photo identification e.g. passport(s), driving licence. Don't forget to check the expiry date.
- ✓ Personal Public Service (PPS) number. This can be found on a recent payslip or Revenue documentation.
- ✓ Proof of address dated within the last three months e.g. utility bill (electricity/gas/landline telephone) or bank statement.
- ✓ A copy of your marriage or civil partnership certificate, if applicable. Available at [www.hse.ie](http://www.hse.ie). If you are divorced or separated, you will need a copy of the divorce order or the separation agreement.



### QUESTIONS

Is my photo identification in date?

Do I need to apply for a copy of my marriage or civil partnership certificate?





## BUILD YOUR TEAM

### FIND A SOLICITOR

One way to speed up the sale of your property is by having a solicitor on board from the very start. Solicitors know their way around the process, where the pitfalls lie, where problems may arise, and can provide you with the expert advice and support you need to make the whole process run as smoothly as possible.

**Your solicitor will help you by:**

- Giving you a copy of their Terms of Engagement and a Section 150 Notice of Costs that sets out their fees, VAT and anticipated outlays.
- Explaining how the property selling process works and the timelines involved.
- Telling you which documents you will need to find.
- Explaining title searches and review title documents to identify any potential difficulties.
- Communicating with the buyer's solicitor.
- Resolving any legal issues.
- Drafting closing documentation.
- Closing the sale.
- Dealing with matters after the sale, including paying off any loan or mortgage and getting a deed of release/discharge from your bank to confirm that the loan has been repaid.

### FIND AN ESTATE AGENT

It's a good idea to choose a local SCSI estate agent with experience of selling homes like yours. Here are some points to follow before you make a decision:

- When getting your property appraised by different agents, bear in mind the highest figure may not be the most realistic. The appraisal provided by the agent must be accompanied by a 'Statement of Advised Market Value' form as specified by the Property Service Regulatory Authority (PSRA).
- It is a good idea to check the residential property price register to compare the agent's appraisal with the sale prices achieved for similar property types in your area. This register can be located at [www.psr.ie](http://www.psr.ie).
- Find out exactly what you are paying for – how and where the agent will advertise your property.
- Agree a maximum selling time. If you're happy with the service, you can always extend it – and if you're not, you can change agents when the time's up.

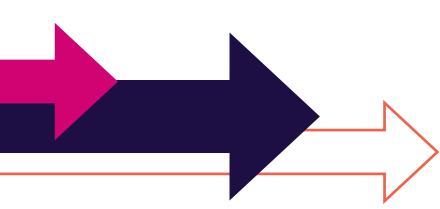
- The terms and conditions you agree with your agent should be stated in the PSRA 'Letter of Engagement' form. The Letter of Engagement is an extremely important document and must be signed by both parties before any sales instruction.
- Last but not least, try and choose an agent you like and trust – selling a house can be a long process, so it's important you get on.



#### USEFUL LINKS:

- 🔗 Find a practising solicitor in your area - [www.lawsociety.ie/findasolicitor](http://www.lawsociety.ie/findasolicitor)
- 🔗 Find an estate agent - [www.scsi.ie/find](http://www.scsi.ie/find) (select 'residential surveyor' from the search engine)





## GATHER YOUR PROPERTY DOCUMENTATION

The volume of documentation required to complete a property sale might surprise you. Gathering these documents early in the process can help reduce delays later. It will also help you identify potential difficulties which may arise during the process. Don't forget to use the checklist at the end of the guide to keep track of everything you need.

### PROPERTY TITLE AND DEEDS

Having title to a property means you legally own a piece of land or a house. Deeds of Transfer and title deeds are documents used to transfer ownership from one person to another. Getting your title deeds to your solicitor as early as possible can help speed up the sale of your property.

