

Guide to Buying a Home and the Conveyancing Process in Ireland

Introduction: Buying a Home Buying a home is a critical decision with significant implications for you and your family. Mistakes can lead to major consequences, so careful planning is essential. Engaging your solicitor early is crucial, as conveyancing fees often include preliminary advice. Here's how your solicitor can assist you and what you need to do to ensure a smooth transaction.

1. Sale Agreed & Property Survey

- **Initial Steps:** Agree on a purchase price with the seller through an auctioneer and pay a refundable booking deposit.
- **Engage a Solicitor:** Instruct a solicitor to handle the transaction. They will ensure your legal interests are protected.
- **Property Survey:** Conduct a structural and planning survey if purchasing a second-hand property.

2. Letter of Loan Offer

- **Vendor's Solicitor:** Prepares Contracts for Sale and sends them with Title Deeds to your solicitor.
- **Mortgage Documents:** Your bank sends documents to your solicitor for review and signing if a mortgage is involved.

3. Pre-Contract Enquiries

- **Title Investigation:** Your solicitor examines title documents and raises necessary enquiries about planning, rights of way, etc.
- **Good Marketable Title:** Sign contracts only when enquiries are satisfactorily resolved, ensuring a good marketable title.

4. Contracts for Sale

- **Contract Signing:** Once terms are agreed and title verified, sign contracts and return them with a contract deposit.
- **Closing Date:** Agree on a closing date and prepare the Deed of Transfer.

5. Completion of Sale

- **Final Steps:** Finalize the sale by paying the remaining purchase price on the closing date.
- **New Builds:** Issue a snag list and conduct a final inspection.
- **Final Searches:** Vendor's solicitor conducts searches before releasing keys after payment.

6. Stamp Duty & Registration of Title

- **Stamp Duty Payment:** Pay stamp duty and register the title with the Property Registration Authority.
- **Title Registration:** Obtain a folio for registered land or record deeds for unregistered land.

How Your Solicitor Can Help

- **Title Issues:** Identify any problems with the title and potential resale issues.
- **Loan Facilitation:** Ensure smooth loan processing and address any repayment concerns.
- **Ownership Rights:** Advise on rights over the property and joint ownership implications.
- **Budget Estimation:** Help estimate total costs, including taxes, fees, and other expenses.
- **Documentation:** Handle contract exchanges, title queries, and closing documentation.

What You Need to Do

- **New Homes:** Coordinate with builders and arrange inspections and snag lists.
- **Second-Hand Homes:** Conduct a structural survey before signing contracts.
- **Bank Matters:** Handle loan applications, insurance, and direct debits directly with your bank.
- **Final Preparations:** Arrange for the balance of funds, legal fees, and pre-closing inspections.
- **Utility Transfers:** Organize the transfer of utilities to your name upon completion.

Before Seeing Your Solicitor

- Do not pay a deposit or sign anything before consulting your solicitor.
- Avoid ordering work, furnishings, or appliances until the purchase is completed.

Seeing Your Solicitor

- **Appointment:** Schedule an appointment and bring necessary identification and purchase documents.
- **Documentation:** Include marriage, separation, or divorce certificates if applicable.
- **Prepare Questions:** Make a list of questions for your solicitor.
- **Cancellations:** Inform your solicitor if you need to cancel an appointment.

By following this guide, you can navigate the home-buying and conveyancing process with confidence and clarity.