

SELLER'S PROPERTY INFORMATION FORM (4th edition)



Address of the Property: _____

IMPORTANT NOTE TO SELLERS - PLEASE READ THIS FIRST

- * **Please complete this form carefully. If you are unsure how to answer the questions, ask your solicitor before doing so.**
- * **This form in due course will be sent to the buyer's solicitor and will be seen by the buyer who is entitled to rely on the information.**
- * For many of the questions you need only tick the correct answer. Where necessary, please give more detailed answers on a separate sheet of paper. Then send all the replies to your solicitor. This form will be passed to the buyer's solicitor.
- * The answers should be those of the person whose name is on the deeds. If there is more than one of you, you should prepare the answers together.
- * It is very important that your answers are correct because the buyer is entitled to rely on them in deciding whether to go ahead. Incorrect or incomplete information given to the buyer direct through your solicitor or selling agent or even mentioned to the buyer in conversation between you, may mean that the buyer can claim compensation from you or even refuse to complete the purchase.
- * If you do not know the answer to any question you must say so.
- * The buyer takes the property in its present physical condition and should, if necessary, seek independent advice, e.g. instruct a surveyor. You should not give the buyer your views on the condition of the property.
- * If anything changes after you fill in this questionnaire but before the sale is completed, tell your solicitor immediately. **THIS IS AS IMPORTANT AS GIVING THE RIGHT ANSWERS IN THE FIRST PLACE.**
- * Please pass to your solicitor immediately any notices you have received which affect the property, including any notices which arrive at any time before completion of your sale.
- * If you have a tenant, tell your solicitor immediately if there is any change in the arrangement but do nothing without asking your solicitor first.
- * You should let your solicitor have any letters, agreements or other documents which help answer the questions. If you know of any which you are not supplying with these answers, please tell your solicitor about them.
- * Please complete and return the separate Fixtures, Fittings and Contents Form. It is an important document which will form part of the contract between you and the buyer. Unless you mark clearly on it the items which you wish to remove, they will be included in the sale and you will not be able to take them with you when you move.
- * You may wish to delay the completion of the Fixtures, Fittings and Contents Form until you have a prospective buyer and have agreed the price.

Part I - to be completed by the seller

Information in the seller's possession or knowledge

1 Boundaries

"Boundaries" mean any fence, wall, hedge or ditch which marks the edge of your property.

1.1 Looking towards the house from the road, who either owns or accepts responsibility for the boundary:

Please mark the appropriate box

(a) on the left?

| | | | |
|-------|-----------|--------|-----------|
| WE DO | NEXT DOOR | SHARED | NOT KNOWN |
|-------|-----------|--------|-----------|

(b) on the right?

| | | | |
|-------|-----------|--------|-----------|
| WE DO | NEXT DOOR | SHARED | NOT KNOWN |
|-------|-----------|--------|-----------|

(c) across the back?

| | | | |
|-------|-----------|--------|-----------|
| WE DO | NEXT DOOR | SHARED | NOT KNOWN |
|-------|-----------|--------|-----------|

1.2 If you have answered "not known", which boundaries have you actually repaired or maintained?

(Please give details)

1.3 Do you know of any boundary being moved in the last 20 years?

(Please give details)

2 Disputes and complaints

2.1 Do you know of any disputes or anything which might lead to a dispute about this or any neighbouring property?

| | |
|----|----------------------------|
| NO | YES: (PLEASE GIVE DETAILS) |
|----|----------------------------|

Please mark the appropriate box

2.2 Have you received any complaints about anything you have, or have not, done as owner?

| | |
|----|----------------------------|
| NO | YES: (PLEASE GIVE DETAILS) |
|----|----------------------------|

2.3 Have you made any such complaints to any neighbour about what the neighbour has or has not done?

| | |
|----|----------------------------|
| NO | YES: (PLEASE GIVE DETAILS) |
|----|----------------------------|

3 Notices

3.1 Have you either sent or received any letters or notices which affect your property or the neighbouring property in any way (for example, from or to neighbours, the council or a government department)?

| | | | | |
|----|------|---------------|-----------|------|
| NO | YES: | COPY ENCLOSED | TO FOLLOW | LOST |
|----|------|---------------|-----------|------|

3.2 Have you had any negotiations or discussions with any neighbour or any local or other authority which affect the property in any way?