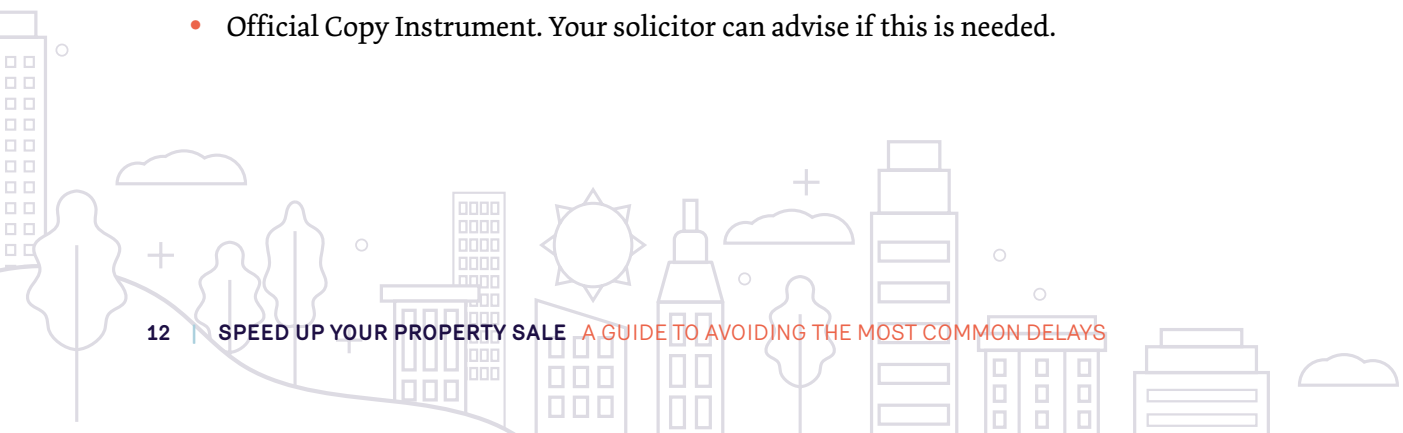
#### HOW TO ACCESS YOUR TITLE DEEDS

- **If your property is mortgage free**, you may have the title deeds yourself and you can provide them directly to your solicitor. Your title deeds could still be with the solicitor you used to purchase the property and you will need to collect them if you are using a different solicitor for the sale.
- **If the title deeds are with your bank or other lender** (i.e. due to a mortgage), you will need to take a few more steps. You should provide the name of the lender and the account number to your solicitor and complete and sign an authority, so that your solicitor can request the title deeds from your lender. Your solicitor may refer to this as 'taking up' the title deeds on Accountable Trust Receipt (ATR). This is an undertaking given by a solicitor that they will return the deeds to the lender except in the case where the loan is repaid. It could take a few weeks for your lender to release the title deeds. If your loan has recently been sold to another lender, you may experience longer delays.

### LAND REGISTRY AND MAPPING

Your solicitor may need to get copies of the following documents in relation to Land Registry and mapping matters:

- **Folio and Filed Plan.** A folio describes the registered property and refers to a filed plan on the Land Registry maps. It also gives the name and address of the registered owner and details of any burdens registered on the property.
- **Land Registry compliant map(s)** which can be obtained from your building surveyor, architect, engineer or other suitably qualified professional if required.
- **Official Copy Instrument.** Your solicitor can advise if this is needed.





## CHECKLIST

You will also need to give your solicitor other documents and information related to your property.

- ✓ Information on any Right of Residence that entitles a third party to live in your property.
- ✓ Details of any rights of way or easements that you know of, which give third parties rights over your property, or which gives you rights over other property.
- ✓ Details of any boundary issues or disputes with a neighbour or other third party.
- ✓ Any notices served on you such as Compulsory Purchase Orders or Road Widening Notices.
- ✓ You may need to get a Declaration of Identity. This typically applies to single houses built on their own sites but your solicitor will let you know if you need it. It certifies the title boundaries, access to the property, and the services used by the property. You will need an architect, building surveyor, geomatics surveyor, engineer or other qualified professional to visit your property to do this if it is needed.
- ✓ Redemption amount. This is the remaining amount owed on your mortgage. This will be paid by your solicitor to the lender from the sale proceeds immediately after the sale is completed. Your solicitor will request confirmation of the redemption amount from your lender.
- ✓ Discuss and agree with your estate agent a list of any contents of the property you would like to include in the sale. Fixtures and fittings are usually included but there may be other furniture you would like to add.



## QUESTIONS

Do I know where to find my title deeds? Are they with my previous solicitor or my lender?

