

PRE-CONTRACT QUESTIONNAIRE
FOR
PROPERTY PURCHASE



Law Society of Ireland



Purchaser: _____

Property: _____

2001 Edition

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PRE-CONTRACT QUESTIONNAIRE FOR PROPERTY PURCHASE

1. YOUR DETAILS

Please complete the following personal details:

1.1 Your Full Name: _____

1.2 Your Address:
(for correspondence) _____

E-mail address _____

1.3 Your Occupation _____

1.4 Your phone and fax numbers:

(a) Home telephone no _____

(b) Office telephone no: _____

(c) Mobile telephone no: _____

(d) Fax no: _____

1.5 (a) What is the source of the funds that you will use to buy the property? If you are not obtaining a loan, please go to question 1.6. If you are obtaining a loan, please provide us with a copy of your letter of loan offer. If your loan has not yet been approved please provide us with the following information:

Own Resources	Loan Proceeds
€	€

(i) Name and Address of your Bank/Building Society _____

(ii) Phone/Fax Number _____

(iii) Contact Name _____

(iv) Amount of loan € _____

(v) Type of mortgage

Fixed	Variable	Endowment	Pension
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(Before you sign an unconditional contract to purchase the property, it is essential that you are able to comply with all of the conditions of your loan offer. If life assurance is required, you must ensure that you are approved for life cover.)

b) Is anyone other than you contributing (either financially or otherwise) towards the purchase?

Yes: Please give details	No
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(This may give that person rights to the property)

(c) Will you require bridging finance?

Yes	No
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(You should prepare a budget for the purchase. Please refer to the attached form, which we can complete with you.)

1.6 What is your marital status?

Single	Engaged	Married/ Widowed	Separated	Divorced
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1.7 If you have answered "married",

(a) What is your spouse's name and will you buy the property in joint names?

Sole Name	Joint Names
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(If you purchase the property in your sole name as your family home and you are getting a loan, then your spouse must consent to the mortgage and will require independent legal advice.)

(b) If purchasing in joint names, is it your intention that the property will automatically pass to your spouse on your death?

Yes	No
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1.8 If you have answered "separated", have you entered into a Deed of Separation? Has this been made an Order of Court or did you apply to the Court for a legal separation? Please provide us with a copy of all relevant document(s)

Deed Only	Court Order	Court Separation
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1.9 If you have answered "divorced", please provide us with a copy of your State Marriage Certificate and the Court Order relating to your divorce.

State Marriage Certificate	Court Order
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1.10 If you have answered "widowed", please provide us with a copy of your State Marriage Certificate and the Death Certificate of your late spouse.

State Marriage Certificate	Spouse's Death Certificate
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1.11 If you have answered "engaged", did the engagement terminate within the past 3 years?

Yes: <i>Please give details</i>	No
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1.12 Are you or have you been involved in any family law litigation in Ireland or has any been threatened?

Yes: <i>Please give details</i>	No
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1.13 Are you aware that family law proceedings have been commenced in relation to your marriage in any other jurisdiction?

Yes: <i>Please give details</i>	No
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1.14 What is your PPS (formerly RSI) number?
(The Revenue Commissioners will require this information.)

1.15 Are you an Irish Citizen or resident in an EU Country?

Irish	EU	Neither: <i>(Please give details)</i>
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(If you are neither and are purchasing a property outside Co. Dublin, it may be necessary for you to apply to the Department of Agriculture for consent to the purchase. This is usually a formality.)

1.16 Please furnish the name(s) and address(es) of the person(s) in whose name(s) the property is to be purchased.

(If you are buying with another person you may wish to hold the property as Joint Tenants or Tenants in Common. We will need to discuss this matter fully with you before you make this decision)

2. PARTICULARS OF PROPERTY

2.1 What is the full address of the property you are buying?

2.2 What type of property is it?

PD New	PD S/H	AT New	AT S/H	VS	CP New	CP S/H	COM
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PD = Private Dwelling
 AT = Apartment/Townhouse
 VS = Vacant site
 CP = Country Property
 S/H= Second Hand
 COM=Commercial Property

2.3 Is the property correctly identified on the enclosed map?

Yes	No: <i>Please give details</i>
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2.4 (a) Are you buying privately or by public auction?

Private Treaty	Public Auction: <i>Please give details</i>
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(b) Who are the auctioneers and do you have a contact name?

2.5 If buying at auction, when and where will the auction be held?

2.6 If buying privately,
 (a) What is the purchase price? €

(b) What deposit is required? €

(c) Have you paid a booking deposit?