| | |
|----|----------------------------|
| NO | YES: (PLEASE GIVE DETAILS) |
|----|----------------------------|

4 Guarantees

4.1 Are there any guarantees or insurance policies of the following types:

(a) NHBC Foundation 15 or Newbuild?

| | | | | |
|----|------|-----------------|------------|------|
| NO | YES: | COPIES ENCLOSED | WITH DEEDS | LOST |
|----|------|-----------------|------------|------|

(b) Damp course?

| | | | | |
|----|------|-----------------|------------|------|
| NO | YES: | COPIES ENCLOSED | WITH DEEDS | LOST |
|----|------|-----------------|------------|------|

(c) Double glazing, roof lights, roof windows, glazed doors?

| | | | | |
|----|------|-----------------|------------|------|
| NO | YES: | COPIES ENCLOSED | WITH DEEDS | LOST |
|----|------|-----------------|------------|------|

(d) Electrical work?

| | | | | |
|----|------|-----------------|------------|------|
| NO | YES: | COPIES ENCLOSED | WITH DEEDS | LOST |
|----|------|-----------------|------------|------|

(e) Roofing?

| | | | | |
|----|------|-----------------|------------|------|
| NO | YES: | COPIES ENCLOSED | WITH DEEDS | LOST |
|----|------|-----------------|------------|------|

Please mark the appropriate box

(f) Rot or infestation?

| | | | | |
|----|------|-----------------|------------|------|
| NO | YES: | COPIES ENCLOSED | WITH DEEDS | LOST |
|----|------|-----------------|------------|------|

(g) Central heating?

| | | | | |
|----|------|-----------------|------------|------|
| NO | YES: | COPIES ENCLOSED | WITH DEEDS | LOST |
|----|------|-----------------|------------|------|

(h) Anything similar, (e.g. cavity wall insulation, underpinning, indemnity policy)?

| | | | | |
|----|------|-----------------|------------|------|
| NO | YES: | COPIES ENCLOSED | WITH DEEDS | LOST |
|----|------|-----------------|------------|------|

(i) Do you have written details of the work done to obtain any of these guarantees?

| | | | | |
|----|------|-----------------|------------|------|
| NO | YES: | COPIES ENCLOSED | WITH DEEDS | LOST |
|----|------|-----------------|------------|------|

4.2 Have you made or considered making claims under any of these?

| | |
|----|----------------------------|
| NO | YES: (PLEASE GIVE DETAILS) |
|----|----------------------------|

4.3 Do you have a maintenance or service agreement for the central heating system?

| | | | | |
|----|------|-----------------|------------|------|
| NO | YES: | COPIES ENCLOSED | WITH DEEDS | LOST |
|----|------|-----------------|------------|------|

5

Services

(This section applies to gas, electrical and water supplies, sewerage disposal and telephone cables.)

5.1 Please tick which services are connected to the property.

| | | | | | | |
|-----|-------|------------|-------------|------|------------|---------------------|
| GAS | ELEC. | MAIN WATER | MAIN DRAINS | TEL. | CABLE T.V. | SEPTIC TANK/CESSPIT |
|-----|-------|------------|-------------|------|------------|---------------------|

5.2 Please supply a copy of the latest water charge account and the sewerage account (if any).

| | |
|----------|-----------|
| ENCLOSED | TO FOLLOW |
|----------|-----------|

5.3 Is the water supply on a meter?

| | |
|----|-----|
| NO | YES |
|----|-----|

5.4 Do any drains, pipes or wires for these cross any neighbour's property?

| | |
|-----------|----------------------------|
| NOT KNOWN | YES: (PLEASE GIVE DETAILS) |
|-----------|----------------------------|

Please mark the appropriate box

5.5 Do any drains, pipes or wires leading to any neighbour's property cross your property?

| | |
|-----------|----------------------------|
| NOT KNOWN | YES: (PLEASE GIVE DETAILS) |
|-----------|----------------------------|

5.6 Are you aware of any agreement or arrangement about any of these services?

| | |
|-----------|----------------------------|
| NOT KNOWN | YES: (PLEASE GIVE DETAILS) |
|-----------|----------------------------|

6

Sharing with the neighbours

6.1 Are you aware of any responsibility to contribute to the cost of anything used jointly, such as the repair of a shared drive, boundary or drain?

| | |
|----------------------------|----|
| YES: (PLEASE GIVE DETAILS) | NO |
|----------------------------|----|

6.2 Do you contribute to the cost of repair of anything used by the neighbourhood, such as the maintenance of a private road?

| | |
|-----|----|
| YES | NO |
|-----|----|

6.3 If so, who is responsible for organising the work and collecting the contributions?

6.4 Please give details of all such sums paid or owing, and explain if they are paid on a regular basis or only as and when work is required.