I'm not sure about any notices served. Should I talk to my solicitor?

Am I aware of any boundary issues related to my property?

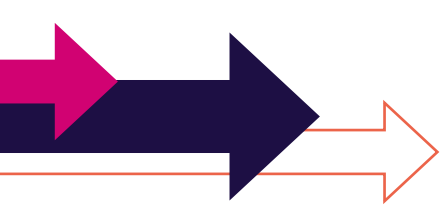
Does anyone else have a legal right to live in my property?

Have I asked my solicitor if they need to engage with the Land Registry? Have I told my solicitor of any concerns about a particular boundary matter?



## USEFUL LINKS:

- 🔗 The Society of Chartered Surveyors Ireland provides information on boundaries – [www.scsi.ie/property-and-land-boundaries-checklist-for-purchasers](http://www.scsi.ie/property-and-land-boundaries-checklist-for-purchasers)
- 🔗 [www.scsi.ie/a-clear-impartial-guide-to-boundary-disputes](http://www.scsi.ie/a-clear-impartial-guide-to-boundary-disputes)
- 🔗 Tailte Éireann is responsible for property registrations, property valuation and national mapping services - [www.tailte.ie](http://www.tailte.ie)



## PLANNING AND BUILDING COMPLIANCE

It can take longer than you might think to gather all the documents you need from your local authority and service providers (e.g. architects, building surveyors, geomatics surveyors or engineers) to show that your property complies with, or is exempt from, planning permission and/or building regulations. The good news is that most of your planning documents should be with your title deeds. However, you may have built an extension to the house or carried out other works since you bought it, and this will require additional documentation. The checklist below will help you get organised.

Remember, you don't need to wait until a specific step in the process is done to apply for these documents. The sooner you can get them to your solicitor, the more likely it is that you can cut out delays. After all, the contract for your property sale can only be issued to the buyer's solicitor once your solicitor has reviewed the planning and other title documents.



### CHECKLIST

- ✓ Tell your solicitor about any extensions or alterations early in the process so you can identify the documents you need to share. This includes:
  - Details of any building work done such as extensions.
  - Copies of planning permissions and opinions, particularly for any works completed to the property after you purchased it.
  - Details of any known or potential planning issues. Has your local authority written to you for any reason?
  - Evidence of compliance with planning permissions and building regulations. These will be prepared by your architect, building surveyor, engineer or other qualified professions, if required.
  - Certificate of Exemption for an extension below the size threshold to require planning permission. This can be supplied by an architect or other qualified professionals, if required.
- ✓ Valid Building Energy Rating (BER) Certificate and BER Advisory Report. These certificates are legally required if you are selling your property. If you don't already have a valid BER Certificate, you can arrange for an assessment to be carried out and for a certificate to be issued. A list of registered BER Assessors can be found on the Sustainable Energy Authority of Ireland's website at [www.seai.ie/home-energy/building-energy-rating-ber](http://www.seai.ie/home-energy/building-energy-rating-ber)

*Continued on next page*





## CHECKLIST

- ✓ Evidence of septic tank (or other domestic wastewater treatment system) registration, if you have one. This is available at [www.protectourwater.ie](http://www.protectourwater.ie).
- ✓ Planning search. This can be arranged through your solicitor or architect, building surveyor, engineer or other qualified professional. This will produce details of any planning applications, permissions, notices, and other important information relating to your property.



## QUESTIONS

Do I need to apply for copies of planning permissions and opinions related to work done on my property since I purchased it?

Is there a septic tank or other domestic wastewater treatment system located on my property? If there is, is it registered?

Do I need to have a BER assessment carried out?

Do I need a Certificate of Exemption to confirm that my small extension doesn't require planning permission?

Do I need to get confirmation that my extension was built in compliance with the Building Regulations?



## USEFUL LINKS:

- 🔗 The Society of Chartered Surveyors Ireland's information on surveys - <https://scsi.ie/consumer/property-healthy-check/building-survey/>
- 🔗 Sustainable Energy Authority of Ireland's information on Building Energy Rating (BER) certificates - [www.seai.ie/home-energy/building-energy-rating-ber](http://www.seai.ie/home-energy/building-energy-rating-ber)
- 🔗 Protect Our Water provides information on water treatments - [www.protectourwater.ie](http://www.protectourwater.ie)



## TAXES, CHARGES, UTILITIES, AND SERVICES

Before you sell your property, you will need to show that any relevant taxes and charges have been paid up to date. Don't forget, some of these documents will take longer to get than others. You should ask your solicitor what is needed and start requesting the documents as soon as possible.



