

I've decided to buy a house  
what do I do?

## Legal DOCS

- 1) Contract of Sale
- 2) Deed of Assignment
- 3) State (Ministry of Lands)  
Consent to assign Transfer
- 4) Ministry of Lands  
(Registration of  
Assignment, Pay Consent  
Fees & Ground Rent)
- 5) Property Transfer tax  
(within 14 days 3% from  
date of completion)
- 6) Tax Clearance Certificate

## seller pays!

- ✓ Rates & taxes payable up to the date of registration or as specified in Contract of Sale
- ✓ 3% is levied on full purchase price for Individual/Joint /Partnership/ Company/Trust
- ✓ Pay Utility Bills e.g. Electricity, Water, Telephone

## What can go wrong or cause a delay?

- ❖ *The Home loan is not approved*
- ❖ *If the Purchaser or the seller is insolvent*
- ❖ *Purchaser or seller dies, the transaction is frozen*
- ❖ *Selling price is not enough to cover the outstanding balance on the home loan including interest*
- ❖ *If there has to be sub division on the property, if the purchase is subject to the purchaser successfully selling his home*
- ❖ *If it is a mortgage in possession*
- ❖ *If it is a sale in execution*
- ❖ *If costs are not paid in full*
- ❖ *If occupational rent has not been paid in full*

Contract of Sale is drafted and signed  
between purchaser and seller

Apply for a home loan at a Financial  
Institution

Home loan is approved & Lawyers  
receive instruction

Lawyers apply for and receive  
cancellation figures of seller's home

Lawyers prepare home loan &  
transfer documents

Purchaser & Seller  
sign assignment  
documents

## Lawyers receive!

Transfer receipt from ZRA, Tax  
Clearance Certificate, Consent from  
State and Ministry of Lands

If all documents are made ready,  
they are lodged at the Deeds Office-  
Ministry of Lands

Yippee!  
Registration takes place

## Purchaser pays transfer costs & transfer duty!

- ✓ (Optionally) Purchaser may pay Transfer Duty to the ZRA when property is transferred from one name to another
- ✓ 3% is levied on full purchase price for Individual/Joint /Partnership/ Company/Trust
- ✓ The Purchaser ensures loan approval to cover purchase price and costs

Funds are paid to  
Seller