6.5 Do you need to go on to any neighbouring property if you have to repair or decorate your building or maintain any of the boundaries or any of the drains, pipes or wires?

| | |
|-----|----|
| YES | NO |
|-----|----|

Please mark the appropriate box

6.6 If "Yes", have you always been able to do so without objection by the neighbours?

| | |
|-----|---|
| YES | NO: Please give details of any objection under the answer to question 2 (disputes and complaints) |
|-----|---|

6.7 Do any of your neighbours need to come onto your land to repair or decorate their building or maintain their boundaries or any drains, pipes or wires?

| | |
|-----|----|
| YES | NO |
|-----|----|

6.8 If so, have you ever objected?

| | |
|----|--|
| NO | YES: Please give details of any objection under the answer to question 2 (disputes and complaints) |
|----|--|

7 Arrangements and rights

7.1 Is access obtained to any part of the property over private land, common land or a neighbour's land? If so, please specify.

| | |
|----|----------------------------|
| NO | YES: (PLEASE GIVE DETAILS) |
|----|----------------------------|

7.2 Has anyone taken steps to stop, complain about or demand payment for such access being exercised?

| | |
|----|-----|
| NO | YES |
|----|-----|

7.3 Are there any other formal or informal arrangements which you have over any of your neighbours' property?

(Examples are for access or shared use.)

| | |
|----|----------------------------|
| NO | YES: (PLEASE GIVE DETAILS) |
|----|----------------------------|

7.4 Are there any other formal or informal arrangements which someone else has over your property?

(Examples are for access or shared use.)

| | |
|----|----------------------------|
| NO | YES: (PLEASE GIVE DETAILS) |
|----|----------------------------|

8

Occupiers

8.1 Does anyone other than you live in the property?

| | |
|----|-----|
| NO | YES |
|----|-----|

If "NO" go to question 9.1.

If "YES" please give their full names and (if under 18) their ages.

8.2(a)(i) Do any of them have any right to stay on the property without your permission?

| | |
|----|----------------------------|
| NO | YES: (PLEASE GIVE DETAILS) |
|----|----------------------------|

(These rights may have arisen without you realising, e.g. if they have paid towards the cost of buying the house, paid for improvements or helped you make your mortgage payments.)

8.2(a)(ii) Are any of them tenants or lodgers?

| | |
|----|--|
| NO | YES: (Please give details and a copy of any Tenancy Agreement) |
|----|--|

8.2(b) Have they all agreed to sign the contract for sale agreeing to leave with you (or earlier)?

| | |
|----|----------------------------|
| NO | YES: (PLEASE GIVE DETAILS) |
|----|----------------------------|

9

Changes to the property

9.1 Have any of the following taken place to the whole or any part of the property (including the garden) and if so, when?

(a) Building works (including loft conversions and conservatories)

| | |
|----|------------------------|
| NO | YES: In the year |
|----|------------------------|

(b) Change of use

| | |
|----|------------------------|
| NO | YES: In the year |
|----|------------------------|

(c) Sub-division

| | |
|----|------------------------|
| NO | YES: In the year |
|----|------------------------|

(d) Conversion

| | |
|----|------------------------|
| NO | YES: In the year |
|----|------------------------|

Please mark the appropriate box

(e) Business activities

| | |
|----|------------------------|
| NO | YES: In the year |
|----|------------------------|

(f) Replacement windows, roof lights,
roof windows, glazed doors?

| | |
|----|------------------------|
| NO | YES: In the year |
|----|------------------------|

If "YES" what consents were obtained under any restrictions in your title deeds?

(Note: The title deeds of some properties include clauses which are called "restrictive covenants". These may, for example, forbid the owner of the property from carrying out any building work or from using it for business purposes or from parking a caravan or boat on it unless someone else (often the builder of the house) gives consent.)

9.2 Has consent under those restrictions been obtained for anything else done at the property?

| | |
|-----|----|
| YES | NO |
|-----|----|

9.3 If any consent was needed but not obtained:

(a) Please explain why not.

(b) From whom should it have been obtained?

(Note: improvement can affect council tax banding following a sale.)

