# Condition of the Property – “Buyer Beware”

Remember, it is your responsibility to ensure that you are completely satisfied about the condition of the property and all the equipment, appliances and services and you should have all the necessary inspections, reports and surveys carried out before Contracts are exchanged.

We strongly advise you to have your own structural survey carried out by a surveyor. You may also wish to consider appointing a specialist firm to provide reports on such matters as damp, timber, gas and electric installations, or the roof prior to exchange of Contracts. You cannot rely on your lender’s valuation report which, in any event, will not be a proper structural survey.

**Sold As Seen**

When you buy a property, it is “sold as seen”. This means that when you exchange Contracts you are entering into a binding legal agreement to buy a property in the condition it is in at that date. This means you will purchase the property subject to any defects the property may have, whether or not they are obvious.

If you move in and discover any defects you will have no recourse against the seller who has no obligation to reveal information to you about the state and condition of the property.

**Inspection and Survey**

**WE WOULD STRONGLY RECOMMEND THAT YOU OBTAIN A SURVEY OVER THE PROPERTY**

To avoid unwittingly owning a defective property you should make sure that you know as much about the property as you feel appropriate before you exchange Contracts. You should always carry out your own thorough physical inspection of the property to ensure that you are familiar with the general condition of the property. However, your own visual inspection is unlikely to reveal any defects which are not obvious.

The best way to deal with this therefore is to appoint a qualified surveyor to carry out a private and independent survey of the property. The most common type of survey carried out by Buyers is a HOMEBUYER’S SURVEY. Some Buyers will commission a FULL STRUCTURAL SURVEY over the Property which is more expensive but provides a more in-depth report.

It is of course entirely up to you as to what sort of survey you require and clearly, the more you pay the greater the degree of investigation by the surveyor.

**What type of survey should I have?**

That is entirely a decision for you to make considering all the circumstances of the transaction and the age and general condition of the property. You should seek the advice of a surveyor about which is the most appropriate survey to carry out.

The survey report is designed to identify issues regarding the property and may also recommend further specialist investigation into issues such as damp along with structural elements which may include timber, wall- ties and the property’s roof as well as the gas and electrical installations at the property as work on these installations are some of the most common expenses incurred by Buyers after completion.

**Will my mortgage lender carry out a survey?**

NO, the lender will commission a report for their valuation purposes only. This will not provide an in-depth report on the structural condition of the property and in some instances may not even involve the surveyor entering the property at all. You will most probably receive a copy of the valuation survey, although it is likely to specifically mention that it is for the purposes of the lender and that you are unable to rely on it for your own purposes (even though you have paid for it).

Please note that we are unable to express a professional opinion on the results of any survey you have carried out at the property. Any further questions you have on the report should be referred directly to the surveyor who compiled the report in the first place.

**Survey Result – Repairs**

Your survey report may reveal that repairs to the property are necessary.

These may be repairs which affect your valuation of the property. They may be repairs of such significance that your mortgage lender insists on them being carried out before they will be prepared to lend you the money; or they may withhold part of the mortgage advance until the works are carried out satisfactorily.

In these circumstances, we suggest that you obtain estimates so that you know the extent of the costs involved.

If you wish to renegotiate the price or require the seller to carry out the works themselves prior to exchange of Contracts you must deal with this yourself, either directly with the Seller or through the estate agent. However, any agreement reached may need to be reflected in the Contract and therefore you should inform us once a decision has been reached by the parties.