

# PIER LAW

NEW BRIGHTON | KAIAPOI | NORTHWOOD



## STANDARD PROCEDURE FOR PURCHASE OF A RESIDENTIAL DWELLING

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# OUR PROCEDURE

The following outlines the standard procedure Pier Law performs for purchasing a residential dwelling. Many of these steps must be handled by your lawyer. At Pier Law we provide full services for your residential legal needs. Don't hesitate to contact us if you are purchasing a property. The standard specifications for a purchase in Canterbury is as follows:

- 1 Perform a preliminary interview - ideally before the contract is signed - to discuss purchase price, basis of financing, status of EQC and/or private insurance claims, contract terms and pitfalls
- 2 Receive and check contract
- 3 Report to Purchaser with details in relation to the contract enclosing Letter of Engagement, fees estimate, information for clients and Standard Terms of Engagement
- 4 Report to solicitor for vendor and confirm time for confirmation of conditions



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- 5 Perform a search of the title and associated documents
- 6 Obtain a Land Information Memorandum (LIM) from the local Council
- 7 Review title and LIM with purchaser
- 8 Liaise with client and/or third parties (e.g. bank, KiwiSaver Provider, Kainga Ora, and insurance company) relating to confirmation of conditions
- 9 Confirm contract as unconditional with Vendor's solicitor and real estate agent
- 10 Set up the e-dealing in Landonline workspace
- 11 Advise Vendor's solicitor of e-dealing details
- 12 Prepare Land Information NZ (LINZ) client authority forms and Deeds of Assignment for assignment of EQC and/or private insurance claims (if required)
- 13 Prepare sale notices to advise Council of change of ownership
- 14 Receive loan documentation from bank and review, prepare loan documentation for signing by Purchaser



- 15 Prepare associated documentation required for settlement including where required; guarantees, waivers of independent legal advice, Company Resolutions or Trustee Resolution
- 16 Obtain LINZ guaranteed search results within 14 days of settlement and check Personal Property Securities Register for any charges registered against chattels that form part of the sale. Arrange for Vendor's solicitor to organise release of charges prior to settlement (if applicable)
- 17 Receive and check settlement statement, prepare purchase statement and invoice
- 18 Meet with Purchaser to arrange signing of loan documentation, LINZ forms and Deeds of Assignment, review statements and invoice for settlement and hand over disclosure documents to clients
- 19 Send signed loan documentation, together with solicitor's certificate, to bank



20

Arrange for payment of purchase price (or cash contribution if mortgage required) and legal costs and disbursements to the credit of the trust account in time for settlement

21

Arrange for transfer or settlement monies upon receipt of vendor's solicitor's undertakings and copies of signed Deeds of Assignment

22

Complete settlement ensuring certification of e-dealing documentation and registration of transfer and mortgage with LINZ

23

Ensure the keys are uplifted and passed to the purchaser by arrangement or other suitable arrangements made for possession

24

Report and account to purchaser with copy of the Certificate of Title and Deeds of Assignment

25

Report to bank with security documents as required

26

Report to EQC and/or the private insurer with copies of Deeds of Assignment (if applicable)

27

Receive payment of any balance outstanding from client to clear account

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# ABOUT US

Pier Law is a general practice firm in Christchurch with offices in three convenient locations.

Our team of lawyers is small enough to work closely with you to get an in-depth understanding of your specific needs, but large enough to have the expertise, knowledge, and skills required for your ongoing legal concerns.

Don't hesitate to get in touch with any question, to book an appointment, or to find out more about our firm and services.

## NORTHWOOD

1 Radcliffe Road  
Northwood Supa Centa

**T:** 03 366 5540

## NEW BRIGHTON

184 Shaw Avenue  
New Brighton

**T:** 03 388 1639

## KAIAPOI

1 Williams Street  
Kaiapoi

**T:** 03 327 0590

PO Box 76134  
Christchurch 8641

**E:** [info@pierlaw.co.nz](mailto:info@pierlaw.co.nz)