### CHECKLIST

- ✓ Evidence of payment of Local Property Tax (LPT), in the correct band, to the end of the year you are selling your property.
  - If you pay the LPT monthly, you will need to pay the full amount up to the end of the year you are selling the property.
  - If the sale of your property closes after 1 November, you will also have to pay the LPT for the following year.
  - Evidence of payment is available at [www.revenue.ie](http://www.revenue.ie). You will need your property ID number and PIN to request this.
- ✓ Confirmation from Uisce Éireann that services such as connection to the water supply are in place and are being managed by Uisce Éireann.
- ✓ Confirmation from your local authority that they are responsible for the maintenance of the roads in your estate (i.e. the roads have been 'taken in charge').
- ✓ Certificate of Exemption or Discharge for Non Principal Private Residence (NPPR). These certificates are available from your local authority. If you're unsure, your solicitor can explain this.
  - If you didn't live in the property as your main residence in 2013, you will need a Certificate of Discharge to prove you have paid the charge.
  - If you did live in the property in 2013, you will need a Certificate of Exemption.
  - If the property was uninhabitable during those years, you might need a Certificate of Waiver.
- ✓ Evidence that the Household Charge has been paid. This was an annual charge introduced in 2011, which was payable by owners of residential property only for the year 2012. Further details are available at [www.householdcharge.ie](http://www.householdcharge.ie).



### QUESTIONS

Have I paid my Local Property Tax until the end of the year and in the correct band? Do I know my property ID and PIN?

Do I know how to contact my Local Authority?

Have I paid my Household Charge?

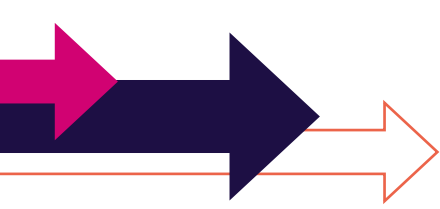




## USEFUL LINKS:

- Revenue - [www.revenue.ie](http://www.revenue.ie)
- Non Principal Private Residence online payment system - [www.nppr.ie](http://www.nppr.ie)
- Household Charge - [www.householdcharge.ie](http://www.householdcharge.ie)
- Revenue's selling, buying or transferring a property information - [www.revenue.ie/en/property/local-property-tax/selling-buying-or-transferring-a-property/what-is-revenue-clearance.aspx](http://www.revenue.ie/en/property/local-property-tax/selling-buying-or-transferring-a-property/what-is-revenue-clearance.aspx)





## ADDITIONAL CONSIDERATIONS

Depending on your circumstances, you may have some additional steps to take and documents to provide.

### PROBATE

If you are acting as an executor of a will or as an administrator in an estate, you will need to obtain a Grant of Probate or Letters of Administration. You should instruct your solicitor to apply for this from the Probate Office following the death of the registered owner.

Probate can often be a lengthy process and there is no system for speeding it up. This may lead to unavoidable delays. You should talk to your solicitor about probate as early as possible.

### APARTMENTS AND MULTI-UNIT DEVELOPMENTS (MUDS)

Additional documentation and information are required if your property is in a managed development. The checklist below shows what is required.



#### CHECKLIST

- ✓ Contact details for the management company or managing agents.
- ✓ Your solicitor will likely send Pre-Contract MUDs Requisitions or Non-MUDs Requisitions to the management company seeking information regarding claims, sinking funds, management charges etc. Your management company will charge you a fee for this service.
- ✓ Receipts to show that the service charge has been paid up to date including for the current service charge year. If service charges haven't been paid up to date, you may experience delays.
- ✓ Confirmation of sinking fund from your management company. This is like a savings account set up to pay for possible future repairs or works to common areas.
- ✓ Confirmation that a parking space is included with the house or apartment, if this is the case.



