

The Attorney Process for Registration of Transfer

Written by Webmaster
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- The Transfer Attorneys receive the Deed of Sale(Agreement of Sale) from the Estate Agent.
- They then open a file.
- A Deeds Office Search is then done by the Transferring Attorneys on the computer system. This advises the following:
 - Who owns the Property
 - The Property description
 - Any Bonds Registered over the Property
 - With which Financial Institution they are Registered and for How Much.
 - Any Interdicts (which may put a block on the property.)
- (Approximate Time period: same day of receipt of Deed of Sale)
- Letters are then written by the Transferring Attorneys, to the Bond Holder – requesting the following:

How much is owed

Title Deed

Instruct their Bond Cancellation Attorneys to Cancel the Bond

(Approximate Time period: 3 weeks)

- Letters written to Buyers & Sellers requesting:

Identity Documents, Proof of Residence

Marital Status (Anté Nuptial Contract)

Power of Attorney (should Registered owner be unable to sign)

- Financial Institution simultaneously Instruct the Bond Cancellation Attorneys to cancel the bond.

·The Bond Cancellation Attorneys then request, consent to cancel and cancellation figures, from the Bank.

·Transferring Attorneys draw up the Preliminary Documents for Buyer and Seller

·Transferring Attorneys apply to the Municipality, by submitting a Data sheet, consisting of the property particulars, requesting the following:

How much is due (outstanding Rates)

Valuation Certificate

·Bond Registration Attorneys have by now been identified.

Chosen by the Financial Institution with which the New Bond will be registered.

(The name of these Attorneys appears on the Letter of Grant from the financial institution, to the Purchaser.)

They draw up their documents

(Approximate Time Period: 3 weeks)

·A Fly Sheet will be prepared once the Transferring Attorneys receive the Title Deed and this is then sent to the Deeds Office

·Bond Documents are then prepared

·Seller to come in to sign the Transferring Documents including:

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Affidavit (advising insolvency status)

Power of Attorney to pass Transfer

·Purchaser to come in to sign the Transferring Documents

·Once all documents are signed –

Transferring Attorney coordinates Bond Cancellation Attorney & Bond Registration Attorney to “Hand In” at the Deeds Office.

·Documents are taken to the Deeds office and Lodgement takes place once all documents are present.

·Once Lodged the documents are scrutinized by the Deeds Office Inspectors

·Once all documents in order – they “come up for Registration” within about 10/15days.

·Once Registration has taken place Transferring Attorneys write letters to all.

·Title Deeds are kept by the Deeds Office for about 6 weeks – then sent to the Transferring Attorneys – who then send the Title Deed to the Bond Holder.

·Copies are sent to the new owner.

(Approximate Time Period whole process takes: 3 months)