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Buying or selling property: document checklist

Having these documents ready at the start helps your transaction move quickly. By law, attorneys must verify the identity and address of their clients under the Financial Intelligence Centre Act 38 of 2001 (FICA), so we will ask every buyer and seller for these documents.

For every individual buyer and seller

- [ ] Identity document: green bar-coded ID book or smart ID card, or a valid passport for non-South Africans
- [ ] Proof of residential address dated within the last three months, such as a municipal account, bank statement or lease
- [ ] SARS income tax reference number
- [ ] Marriage certificate, and your antenuptial contract if you are married out of community of property
- [ ] If divorced, the divorce order and settlement agreement
- [ ] If married in community of property: the same documents for your spouse, whose consent is required to buy or sell
- [ ] Your contact details, and a bank confirmation letter for the account into which any money must be paid

Companies, close corporations and trusts

- [ ] Company: registration certificate (CoR 14.3), Memorandum of Incorporation and a directors' resolution authorising the transaction
- [ ] Close corporation: founding statement (CK1) and a members' resolution
- [ ] Trust: current Letters of Authority from the Master, the trust deed and amendments, and a resolution signed by all trustees
- [ ] Identity and address documents for each director, member or trustee, and beneficial ownership details

Sellers

- [ ] A copy of your title deed, if you have one
- [ ] Details of the bank that holds your home loan and the account number, so that the bond can be cancelled. Banks usually require notice of cancellation, often 90 days, so let your bank know as soon as the property is sold
- [ ] Your latest municipal rates account
- [ ] For sectional title or estate properties: the latest levy statement and the managing agent's contact details
- [ ] Electrical certificate of compliance
- [ ] City of Cape Town plumbing certificate from an accredited plumber
- [ ] Gas certificate of conformity and electric fence system certificate, if the property has a gas installation or an electric fence
- [ ] Beetle certificate, if required by your agreement of sale

This checklist is general information and not legal advice. Requirements may vary with your circumstances.

Buyers

- [ ] A copy of the signed agreement of sale
- [ ] Your bond approval and bank details, if you are taking out a home loan
- [ ] Proof of the source of funds for the deposit or cash purchase price, such as bank statements
- [ ] Proof that the deposit has been paid into the transferring attorney's trust account, if applicable

Use the transfer and bond calculators at **cmelaw.co.za/calculators** for an estimate of your costs, including transfer duty, conveyancing fees and Deeds Office fees.

Need help with a property transaction? Call or WhatsApp us on 069 573 0023, email info@cmelaw.co.za, or send an enquiry at cmelaw.co.za.

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