## LETTINGS AND TENANCY

If your property is let, the checklist below shows the documentation and information required.



### CHECKLIST

- ✓ A copy of the letting agreement or lease. A tenancy needs to be registered with the Residential Tenancies Board (RTB). Without this registration, the sale process will be delayed.
- ✓ A copy of the termination of tenancy notice. Keep this on file in case it is needed at any stage.
- ✓ Confirmation that there are no ongoing disputes with the RTB in relation to current or former tenants.
- ✓ Confirmation of whether the property is located in a Rent Pressure Zone or not, and information on the last rent review, the rent payable, and the date the rent was last set. A Rent Pressure Zone is a designated area where rent increases are capped.



### USEFUL LINKS

- 🔗 Residential Tenancies Board – [www.rtb.ie](http://www.rtb.ie)
- 🔗 Law Society Legal Guide on wills and probate – [www.lawsociety.ie/public/Legal-guides/Wills--Probate](http://www.lawsociety.ie/public/Legal-guides/Wills--Probate)





## APPENDIX 1: SELLER'S CHECKLIST

This checklist shows the documents and information you will need to provide during the property sale process. More details on each item and useful links can be found throughout this guide. Don't forget, you can apply for some documents while you wait for others to become available. Talk to your solicitor if you need help at any stage.

ITEM NEEDED FOR YOUR PROPERTY SALE	PARTY RESPONSIBLE	TYPICAL COST	TYPICAL TIMEFRAME	✓
<b>PERSONAL DOCUMENTATION</b>				
Photo identification e.g. passport, driving licence	Seller		1 week	
Personal Public Service (PPS) number	Seller		1 week	
Proof of address dated within the last three months e.g. utility bill (electricity, gas, landline telephone) or bank statement	Seller		1 week	
A copy of your marriage or civil partnership certificate (if applicable)	Seller	Cost varies	1 week	
A copy of your divorce order or separation agreement (if applicable)	Seller	Cost varies	1 week	
<b>BUILDING YOUR TEAM</b>				
Appoint your solicitor	Seller	Cost varies	1 week	
Appoint your estate agent	Seller	Cost varies	1 week	
<b>PROPERTY TITLE AND DEEDS</b>				
Locate your title deeds (usually with your solicitor, lender, or already in your own possession)	Seller (and Lender, if applicable)	Cost varies	Up to 8 weeks	
Disclose any Right of Residence that gives a third party the right to live in your property	Seller		1 week	
Disclose any burdens on the title e.g. rights of way, other easements	Seller		1 week	
Disclose any boundary issues or disputes with a neighbour or third party (if applicable)	Seller / Registered Architect / Chartered Engineer		2 – 4 weeks (longer if Ground Truth Survey is needed)	
Share notices served in relation to your property e.g. Compulsory Purchase Orders, Road Widening Notices	Seller		1 week	
Provide Declaration of Identity (if required; your solicitor will let you know if you need this)	Seller	Cost varies	2 – 3 weeks	
Share the redemption amount i.e. the amount owed on your mortgage (if applicable)	Lender		3 weeks	
Decide on any contents to be included in the sale	Seller		1 week	

ITEM NEEDED FOR YOUR PROPERTY SALE	PARTY RESPONSIBLE	TYPICAL COST	TYPICAL TIMEFRAME	✓
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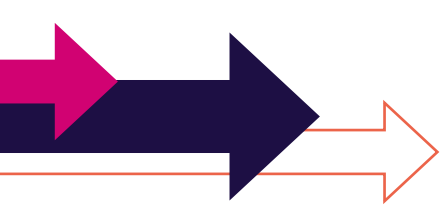
### LAND REGISTRY AND MAPPING (TÁILTE ÉIREANN)

Your solicitor will let you know if they need to get copies of the following documents (more details on page 12):

Folio and Filed Plan. This describes the registered property and refers to a filed plan on the Land Registry maps.	Land Registry	€40	1 week	
Land Registry compliant map(s)	Seller / Registered Architect / Chartered Engineer	Cost varies	2 – 3 weeks	
Official Copy Instrument (if registration of your ownership is still pending with the Land Registry)	Land Registry	€40	1 – 8 weeks	

