

## A QUICK GUIDE TO THE BOND REGISTRATION PROCEDURE

### STEP 1 RECEIPT OF INSTRUCTIONS FROM BANK

- Receipt of instructions from the Bank to register the bond. Usually the instructions are received electronically.
- Contact the Client to confirm receipt of the instructions and request any documents required.

### STEP 2 PREPARATION OF DOCUMENTS

- If a transfer is involved – request a flysheet from the Transferring Attorney, guarantee requirements and relevant FICA Documents from Client.
- Obtain a Deeds Office Printout for the property and the Client to check for any interdicts, insolvencies or other caveats that may be registered against the Client or the property.
- If a further advance is involved obtain the Title Deed from the Bank and prepare the bond documents for signature.

### STEP 3 SIGNATURE OF DOCUMENTS

- On receipt of the flysheet and other documents, prepare the bond documents for signature.
- Contact the Client and arrange for signature of the documents and payment of costs.

### STEP 4 GUARANTEES AND FICA

- Advise the Transferring Attorneys that the bond documents have been signed. Send guarantee, if requested, or advise of the amount available under the Bond. Advise of position to lodge upon request or advise the Transferring Attorney of what is preventing lodgement.
- Comply with any of the Bank's pre-lodgement requirements and check FICA compliance.

### STEP 5 LODGEMENT OF BOND DOCUMENTS

- If a further bond is involved proceed with lodgement.  
If a Transfer is involved, lodge on request of the Transferring Attorney.
- The Deeds take seven to ten days to be examined in the Deeds Office whereafter they come up for registration.  
The Conveyancer has five days in total to register the Bond.
- If a further Bond is involved, the bond is handed in for registration and registered on the following day.  
If a Transfer is involved, the Transfer and Bond Attorneys arrange the date of registration, within the seven to ten day period.

### STEP 6 REGISTRATION

- On the day of registration, the Bond Attorney arranges with the Bank to have the bond proceeds paid and registers the bond with the other linked transactions. The Transferring Attorney is handed a cheque for the bond proceeds at the Deeds Office.
- Alternatively, if there is a guarantee the Transferring Attorney will present it for payment after registration has taken place.  
The Bank and Client are advised of registration.
- In the case of a further Bond, the Bond proceeds are paid to the Client in terms of his payment instructions.

### STEP 7 DELIVERY OF BOND DOCUMENTS

- Once the Bond has been numbered and micro-filmed, it is delivered to the Bond Attorney from the Deeds Office. This can take up to three months.
- The Bond Attorney then obtains the Title Deed from the Transferring Attorney, if applicable, and delivers the Title Deed, Bond and other security documents to the Bank. If no Bond is involved, the Title Deed is delivered to the Purchaser.

## A QUICK GUIDE TO THE CONVEYANCING PROCEDURE

### STEP 1 RECEIPT OF DEED OF SALE

- Acknowledgement of receipt. Deeds Office search and copy of Title Deed requested.
- Apply to municipality for rates figures and valuation certificates.
- Apply for levy figures from Body Corporate and consent from Home Owners Association (if applicable).

### STEP 2 FULFILMENT OF SUSPENSIVE CONDITIONS

- Follow up on fulfillment of suspensive conditions. eg: bond approval or sale of purchaser's property.
- On confirmation of fulfillment, issue cancellation instructions to seller's bondholder, if the property is bonded.
- Collect necessary documentation from seller and purchaser and draft transfer documents.

### STEP 3 SIGNATURE OF DOCUMENTS AND PAYMENT OF COSTS

- Seller and purchaser sign transfer documents. Purchaser signs bond documents (if applicable).
- Purchaser pays transfer costs. Seller pays rates, including advance rates, for Rates Clearance Certificate.
- Apply for transfer duty receipt, rates clearance certificate and levy certificate (if applicable).

### STEP 4 COMPLIANCE CERTIFICATES

- Seller to provide a Plumbing Certificate (if property falls within the jurisdiction of the City of Cape Town municipality) as well as an Electrical, Beetle, Gas and Electric Fence certificate (if applicable).

### STEP 5 GUARANTEES AND FICA

- Ensure satisfactory guarantees in place for purchase price.
- Check FICA compliance.

### STEP 6 LODGEMENT OF DEEDS AT DEEDS OFFICE

- Upon receipt of transfer duty receipt, rates and clearance certificate and original Title Deed, arrange with linked bond cancellation and bond attorneys for simultaneous lodgement.
- Deeds lodged at the Deeds Office and allocated a barcode for tracking purposes. Deeds examined.
- Examination process takes seven to ten working days.
- On about the seventh or tenth working day, the deeds appear in the Prep Room and are 'up for registration'. The conveyancer has five working days to finalise any outstandings and hand in for registration the next day.

### STEP 7 REGISTRATION

- Once handed in, the deeds appear in the Execution Room. Conveyancer registers the deeds at 10h00.
- Ownership passes from seller to purchaser. Purchaser's new bond (if applicable) is registered. Seller's existing bond (if applicable) is cancelled.
- Final accounts drawn for the seller and purchaser. Seller paid out net proceeds. Agent's commission paid.

### STEP 8 DELIVERY OF DEEDS

- Once registered, the deeds are numbered and microfilmed. It can take up to three months for the Deeds Office to deliver original Title Deed and Mortgage Bond back to the conveyancer. Once delivered, the conveyancer will send original Title Deed to the relevant bank (if the property is bonded) or purchaser (if unbonded).