2.7 When do you wish to complete the purchase?

(This is the day on which you must pay the balance of the purchase price. You should inspect the property immediately prior to completion to ensure that the vendor has vacated it by removing all contents, refuse, etc. and leaving only those items that they have agreed to sell to you.)

2.8 What is the seller's name and address?

2.9 Who are the seller's solicitors?

2.10 Does the property, or the development in which it is situate, consist of a block of 5 or more stories (including the basement)?

Yes	No
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2.11 Is there any evidence of any person, other than the vendors and their immediate family, occupying the property?

Yes: Please give details	No
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3. SERVICES AND UTILITIES

This section applies to gas, electrical and water supplies, sewage disposal and telephone cables. Where you have answered, "not known" to one of the following questions, you will need to ask your Architect or Engineer to confirm the position.

3.1 What services do you expect the property to have?
(You should make your own arrangements for the transfer of all services, such as telephone, gas, electricity and piped T.V. prior to completion.)

Gas	Mains Elec	Mains Water	Group Water Scheme	Tel	TV
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3.2 Do any drains, pipes or wires for these services cross any neighbour's property?

Yes: Please give details	No	Not known
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3.3 (a) If the property obtains its water supply from a well, is this well on the property?

Yes	No: <i>Please give details</i>	N/A
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(b) Does the property obtain its water from a group water scheme?

<i>Yes: Please give details</i>	No	Not Known
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3.4 If the property drains into a septic tank, is the tank and its percolation area on the property?

Yes	No: <i>Please give details</i>	Not Known	N/A
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3.5 Do any drains, pipes, wires or cables, serving a neighbour's property, cross the property?

<i>Yes: Please give details</i>	No	Not Known
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3.6 Is there a well or septic tank on the property that services another property?

<i>Yes: Please give details</i>	No	Not Known
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3.7 Does a public road lead directly to the property?
If not, how does one gain access to the public road?

Yes	No
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3.8 Is the property situated in a privately managed development that would attract a service charge?

<i>Yes: Please give details</i>	No
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4. PLANNING

4.1 Do you know when the buildings on the property were constructed?

Yes: <i>Please give details</i>	No	Not known
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4.2 (a) What is the present use of the property?

(b) Do you intend to change this use?

Yes: <i>Please give details</i>	No
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4.3 Does it appear that there has been building work (such as garage or attic conversions) on the property?

Yes: <i>Please give details</i>	No
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4.4 Have you carried out a planning search on the development plan:

Yes: <i>Please give details</i>	No
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(i) To check details of proposed road widening and zoning;

(ii) To establish whether or not there have been any planning applications made in respect of the property or any nearby property, whether they have been granted or refused, and to see if they affect your future plans for the property?

(If not, you or your Architect should do so now. If you are unsure what to look for, please let us know).

4.5 Is it possible that the property is a listed building or located within a Special Amenity Area, a Special Area of Conservation, a National Heritage Area, a Special Protection Area or a European Site?

Yes: <i>Please give details</i>	No	Not known
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5 **FIXTURE/FITTINGS/CONTENTS**

5.1 Are there any contents included in the sale price? If so, please let us have detailed list.

Yes	No
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(Stamp duty is not charged on the value of contents although they are taken into account for the purpose of establishing the applicable rate of duty. If you wish to attribute a value to the contents, please ask the auctioneer to value them. You must deduct the value attributed to the contents when advising your lending institution of the purchase price.)

5.2 Are you taking over any agreements that may exist in relation to these contents, e.g., hire purchase agreement?

Yes: Please give details	No
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6 **STAMP DUTY**

Different rates of stamp duty apply to residential and non-residential property. If all or part of the property you are purchasing is non-residential property we will require to advise you further.

6.1 If you are buying a new house/apartment,

(a) Will you occupy it as your only or principal place of residence?

Yes	No: Please give details
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(b) If you have answered "no" to (a), will you allow a third party (such as a family member) to occupy it in your place?

Yes	No
-----	----

(c) If the answer to (b) is "yes", do they intend to let out a room?

Yes	No
-----	----

(d) Is it 125sq.m or less in area?

Yes	No
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(If the answer to (a) is "yes" and the house/apartment is 125 sq.m or less, then you will be exempt from stamp duty. If the answer to (a) is "yes" and the house/apartment is larger, then you will only get partial relief from stamp duty. In either case, there may be stamp duty implications if you let the property within 5 years of buying it).

6.2 If you are buying a second-hand house/
apartment?

(a) Will you occupy it as your only or principal
place of residence?