### PLANNING AND BUILDING COMPLIANCE

Details of any building work done since you purchased your property e.g. extensions	Seller / Registered Architect / Chartered Engineer / Registered Building Surveyor	Costs vary	1 – 6 weeks	
Share copies of any planning permissions and opinions				
Details of any known or potential planning issues				
Provide copies of documents to show compliance with building regulations and planning permissions				
Get a Statutory Certificate of Compliance (applies to works undertaken since 2014; your solicitor will let you know if you need this)				
Get a valid Building Energy Rating (BER) Certificate and BER Advisory Report	Seller / Registered BER Assessor	Cost varies		
Evidence of septic tank or other domestic wastewater treatment system (if applicable)	Seller	Cost varies	2 – 3 weeks (if survey is needed to confirm its location)	
Arrange for a planning search, which will show details of any planning applications, permissions, notices, and other important information relating to your property. Your solicitor will let you know if this is required.	Seller	Cost varies	1 week (longer if in Dublin)	



ITEM NEEDED FOR YOUR PROPERTY SALE	PARTY RESPONSIBLE	TYPICAL COST	TYPICAL TIMEFRAME	✓
<b>TAXES, CHARGES, UTILITIES, AND SERVICES</b>				
Evidence to show the Local Property Tax (LPT) is paid, in the correct band, to the end of the year.	Seller		1 – 4 weeks or 1 to 2 days if using Revenue Online Service	
Confirmation from Uisce Éireann that water and drainage services are in place	Uisce Éireann		1 – 8 weeks	
Confirmation from your local authority that they are responsible for the maintenance of roads (i.e. roads are 'taken in charge')	Your Local Authority	€31.75 – €125	1 – 8 weeks	
Certificate of Exemption or Discharge for Non Principal Private Residence (NPPR) (see page 16 for full details)	Seller / Local Authority		2 – 3 weeks	
Evidence to show the Household Charge is paid	Seller		1 – 2 days	
<b>ONLY APPLIES IF YOU ARE THE EXECUTOR OR ADMINISTRATOR IN AN ESTATE</b>				
Obtain a Grant of Probate or Letters of Administration	Probate Office		6 – 12 months	
<b>ONLY APPLIES TO APARTMENTS AND MULTI-UNIT DEVELOPMENTS (MUDS)</b>				
Share contact details of management company or managing agents	Seller		1 – 2 days	
Replies to Pre-Contract Requisitions or Non-MUDs Requisitions. These will include information on claims, sinking funds, management charges etc.	Management Company / Managing Agent	Cost varies	1 – 4 weeks from date of payment of agent's fees	
Evidence to show services charges have been paid up to date	Management Company / Managing Agent		Additional 3 weeks to replies above if service charges have not been paid	
Confirmation of sinking fund, which is like a savings account set up to pay for possible future repairs or works to common areas.	Management Company / Managing Agent		1 – 3 weeks	
Confirmation that a parking space is included in the sale (if applicable)	Management Company / Managing Agent		1 – 3 weeks	



ITEM NEEDED FOR YOUR PROPERTY SALE	PARTY RESPONSIBLE	TYPICAL COST	TYPICAL TIMEFRAME	✓
<b>ONLY APPLIES TO LETTINGS AND TENANCY</b>				
If the property is let, share a copy of the letting agreement	Seller / Residential Tenancies Board (RTB)		1 – 2 weeks	
If the property is vacant, share a copy of the termination of tenancy notice	Seller / RTB		1 week	
Confirmation that there are no ongoing disputes with the Residential Tenancies Board in relation to current or former tenants	Seller / RTB		1 – 4 weeks	
Confirmation of whether the property is located in a Rent Pressure Zone	Seller		1 – 2 weeks	
Details on the last rent review, the rent payable, and the date the rent was last set.	Seller		1 – 2 weeks	





## GLOSSARY

“**Accountable Trust Receipt (ATR)**” - An undertaking delivered by a borrower’s solicitor to the lender, with the authority of their client, in which they undertake to hold the title documents they receive from the lender on trust and to the order of the lender pending the return of them to the lender or the repayment of the loan.

