

## 1 Signature of Offer to Purchase

- The Estate Agent will explain the terms of the Agreement to the Parties  
 The Agreement may contain "Suspensive conditions" that need to be adhered to before the agreement becomes unconditional, such as:
- Granting of a Bond to the Purchaser
  - Subject to sale (sale of Purchasers existing property and requires the funds / proceeds to purchase the new property)

## 2 Transferring Attorney Instructed

The transferring attorney attends to the transfer (i.e. legal and administrative procedure to transfer ownership of property from one person to another)

## 3 Fica Documents required

The transferring attorneys require the following FICA documentation to proceed with the transfer process:

### • Seller

- copy of the first page of your **identity document**;
- your **income tax number (official SARS document)**;
- **proof of residence** not older than 3 months;
- copy of your **marriage certificate** (if applicable);
- copy of your **ante nuptial contract** (if applicable);
- your existing **bond account number and the name of the bank**
- **Copy of your latest City of Johannesburg account**

### • Purchaser

- copy of the first page of your **identity document**;
- your **income tax number (official SARS document)**;
- **proof of residence** not older than 3 months – either a telephone account or your rates and taxes account will suffice;
- copy of your **marriage certificate** (if applicable);
- copy of your **ante nuptial contract** (if applicable).

### • Close Corporations

- copy of the first page of the **identity document of all members**;
- **CC income tax number / VAT number (official SARS document)**;
- **proof of business address**;
- copy of your **CK1 / CK2 / CIPRO documentation**;

The existing **bond account number and the name of the bank if Seller**

### Companies

- copy of the first page of the **identity document of all directors**;
- company **income tax number / VAT number (official SARS document)**;
- **company documents**:
- CM1 – Certificate of Incorporation / Memorandum and Articles of Association;
- CM22/CIPRO – Notice of Registered Office
- CM31 – Appointment of Auditors
- CM27 – Consent as Director
- CM 29 – Register of Directors

The existing **bond account number and the name of the bank if Seller**

### • Trusts

- **Trust deed / founding statement**;
- **Masters Letter of Authority**
- **trust income tax number / VAT number (official SARS document)**;
- Copy of the first page of the **identity documents of all trustees and beneficiaries**

The existing **bond account number and the name of the bank if Seller**

### • Deceased Estates

- Copy of the **death certificate**;
- Copy of the **Letter of Executorship**;
- **Letter of Authority** issued by the Master of the High Court;
- Copy **Identity document** of Executor;

The existing **bond account number and the name of the bank if Seller**

## 4 Bond Cancellation Figures

- The Transferring Attorney requests:
- Cancellation figures from the Sellers Bank (amount required to cancel the existing bond)
  - Original Title Deed and Original Mortgage bond Deed

## 5 Rates Clearance Certificate from Municipality

Obtain a Rates Clearance Certificate from the Municipality valid for 4 months (as well as the Management Agent in case of a Sectional Title Unit / Home Owners Certificate where applicable) – These certificates needs to be lodged in the Deeds Office.

## Bond Approval

- Upon confirmation of bond approval the Conveyancer will:
- Request guarantees to secure the Purchase price

## 7 Drafting of Transfer Documents

- The Transferring Attorney drafts:
- New draft deed (this document is forwarded to bond registration attorneys when requesting guarantees)
  - Transfer documents drafted for signature by Seller and Purchaser

## 8 Payment of Costs

- Purchaser to pay transfer costs to the Transferring Attorney upon signature of transfer documents.  
 Purchaser to pay bond registration costs upon signature of the bond documents to bond registration attorney.

## 9 Transfer Duty Receipt

Once the Purchaser has made payment of their costs, the Transferring Attorney pays SARS transfer duty to obtain Transfer Duty Receipt, for lodgement.

## 10 Guarantees

Guarantees are forwarded to Transferring Attorneys once Purchasers have signed the bond documentation  
 Transferring attorneys forward the guarantees to cancellation attorneys.

## 11 Lodgement

- Transferring Attorney liaises with bond registration and bond cancellation attorneys, once all documents are in place, inter alia being:
- Draft Deed
  - Rates Clearance Certificate
  - Transfer Duty Receipt

## 12 Deeds Office

- All transfer, bond registration and bond cancellation documents are forwarded to the Deeds Office for simultaneous lodgement.
- All documents undergo examination by the Deeds Office - approximately 8 -10 working days.
- The documents come up for "prep" – minor errors are corrected (if any), the bond registration and cancellation attorneys obtains the required consent to register from the various bond institutions.

## 13 Registration

- The property is registered in the name of the Purchaser.
- Upon payment of the guarantees the Transferring Attorney pays the Seller the purchase price less deductions.
- The Transferring Attorney pays the agent commission.
- Confirmation of registration is forwarded to the Seller, Purchaser and Municipality

## Responsibilities of Seller and Purchaser

### • Seller:

- Electrical Compliance Certificate
- Gas Compliance Certificate
- Electrical Fence Certificate

### Costs

- Rates Clearance Certificate
- Bond Cancellation Costs
- Proportionate Levy Clearance Figures (sectional Title Units)
- Agents commission

### • Purchaser Pays:

- Bond Registration Costs
- Transfer Costs
- Transfer Duty
- Proportionate Levy Clearance Figures (Sectional Title Units)