Yes	No
-----	----

(b) Have you ever before either alone or with
another purchased or built a house in Ireland
or abroad?

Yes	No
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*(If the answer to (a) is "yes" and the answer to (b) is
"no", then you will pay the lowest rate of stamp duty.
The exact rate will depend on the purchase price.
If the answer to (a) is "yes" and (b) is "yes" then you
will pay a higher rate of stamp duty. If the answer to
(a) is "no", you will be treated as an investor and will
pay the highest rate of stamp duty, applicable to
investors).*

7. SURVEY

7.1 If you are buying a second hand property, have
you had a survey carried out by an architect,
engineer or building surveyor?

Yes	No
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*(It is vital that you have the property surveyed
before contracts are exchanged, as you will have
no recourse against the seller if defects in its
physical condition appear later. Your Architect/
Engineer should also check the enclosed map
against the physical boundaries of the property
on the ground. In certain circumstances, it may
be necessary to commission an Environmental
Impact Study)*

7.2 Are you buying a commercial Property? If so,
in addition to checking its physical condition
and the boundaries, you should ask the Architect/
Engineer to advise you as to whether the building
complies with the fire regulations. If you complete
the purchase and are then served with a Notice
requiring you to comply with the fire regulations,
you will be responsible for the cost of compliance.

Yes	No
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8. NEW HOUSE/APARTMENT

8.1 Are you entitled to a first time buyer's grant?

Yes	No
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*(This is only available if neither you nor your spouse
has already purchased a house in Ireland or abroad.
The builder must provide a certificate that its tax
affairs are in order)*

8.2 Is the builder registered under the HomeBond
Guarantee Scheme?

Yes	No	Not known
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8.3 What is the expected completion date of the
new house/apartment?

8.4 Is the builder seeking to have the deposit or stage payments paid to him?

Yes	No
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(You may risk losing your deposit or stage payments unless:

- (a) they are properly covered by HomeBond or*
- (b) held by the builder's solicitors until completion.*

We will carry out a search in the Companies Office against the builder and investigate whether all or part of the deposit will be protected under the HomeBond Scheme.)

9 INVESTMENT PROPERTY

9.1 Are you buying this property for investment purposes?

Yes	No
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9.2 Do you expect to benefit from any tax reliefs /allowances?

Yes: Please give details	No
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9.3 Are there any tenants in the property?

Yes: Please give details	No
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10 VAT

10.1 Do you expect to recover any VAT on the purchase price?

Yes	No
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10.2 Are you registered for VAT?

Yes	No
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10.3 If so, please state your VAT number.

11 INSURANCE

11.1 Are you buying a property without the assistance of a loan?

Yes	No
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If you have answered "yes", then it is imperative that you can insure the property against fire and the usual perils on completing the purchase. If "no", you should liaise with your lending institution to ensure that insurance is in place when you complete the purchase.

12 GENERAL

12.1 Is there a lake or inland waterway on the property?

Yes: <i>Please give details</i>	No
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12.2 Are you aware of any protected species of birds or animals or flora on the property?

Yes: <i>Please give details</i>	No
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12.3 Are you aware of any National Monument on the property?

Yes: <i>Please give details</i>	No
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12.4 Is there any further information that you believe we need to know in connection with the purchase?

Yes: <i>Please give details</i>	No
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Signature(s)

Date:

BUDGET FOR PURCHASE

Property address:

1.	Purchase Price		€
	Amount of Loan		€ _____
	Balance due		€
	(NB Deposit/balance of deposit due now)		
	OUTLAY	€	
2.	Acceptance fee (Bank/Building Society)		
3.	Indemnity Bond		
4.	Surveyor's fee (Lender's) Surveyor's fee (yours)		
5.	Stamp Duty (Purchase Deed)		
6.	Stamp Duty (Mortgage Deed)		
7.	Registration fee on Purchase Deed (unregistered land)		
8.	Registration fee on Mortgage Deed (unregistered land)		
9.	Registration fee on Purchase Deed (registered land)		
10.	Registration fee on Mortgage Deed (registered land)		
11.	Solicitor's fee on Purchase		
12.	VAT on solicitor's fee on Purchase at 21%		
13.	Solicitor's fee on Mortgage		
14.	VAT on Solicitor's fee on Mortgage at 21%		
15.	Miscellaneous Outlay (searches/commissioners etc.)		
Total Outlay (say) (Added to Balance due at 1 above)		€ _____	€ _____
TOTAL NEEDED (SAY)			€ _____



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