“**Architect**” A person who is qualified to design buildings and to plan and supervise their construction. An architect must be registered under the Building Control Act. Check the Register at [www.riai.ie/work-with-an-architect/register-of-architects](http://www.riai.ie/work-with-an-architect/register-of-architects)

“**BCAR**” - Building Control Amendment Regulations.

“**Broker**” - A person who acts as an intermediary between borrowers and lenders.

“**Building Energy Rating (BER Advisory Report)**” - A document that provides guidance in relation to the BER rating of the property.

“**Building Energy Rating (BER) Certificate**” - A certificate that rates a property’s energy performance on a scale between A and G.

“**Building Surveyor**” - A person responsible for assessing the quality of buildings and identifies any defects in it. A building surveyor must be registered under the Building Control Act 2007. Check the Register at [www.scsi.ie/the-register/check-the-register/is-your-bs-registered/](http://www.scsi.ie/the-register/check-the-register/is-your-bs-registered/)

“**Burden**” - A burden is a right or a liability to which a property is subject, such as rights of way, mortgages, charges.

“**Buyer**” - The person buying the property. The buyer can also be referred to as the purchaser.

“**Certificate of Compliance**” - An important legal document that certifies that a building has been built in accordance with the permission granted and/ or the Building Regulations. A building constructed after 2014 may have a Certificate of Compliance on Completion registered with the Building Control Authority.

“**Certificate of Exemption or Discharge**” - A document issued by a local authority certifying that either the Non Principal Place of Residence tax was paid or does not apply. This was a charge levied between 2009 and 2013.

“**Certificate of Title system**” - A system in which a buyer solicitor gives an undertaking and certificate to a purchaser’s lender confirming that the title to the property is “good and marketable”. The Certificate of Title system allows lenders to rely on this undertaking and not have to appoint their own solicitors for the transaction.

“**Chartered Engineer**” - A person who can design, plan, and oversee the construction of new buildings or alterations and extensions to existing buildings.

“**Commencement Notice**” - A notice to a Building Control Authority that a person intends to carry out works or a material change of use to a building to which the Building Regulations apply.



**“Copy Instrument”** - When the Land Registry completes a dealing, the title documents they retain are called instruments. A solicitor can bespeak a copy of this instrument for inspection. For example, inspect a right of way or a right of residence granted by a deed.

**“Cost varies”** - Where it is not possible to definitively estimate the cost of an action in advance.

**“Declaration of Identity”** - A document which confirms the accuracy of the site boundaries, access to the property and the location of water and other services used by the property.

**“Easement”** - An easement allows an owner of land to exercise rights over lands owned by another party. For example, they could have a right of way over adjoining land, or they could have the right to draw water from a well located on land owned by another party.

**“Estate agent”** - A person appointed to sell or rent out the property for their clients.

**“Folio”** - A Land Registry document that sets out a person’s ownership and other title information for a property such as the burdens affecting the title.

**“Geomatics Surveyor”** - A trained professional who checks maps and the boundaries of properties.

**“Ground Truth Survey”** - A document which sets out all physical boundary features e.g. walls and fences, pillars and gates, adjoining property, buildings, trees, electricity, and telecommunication poles.

**“Know Your Client”** - This relates to Anti Money Laundering documentation. It requires professionals to verify the identity, suitability and risks involved in maintaining a business relationship with a client and in accepting a particular engagement.

**“Land Registry”** - Part of Tailte Éireann dealing with the registration of property transactions in Ireland.

**“Lender”** - An organisation, typically a bank or building society, that lends money to the borrower, typically the buyer.

**“Letting agreement”** - A written agreement setting out the terms of a property rental.

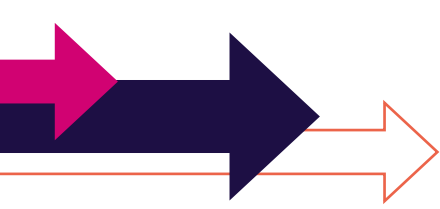
**“Local Authority”** - An administrative body in local government e.g. Meath County Council.

**“Local Government Agency”** - A governmental body that operates at local or regional level.

**“Multi-unit development (MUD)”** - A development of at least five residential units that share facilities amenities and services.

