



What you should know when Purchasing Residential Real Estate

When the transaction of residential real estate normally involves two parties, the buyer and the seller and at times a third party the lender. If there is a third party then the transaction becomes a bit complex. Plus, the law that governs conveyance and real estate transaction in general is different from the law governing other kinds of purchases. You cannot compare it to buying a “*bodaboda*” or a “*techno mobile phone*”

More often than not, these real estate transactions go sour, before, during and at times after the purchase have been completed. When problems arise, well it might be wise to hire an attorney to help you through the process and look out for your interests. Most think that you just have to sign a contract fill in some forms and viola....but the story has a tale of its own and the residential purchases have proved to be very troublesome, so to speak.

There are several stages in conveyance, the first stage being the pre-contractual stage, then the contractual stage and the last stage is the post completion stage. You haven't told us the whole story but the most obvious assumption is that, you only passed through the first and second stage but had failed to finish the second and last stage which is very important. A sale agreement of land is not complete until the title deed has passed to you. Hence, you have to execute a deed of transfer which will transfer the title from the previous owner to you, and register the same. The post completion stage comprises of the following requires that after the sale agreement is executed, you have to prepare the deed of transfer and go to pay the necessary fees. You will then obtain a certificate of the same and thereafter the transaction is approved. A registration of register the deed at the appropriate registration office is a process that will follow as to render completion of the whole transition. You can't sell without a title deed that has your name on it.

There are a lot of things that you need to be keen on during the residential purchases.

Read the Purchase Agreement Carefully

Before you purchase a home, you must sign a real estate purchase agreement with the seller others refer it to sale agreement. The sale agreement is everything for things such as the purchase price, the full name, underlying conditions there in such as the mode of payment, the dates etc

You May Not Have Financing Options

Well getting a home purchase loan from a bank requires you to meet strict conditions and complete a lot of paperwork.(for those who have negotiated loans with bank know what I am talking about). If your credit isn't good enough to qualify for a regular home purchase loan, you might be able to convince the seller to enter into a land contract with you. Under a land



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contract, you pay the seller in installments and the seller transfers title to the house to you when you make the last payment. There are other many forms of agreements upon which you can enter so as to secure a home for yourself.

The Property May Contain Latent Defects

A home that you are keen on buying might contain “latent defects.” This is to mean that, there are hidden problems you probably won’t notice even if you conduct a reasonable inspection of conditions at just one time. One of the examples of a latent defect might be a leaky roof, termites, or a high crime rate in the neighborhood and things of that nature.

The seller of a home is obliged to reveal any latent defects that he knows about. As a buyer you are required to be aware and make a search on the property to assure yourself of the latent free purchase.

A Title Defect May Leave You Without a Home

Residential property is said to contain a “title defect” if there’s a dispute as to who actually owns the property or if a mortgage or lien exists on the property. If the property has a mortgage, for example, the seller must pay it off before selling the property to you or the mortgage can be transferred to you upon an agreement between you, the seller and the bank.

A Real Estate Lawyer Can Help

The law surrounding problems that can arise during the purchase of residential real estate is complicated. Plus, the facts of each case are unique. This article provides a brief, general introduction to the topic. For more detailed, specific information, please contact a real estate lawyer who can take you through the huddles and advise on the best way possible to conclude your purchase and acquire the home of your dreams.

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