

What should a tenants's solicitor do?

We will:

1. Take instructions

At the start of each instruction we will require you:

- To verify your identity by bringing in a passport or driving license, as well as a utility bill, council tax bill or bank statement that is no more than three months old
- To provide evidence of the origin of funds to be used in the transaction
- To show heads of terms setting out the agreed terms of the transaction



2. Contact the landlord's solicitors

We will contact the landlord's solicitors to:

- Confirm our instructions in relation to the proposed transaction
- Verify the heads of terms
- Request the sale pack and draft documentation



3. Carry out a due diligence exercise

Our role is to investigate the property and this is known as due diligence. We will undertake a review of the sale pack.



4. Carry out property searches

We would recommend a number of searches are carried out on the property, including:

- Local Authority search
- Water & drainage search
- Chancelcheck search
- Environmental search



5. Carry out pre-contract enquiries

A review of the sale pack will tend to initiate a set of enquiries about the property which we will raise with the landlord's solicitors. The landlord's solicitor will obtain the replies and return these to us. We will consult with you at this stage with regards to any issues.



6. Review the draft documentation

Our role is to review the lease in its draft form, make amendments to the wording of the terms in order to reduce/limit the tenant's liability where possible and reach a compromise with the landlord's solicitor.

Depending on the arrangements with the landlord, we will similarly negotiate the terms of the rent deposit deed. We will consult with you regarding instructions on any issues.



7. Report to you

Once we have completed our due diligence of the property and the negotiations of the documents, we will provide a written report on our investigations into the property. The report will detail any risks

that you should be aware of and give you an opportunity to make an informed decision as to how to proceed with the transaction.



8. Prepare for document signing

If you and the landlord agree to proceed with the lease, the landlord's solicitor will prepare the final document(s) and send the same to us. You will be required to sign the document(s) in the presence of a witness.

Depending on the negotiations at the outset, you may also be required to sign a statutory declaration to confirm that the lease is outside of the Landlord and Tenant Act 1954. The declaration will have to be signed in the presence of an independent solicitor.



9. Complete the lease

We will confirm that we are holding the documentation signed by you and request a similar confirmation from the landlord's solicitor. The completion of the lease (and any supplementary documents) takes place by both solicitors over the telephone. Once the documents are completed, we will advise you accordingly and the keys will be released to you.



10. Carry out post-completion matters

Following completion, we will:

- Send your signed document(s) to the landlord's solicitors
- Await receipt of the landlord's signed document(s)
- Submit a return for Stamp Duty Land Tax
- Register the lease at the Land Registry
- Send the original document(s) to you for safe keeping