**“Opinion on Compliance and Planning and/or Building Regulations”** - Important legal documents that certify the building is constructed in accordance with the planning permission granted and the Building Regulations.





**“Planning search”** - An examination of public records to ascertain planning information relevant to a property such as if and when a planning permission was granted or refused. The task is usually completed by a law searcher.

**“Probate Office”** - The Probate Office is part of the High Court. Its main function is to give lawful authority to deal with a deceased person’s estate.

**“Property Registration Authority (PRA)”** - Now part of Tailte Éireann, it was the state organisation responsible for the registration of property transactions in Ireland.

**“Redemption amount”** - The exact amount a person selling a property must pay to the lender to ‘redeem’ or ‘pay off’ their mortgage in full.

**“Rent Pressure Zone”** - A designated area where rent increases are capped.

**“Residential Tenancies Board (RTB)”** - Organisation set up under the Residential Tenancies Act 2004 to regulate the private rented sector.

**“Right of Residence”** - A right to reside or live in a property.

**“Rights of way”** - A right that allows a third party to travel over land that does not belong to them.

**“Section 150 Notice”** - When a solicitor receives instructions from a client, the solicitor is obliged to disclose the legal costs that will be incurred by the client. If the actual cost cannot be disclosed at that time, then the basis on which the legal costs are to be calculated can be given to the client.

**“Sinking Fund”** - A sum of money set aside for expenditure on refurbishment, improvement, and maintenance of a non-recurring nature.

**“Solicitor”** - A legal practitioner qualified in Ireland who handles the conveyancing of the property for the seller or the buyer.

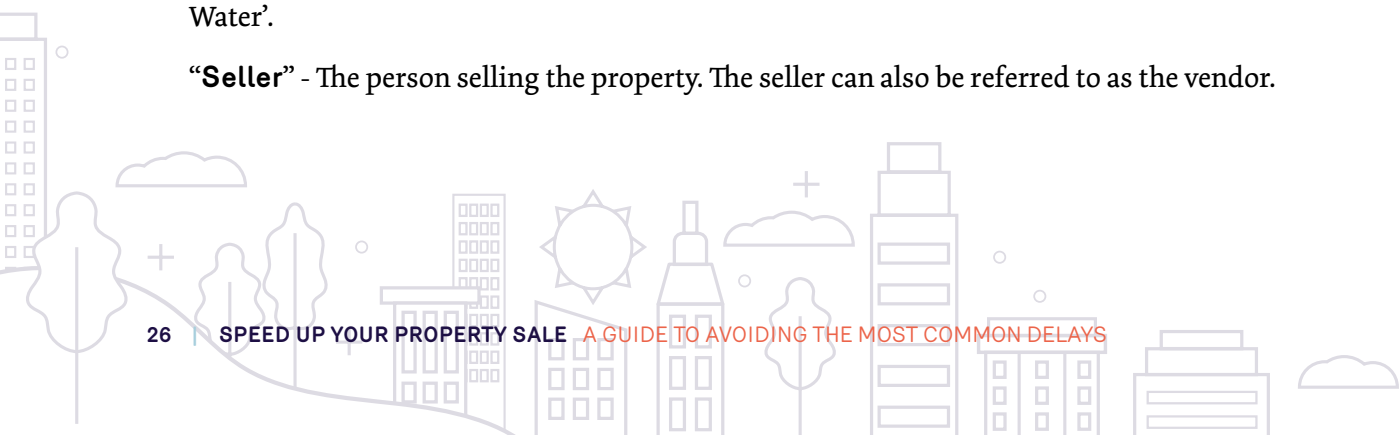
**“Tailte Éireann”** - The new state agency established following the merger of the Property Registration Authority, the Valuation Office and Ordnance Survey Ireland. It provides a property registration system (Land Registry), property valuation service and national mapping and surveying infrastructure for the state.

**“Termination of tenancy notice”** - The document served on a tenant by a landlord indicating an intention to end a tenancy.

**“Title documents”** - The deeds and documents of title for a property. It is a bundle of legal documents which evidences a person’s ownership of a property.

**“Uisce Éireann”** - The state-owned water utility company in Ireland formerly known as ‘Irish Water’.

**“Seller”** - The person selling the property. The seller can also be referred to as the vendor.



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