

SELLING YOUR PROPERTY?



Here are 5 important things to consider.

1 GET ADVICE ON THE SALE AGREEMENT, BEFORE YOU SIGN IT

- Contracts for the sale of property can be complex and sometimes confusing documents.
- Once you have signed a sale agreement, it cannot be amended unless both parties agree to the changes in writing.
- We will review any offer that you receive for the sale of your property, to make sure that your interests are protected. This must be done as soon as you receive the offer, but definitely before you sign it.

2 TALK TO YOUR BANK

- If you have a mortgage loan, you have to let your bank know when you sell your property.
- Most banks however charge "early termination interest" if you do not give them 3 months' written notice of your intention to cancel your mortgage.
- This can be avoided by informing your bank early, even before you have actually sold your property.
- Let us assist you in preparing a letter to your bank that will help you to avoid "early termination interest" while at the same time giving you the option to keep your mortgage loan in place, should you not sell your property.

3 FIND YOUR ORIGINAL TITLE DEED

- If you do not have a mortgage loan, or if you had one but it has since been cancelled, then you should be in possession of the original Title Deed to your property.
- If you cannot find your Title Deed, it can cause unnecessary delays in transferring your property to the buyer, as you will have to apply for a certified copy from the Deeds Office.

4 MAKE A LIST OF ALL FIXTURES & FITTINGS

- Sellers often neglect to stipulate all the items they want to take with them when they move, and this often leads to disputes between buyers and sellers.
- The assumption is that every item attached to the property is a fixture and is included in the sale, and that all "loose" items are movables and are not included. This however, is not always true, as swimming pool nets and curtain rails (by example) are loose items, but become permanent fixtures.
- Take time to think about items such as your Satellite Dish, Alarm System, Wendy House and counter / bar stools. Will you leave these behind when you move, or do you want to take them with you?
- Having a detailed list to inform interested buyers can protect you from disputes later on.

5 CHECK THE DATES

- When it comes to selling a property, there are many steps that require exact dates to make sure the process runs smoothly.
- Make sure you understand how much time the buyer has to obtain a loan to pay for your property, on which date you must move out of the property and when the property will be formally transferred to the buyer.
- If your buyer must first sell his own property, which is often the case, then the two transactions become financially linked and dates become even more important.

THE REAL ESTATE TEAM



DENNIS MINITZER

Dennis joined his father, Michael Minitzer as an Attorney at the firm in 1976. He is driven by a passion for Real Estate, specifically when it comes to the preservation and rejuvenation of the Paarl CBD. In his professional capacity he advises national and regional landlords and tenants on all aspects of Property Law.



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AQEELAH RICHARDS

Aqeelah was born and raised in Paarl and matriculated at La Rochelle High School. She obtained an LLB degree from the University of the Western Cape and joined Minitzers in 2017. The following 7 years saw her hone her skills as an Attorney and she now advises clients on all aspects of Mortgage Bond registrations.



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BRENT MEYER

Brent was born and raised in Paarl where he matriculated at Paarl Gymnasium High School. He obtained an LLB degree in 2013 and joined Minitzers the following year. Brent is a great all-rounder with a passion for people and works in the Property Law division of the firm.



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STEFAN VAN NIEKERK

Stefan was admitted as an Attorney, Notary and Conveyancer in 2004. Over the past 20 years he has built a reputation as a respected Conveyancer and dealmaker in the Real Estate Industry. The last 5 years saw Stefan become the adviser of choice to many high-net-worth non-residents purchasing property in the Cape Winelands.



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CARLÉ ENGELBRECHT

Carlé holds the degrees BComm (Law) and LLB from Stellenbosch University. She was admitted as an Attorney in 2012, joined Minitzers in 2016 and was admitted as a Conveyancer in 2017. Carlé is passionate about the legal aspects of Property Development and has played a pivotal role in the establishment of many new developments in Paarl.



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RYK NEETHLING

Ryk is an Attorney, Notary and Conveyancer with more than 40 years' experience in Real Estate, the Drafting of Wills and the Administration of Deceased Estates.



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OUR REAL ESTATE DEPARTMENT PROVIDES THE FOLLOWING SERVICES:

- Deal Structuring
- Property Transfers
- Drafting of Contracts
- Mortgage Bond Registrations

Contact us

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