



## PAUL GALLAGHER LEGAL SELLERS CHECK LIST

If the property that you are selling is a vacant residential section, you must ensure that the boundary pegs are in place prior to settlement.

Is your property used for any taxable activity of which GST is a component? If so, please make your agent aware of this before signing any listing for the sale of your property.

You as Vendor warrant that all chattels and fixtures are in reasonable operating order having regard to their age and condition – please check them!!

Do you appreciate the difference between a fixture and a chattel? If you are unsure please ask your agent and/or your Solicitor.

Make a list of all chattels which are to be included with your sale. Also, make a list of any chattels that are NOT to be included in the sale. Make sure that these lists are reflected in any Agreement you sign.

If you want to remove anything such as light fittings or drapes (and therefore exclude them from the sale) consider removing them before listing and any buyer inspection.

Your house fixtures and fittings remain at your risk until the property settles and changes hands. Ensure your insurance premiums remain fully paid up to date until settlement has been completed. After settlement don't forget to advise your insurance company of your new address.

Any chattels being sold with the property must be wholly owned by you as at settlement date. Ensure you have fully repaid any moneys which may be owing on any chattels or appliances.

If the property is not subject to a tenancy you must hand to the Purchaser on the settlement day – ALL keys to all exterior doors, plus alarm codes and remote door openers.

Ensure that you obtain all spare keys from all family members, friends and neighbours.

Get keys cut to replace any that have been lost and ensure that they all work and consider labelling them for ease of use by the new owners.

Have you given your consent or waiver in relation to any application under the Resource Management Act which directly or indirectly affects the property which has not been disclosed in writing to the Purchaser? (e.g. Have you given consent for your neighbour to complete a subdivision or place a driveway right on your boundary which runs close to your house, etc.) If so, you must disclose this information to the agent and any prospective Purchaser, as the Agreement for Sale and Purchase contains several warranties to the contrary.

- It is in your best interests to check with your local Council to ensure that there are no outstanding permits or Council requirements noted against your property prior to selling.
- Does your property have a swimming pool or spa pool? These must be fenced by law. If these areas are not fenced by settlement day, compensation can be demanded by the Purchaser or settlement could be delayed until the areas are fenced.
- If you receive an offer for your property which is acceptable to you but which is dependent upon certain conditions being met (i.e. a conditional offer), consider having your agent insert a "cash out" clause in any Agreement which will protect you should you be lucky enough to receive a back up offer.
- If either you or one of the other owners of the property are likely to be overseas when settlement is due to take place, ensure that the person concerned has left a Power of Attorney with someone here in NZ and, if not, allow sufficient time to send them a transfer to be signed and returned to NZ in time for settlement.
- If your property is owned by a family trust with several trustees, ensure that either all trustees sign the Agreement or that one of the trustees is authorised in writing to sign on behalf of the others.
- Cancel all direct debits or automatic payment authorities for your property – e.g. council rates, insurances, etc.
- Where the property is a rental, allow a minimum of 42 days before settlement. The tenant is entitled to 42 days notice to vacate the property.
- Before settlement, ensure that the property is in the same state as it was when the Purchaser/s first viewed the property. Be aware that the Purchaser has the right to have a pre-settlement inspection.
- Arrange with Telecom/Telstra Clear, etc to have your phone cut off or other disconnection/termination arrangements.
- Contact your Power and/or Gas supplier to have the necessary final readings taken. NB. Your solicitor will arrange for the final water meter reading where this is necessary.
- Contact New Zealand Post re your change of address and make any necessary re-direction arrangements.
- Arrange to cancel newspaper/milk deliveries.
- Consider putting together a folder or compendium of all relevant information for your home to assist the potential purchaser to assess your property. Such a compendium might include such things as a copy of the certificate of title, Code Compliance Certificate, copies of rate demands, valuations, building permits, correspondence, Government Valuation Certificates, LIM Report, property inspection reports and the like.