

Are you ready to settle?

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You have right to inspect your property once prior to the day of settlement and this is your chance to make sure the property you are buying, is in the condition you are expecting. This is an essential step in buying a house.

You should arrange the inspection with the Real Estate Agent selling the property well before settlement.

What should the property be like?

The property and chattels listed in schedule 2 of the agreement you signed should be in the condition they were in on the date you signed the agreement to purchase the property. Any new mess or damage should be cleaned up by the vendor.

Otherwise the chattels included in your agreement that undertake an 'operational function' should be in the condition that they were when you signed the agreement. They must also be in reasonable working order given their age and condition. These chattels are normally things like heat pumps, ovens, hobs and automatic garage door openers that you may not have been able to try out before you purchased.

What do you do if you are not happy with the property's condition?

You let your solicitor know as soon as possible and no later than early on the day before settlement.

Normally your solicitor will be able to resolve any dispute by discussing it with the vendor's solicitor but the sooner you notify them the more rights and options you will have.

If your solicitor can't resolve the matter by agreement then you may have a range of rights from the ability to cancel and/or claim compensation. Most damage won't give you the ability to cancel but may allow you to claim some compensation. There is a mechanism to resolve the dispute contained in the contract and your lawyer can talk you through that process. If the vendor has agreed to complete some work to fix the issues you raised then you are entitled to re-inspect the property to ensure that work is complete.

For more assistance please contact a member of our on (07) 578 2099.