9.4 Do you know if there is an indemnity policy for the property?

| | |
|-----|----|
| YES | NO |
|-----|----|

(Note: If consent should have been obtained under the restrictions and there is no evidence that it was obtained or there has been some problem with the title to the property or its rights or a missing planning permission, building regulation approval or completion certificate, it is sometimes necessary to take out an indemnity policy to protect the owner of the property and the lender against a future claim).

10

Planning and building control

10.1 Is the property used only as a private home?

| | |
|-----|---------------------------|
| YES | NO: (PLEASE GIVE DETAILS) |
|-----|---------------------------|

Please mark the appropriate box

10.2(a) Has the property been designated as a Listed Building or the area designated as a Conservation Area? If so, when did this happen?

| | | | |
|----|-----|-------------|-----------|
| NO | YES | IN THE YEAR | NOT KNOWN |
|----|-----|-------------|-----------|

10.2(b) Was planning permission, building regulation approval or listed building consent obtained for each of the changes mentioned in 9?

| | | | | |
|----|------|---------------|-----------|------|
| NO | YES: | COPY ENCLOSED | TO FOLLOW | LOST |
|----|------|---------------|-----------|------|

(Please list separately and supply copies of the relevant permissions and, where appropriate, certificates of completion.)

10.2(c) If any of the changes in 9.1(f) have taken place, and the work completed after 1 April 2002, please supply either a FENSA certificate or a building regulation certificate.

| | | | | |
|----|------|---------------|-----------|------|
| NO | YES: | COPY ENCLOSED | TO FOLLOW | LOST |
|----|------|---------------|-----------|------|

11 Expenses

Have you ever had to pay for the use of the property?

| | |
|----|----------------------------|
| NO | YES: (PLEASE GIVE DETAILS) |
|----|----------------------------|

(Note: Ignore council tax, water rates, and gas, electricity, and telephone bills. Disclose anything else: examples are the clearance of cesspool or septic tank, drainage rate, rent charge.)

(If you are selling a leasehold property, details of the lease's expenses should be included on the Seller's Leasehold Information Form and not on this form.)

12 Mechanics of the sale

12.1 Is this sale dependent on your buying another property?

| | |
|-----|----|
| YES | NO |
|-----|----|

12.2 If "YES", what stage have the negotiations reached?

12.3 Do you require a mortgage?

| | |
|-----|----|
| YES | NO |
|-----|----|

12.4 If "YES", has an offer been received and/or accepted or a mortgage certificate obtained?

| | |
|-----|----|
| YES | NO |
|-----|----|

Please mark the appropriate box

13

Deposit

Do you have the money to pay a 10% deposit on your purchase?

| | |
|-----|----|
| YES | NO |
|-----|----|

If "NO" are you expecting to use the deposit paid by your buyer to pay the deposit on your purchase?

| | |
|-----|----|
| YES | NO |
|-----|----|

14

Moving Date

Please indicate if you have any special requirement about a moving date.

| | |
|-----|----|
| YES | NO |
|-----|----|

(Note: This will not be fixed until contracts are exchanged i.e. have become binding. Until then you should only make provisional removal arrangements.)

Signature(s):

.....

Date:

Part II - to be completed by the seller's solicitor

The seller's solicitor should check the seller's replies to Part I against the information in the solicitor's possession. When replying to A, B, and C below the solicitor should have checked the deeds carefully, read the file and any other relevant file the firm may have by checking the filing records and, following this, make any other reasonable and prudent investigations (see the guidance from the Law Society's Conveyancing and Land Law Committee [2003] *Gazette*. 16 October, 43).

Please mark the appropriate box

A. Is this information provided by the seller in this form consistent with the information in your possession?

| | |
|-----|----|
| YES | NO |
|-----|----|

If "NO" please specify.

B. Do you have any information in your possession to supplement the information provided by the seller?

| | |
|-----|----|
| YES | NO |
|-----|----|

If "YES" please specify.

C. Do you know if there is an indemnity policy for the property?

| | |
|-----|----|
| YES | NO |
|-----|----|

If "YES", please supply a copy.

Reminder to solicitor

1. The Fixtures, Fittings and Contents Form should be supplied in addition to the information above.
2. Copies of all planning permissions, building regulations consents, certificates of completion, engineer's certificates, guarantees, assignments, certificates and notices should be supplied with this form.
3. If the property is leasehold, also supply the Seller's Leasehold Information Form.
4. If the property is commonhold, also supply the Seller's Commonhold Information Form.

Seller's solicitor:

.....

Date:

.....



The Law Society

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