



SELLER PROPERTY TRANSFER *CHECKLIST*



South Africa |
*Prepared by Snymans
Inc Attorneys*



Selling a property requires preparation well before registration. This checklist helps you avoid delays and surprises.

1 BEFORE LISTING THE PROPERTY

- **Confirm registered ownership details**

Names must match the title deed exactly.

- **Title deed located or details confirmed**

Required for transfer. If lost, replacement procedures apply.

- **Building plans approved and disclosed**

Unapproved alterations can delay or derail transfer.

- **Bond details confirmed**

Existing bonds need to be cancelled.

- **Agent mandate signed and understood**

Commission terms should be clear upfront.

- **Notice to cancel the existing bond (if applicable)**

Notify your bank of your intention to cancel the bond as early as possible to avoid potential early cancellation penalties and to allow sufficient notice periods to run before transfer.

- **Property Condition Report completed and confirmed**

Ensure the Property Condition Report is completed accurately and reflects all known defects and material information relating to the property before listing.

- **Manuals, warranties and service records collected (if applicable)**

Provide documents for alarms, solar systems, inverters, appliances or recent installations.

- **Occupancy status clarified**

Whether the property is tenanted or owner-occupied affects timelines and obligations.





2 ONCE THE OFFER IS ACCEPTED



- **Appoint your conveyancing attorney**

The seller appoints an experienced property law attorney to manage the transfer and guide the transaction through to registration.

- **Instruction received by conveyancers**

The transfer process officially begins.

- **FICA documentation submitted to attorneys**

This is one of the biggest real-world bottlenecks.

- **Bond cancellation requested**

Banks require notice periods to cancel existing bonds.

- **Cancellation figures received**

These confirm the amount needed to settle the bond.

- **Make sure the purchase price is secure**

Confirm that the buyer's finances are in order and that the purchase price will be secured by an approved bond, guarantees, cash funds or a combination, as required by the agreement.

- **Transfer documentation signed**

Legal documents authorising the transfer.

- **Packing and moving arrangements planned**

Plan ahead for packing, movers, storage (if required), utility disconnections, and vacating the property by the agreed occupation date.



3 COMPLIANCE & LEGAL READINESS

The seller, with assistance from the property practitioner, should ensure that the following compliance requirements are in place:

❑ **Electrical Compliance Certificate obtained**

Mandatory for most residential sales.

❑ **Gas Certificate obtained**

Required where gas installations exist.

❑ **Electric fence certificate obtained**

Legally required if an electric fence is installed.

❑ **Plumbing or water certificate**

May be required by certain municipalities or contracts.



4 CLEARANCE & FINANCIAL STAGE

- **Provision made for rates/levies shortfalls on final figures**

Advance payments are estimates; final figures may require a top-up before registration.

- **Rates figures requested from municipality**

Required to issue a rates clearance certificate.

- **Rates figures paid**

Paid in advance to secure clearance.

- **Rates clearance certificate received**

Confirms municipal accounts are settled.

- **Levy figures requested (if applicable)**

From the body corporate or HOA.

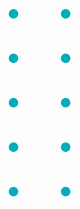
- **Levy figures paid (if applicable)**

Paid in advance to obtain a levy clearance certificate and allow the transfer to proceed.

- **Levy clearance certificate received (if applicable)**

Confirms levies are paid up to date.





5 REGISTRATION & AFTER



- ❑ **Property lodged at the Deeds Office**

Transfer moves through prescribed legal stages.

- ❑ **Registration completed**

Ownership officially passes to the buyer.

- ❑ **Agent commission paid out**

Paid from the proceeds on registration.

- ❑ **Final statements issued**

Net proceeds are paid to the seller.

- ❑ **Property handover arranged and completed**

Arrange key handover, provide remotes, alarm codes, access devices and ensure the property is vacated, reasonably clean, and ready for occupation in accordance with the sale agreement.

- ❑ **Capital Gains Tax (CGT) implications considered**

Sellers should understand potential tax implications of the sale.

IMPORTANT NOTE & DISCLAIMER

This checklist is a general guide to the South African property transfer process. Each transaction is unique and may involve additional legal, financial, or compliance requirements. Timelines can be affected by banks, municipalities, Deeds Office processes, and third parties.

Snymans Inc Attorneys provides expert legal guidance throughout the transfer process to protect your interests and ensure compliance at every stage.



What Causes Delays? (Seller)



Common issues that slow down registration

- **Missing or expired compliance certificates**

Certificates must be valid and correctly issued before transfer can proceed.

- **Outstanding municipal accounts**

Rates clearance certificates cannot be issued if amounts are unpaid or disputed.

- **Levy arrears or disputes**

Body corporates and HOAs will not issue clearance without settlement.

- **Bond cancellation delays**

Banks require formal notice periods to cancel existing bonds.

- **Unapproved building alterations**

Lack of approved plans can trigger additional legal or municipal processes.

- **Title deed issues**

Lost or incorrect title deeds require replacement or rectification.

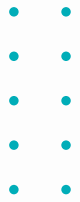


HELPFUL TIPS

Start compliance and bond cancellation processes as soon as the property is listed, not after the sale.

WHY TIMELINES VARY

Property transfers rely on multiple third parties, including banks, municipalities, managing agents, and the Deeds Office. While conveyancers manage and drive the process, some delays are outside anyone's direct control. Early preparation and clear communication significantly reduce risk.



Who Does What? (At a Glance)

Seller

Provides required information and certificates, settles rates and levies, signs transfer documents, arranges occupation and handover, and prepares the property for transfer.

Conveyancer

Manages the transfer process, prepares legal documents, obtains required clearances, and coordinates registration with all parties.



Bond Cancellation Attorney

Handles cancellation of the seller's existing bond and liaises with the bank to obtain cancellation figures and proceed with cancellation

Municipality / Body Corporate / HOA:

Issues rates and levy clearance figures and certificates required for transfer.

Buyer / Buyer's Bank

Provides guarantees or purchase funds, fulfils suspensive conditions, and proceeds with bond registration (if applicable).