

HOW THINGS **CAN GET**

DELAYED



IN RESIDENTIAL REAL ESTATE TRANSACTIONS

THE CHALLENGE

delayed in law offices for two reasons:

Residential real estate transactions are sometimes



Timelines between the removal of conditions and possession date have become shorter, leaving too little time for lawyers to do their due diligence and obtain financing instructions from lenders.



Conveyancing instructions are not provided until shortly before possession dates, despite condition removal occurring weeks in advance of the date conveyancing is provided.



The short timelines lead to possible financial and reputation challenges for both the Realtor and the legal professional due to:



Delayed possession dates



Dissatisfied

clients



funding for purchases



releasing funds



of real estate commissions



We hope **Realtors**® will better understand the law office conveyance process so

THE GOAL

that they can help avoid delays which could negatively impact their bottom line and their client's overall satisfaction with the transaction.



CONVEYANCING PROCESS

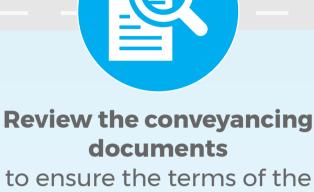


obtain necessary personal

information to perform a conflict check and open a new client file. **REALTOR® reminder:** ensure client contact information is

included on conveyancing

documents.



to ensure the terms of the agreement do not create

any issues for the client and to review any conditions that need to be met before possession



etc.) to ensure the client is protected

from undisclosed issues with or relating to the property. If the property is being

purchased with a



which includes: For a purchase: All documents required

by the buyer's lender, which often

Prepare the necessary

documents for the

client to sign,



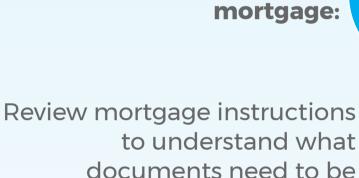
numerous affidavits and declarations. For a sale: Title transfer documents and supporting affidavits, as well as calculating a statement of adjustments to ensure there are sufficient sale proceeds

to pay out (a) the seller's mortgage, (b)

includes the mortgage, credit agreement,

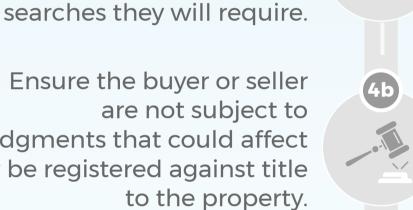
cost of borrowing disclosure statement,

pre-authorized debit agreement, and



Ensure the buyer or seller are not subject to judgments that could affect or be registered against title

prepared, and what additional



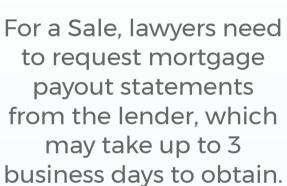
lender's mortgage instructions are met which may include the payout and closure of other debts like credit cards.

Ensure all conditions in the

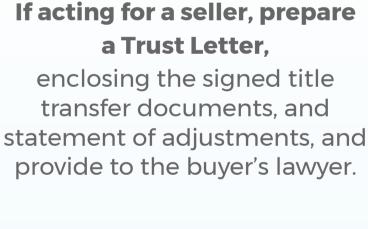


appointment with the client to review and sign documents:

Arrange an



Submit the mortgage and



If acting for Review seller's lawyer's Trust a buyer:



Submit the signed

mortgage documents

on the late balance of the purchase price.

Prepare and deliver a letter to

seller's lawyer enclosing the

'down payment' portion of the

purchase price, confirming

less than three business days prior to the possession date. When this cannot be done within the lender's timeline, it can lead to delays in mortgage funds being available for the possession date, which results in the buyer having to pay interest to the seller

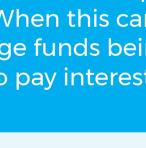
title transfer documents

to ISC for registration

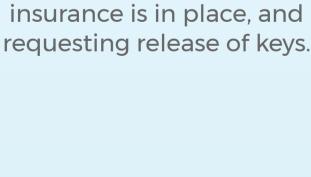
which can take up to 3

business days or more.

Once mortgage funds have been received, prepare, and deliver a letter to the seller's lawyer enclosing the balance of the



Letter.



COMMISSION DELAYS

- Did You Know



purchase price, and authorizing

the seller's lawyer to release funds.

delivery of the balance of the purchase price is often delayed, and only after delivery of the

estate commissions.

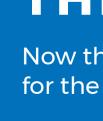
During peak seasons, ISC can take up to four business days to process title transfers. As a result,

balance occurs, can the seller's

lawyer proceed to pay out real

There is a strong correlation between the timing of

conveyancing delivery, and the payout of commissions.



THE SOLUTION Now that you see how many steps are involved in conveyancing for the legal profession.



In most instances, delays in paying

out real estate commissions either

other closings with short timelines

or are a consequence of the delays

caused from the outset due to the

come because of law office

resources being dedicated to

late delivery of conveyancing

documents.

Set a minimum timeline of 24-48 hours within

which conveyancing instructions must be provided to the lawyer's office following removal of conditions:



due to the closure of banks and law offices during these times.

conditions and the possession date, wherever possible; and

Set a minimum timeline of 7-10 business days between the removal of

Avoid scheduling possession dates on statutory holidays and weekends



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