

PRE-CONTRACT QUESTIONNAIRE
FOR
PROPERTY SALE

Law Society of Ireland

Vendor:
Property:

PRE-CONTRACT QUESTIONNAIRE
FOR
PROPERTY SALE

Please complete this form carefully. It is very important that your answers are correct because the buyer will rely on them.

For many of the questions you need only tick the correct answer. It does not matter if you do not know the answer to any question as long as you say so. If there are any questions that you do not understand, please contact us.

If anything changes after you fill in this questionnaire but before the sale is completed, tell us immediately. This is as important as giving the right answer in the first place.

1. PARTICULARS

Please complete the following personal details:

1.1 Your Full Name _____

1.2 Have you ever signed any document relating to the property in any other name or variant of your name in English or in any other Language?

No	Yes: <i>Please give Details</i>
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1.3 Your address (for correspondence): _____

E-mail address: _____

1.4 Please provide your telephone and fax numbers:

a) Home telephone number: _____

b) Office telephone number: _____

c) Mobile telephone number: _____

d) Fax number: _____

1.5 What is your marital status?

Single	Engaged	Married/Widowed	Separated	Divorced
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1.6 if you have answered “married”,
 (a) What is your spouse’s name and is
 the property owned jointly by you and
 your spouse.

(Spouse’s Name)

Sole Name	Joint Name
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(b) Do you and your spouse ordinarily
 reside in the property?
*(if the answer is “Yes” and the property is
 not owned jointly, your spouse must give
 his/her prior consent to the sale).*

Yes	No
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In either case, please provide us with a copy
 of your State Marriage Certificate.

1.7 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 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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1.8 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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1.9 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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1.10 Are you currently engaged or were you a party
 to an engagement that terminated within the
 past 3 years

Yes: Please give details	No
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1.11 Are you or have you been involved in any
 family law litigation in Ireland or has any
 been threatened?

Yes: please give details	No
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1.12 Are you aware that family Law proceedings
 have been commenced in relating to your
 marriage in any other jurisdiction?

Yes: please give details	No
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1.13 What is the name and address of your Inspector of Taxes and your PPS (formerly RSI) number?
(This information will be required by the Revenue Commissioners)

Please give details

1.14 Have you ever been adjudged bankrupt?

Yes: please give details	No:
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1.15 Are you resident in Ireland for tax purpose?
(if you are non-resident this may have implications insofar as the payment of capital gains tax is concerned)

Yes:	No: please give details
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2 PARTICULARS OF PROPERTY

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

2.2 What type of property is it?
PD= Private dwelling house
AT=Apartment/Town house
VS=Vacant Site
CP=Country property
S/H=Second Hand
COM= Commercial

PD	PD	AT	AT	CP	CP	VS	COM
New	S/H	New	S/H	New	S/H		

2.3 Are you selling privately or by public auction?

Private Treaty	Public Auction
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2.4 Have you employed an Auctioneer?

Yes: Please give details	No:
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2.5 Where and when is the auction to be held?

Please give details

2.6 When do you wish to complete the sale?
 (This is day by which you must vacate the property and have removed all your belongings.) _____

2.7 If you have decided to sell privately, have you yet found a buyer.

Yes: please give details	No	N/A
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2.8 Do you know the name and address of the buyer's solicitors?

Yes: please give details	No
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2.9 Where are the title deeds of the property?

If the deeds are with your bank or building society, please sign the enclosed letter addressed to the bank/building society in question authorising us to take up the deeds on your behalf. If the property is in joint names, your spouse must sign this letter.
Note: vendor's solicitor will have to enclose appropriate letter for signature.

At Home	With my Bank/Building Society <i>Please give details</i>	Letter enclosed
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2.10 Does any married couple other than you and your spouse lives in the property?

Yes: Please give details	No
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2.11 Is the property an apartment or is it situated in a privately managed development? If so, we require to know the name of the managing agents or the secretary of the management company, from whom we will require further information.

Yes: please give details	No
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3. BOUNDARIES

“Boundary” means any fence, wall, hedge or ditch which mark the edge of your property

3.1 Looking towards the house from the road, who either owns or accepts responsibility for the boundary:

a) on the left?

We do	Next door	Shared	Not known
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b) on the right?

We do	Next door	Shared	Not known
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c) at the back?

We do	Next door	Shared	Not known
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3.2 If you have answered “not known” which of the boundaries have you actually repaired or maintained?

Please give details

3.3 Are you involved in any dispute with your neighbours about boundaries?

Yes: Please give details	No
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3.4 Are there any written agreements about any of the boundaries?

Yes: Please give details	No
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4. NOTICES

4.1 Have you either sent or received in any letters or notices that affect your property in any way (for example, from or to neighbours, the local authority or a government department)? If you have answered “yes”, please provide us with a copy.

Yes: Please give details	No
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5 SERVICES AND UTILITIES

This section applies to gas, electrical and water supplies, sewage disposal and telephone lines.

5.1 Please circle which services are connected to the property.

	Gas	Mains Electricity	Mains Water	Group Water Scheme	Telephone	Mains drains
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5.2 Do any drains, pipes or wires for these cross any neighbour's property.

Yes: Please give details	No	N/A	Not known
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5.3 If your property obtains its water supply from a well, is this well on the property.

Yes: Please give details	No
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5.4 Does your property obtain its water from a group water scheme? If so, please give details of this scheme.

Yes: Please give details	No
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5.5 If your property drains into a septic tank, is the tank and its percolation area on your property?

Yes	No: please give details	N/A	Not known
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5.6 Do any drains, pipes wires or cables, which service another property pass over or under your property.

Yes: Please give details	No	Not known
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5.7 Is there a well or septic tank on your property that service another property.

Yes: Please give details	No	Not known
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5.8 Are you aware of any agreement that is not with the deeds about any of these service?

Yes: Please give details	No
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5.9 Does a public road lead directly to the property if not, how do you gain access to the main road?

Yes	No
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5.10 Are you selling part only of your property

Yes	No
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If you have answered “yes”

Yes: Please give details	No
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(a) will the purchase require any rights such as a right of way or right to use a septic tank on property retained by you?

(b) will you need to retain any rights over the property to be sold?

Yes: Please give details	No
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In either case, please provide us with a map showing the boundaries of the property to be sold

5.11 If the property has television reception,

(a) Please indicate how this service is received.

Cable/satellite	Dish MMDF	Aerial (yours)	Aerial	Communal
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(b) If serviced by a satellite dish or aerial owned by you, will it be included in the sale price?

Yes	No
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6. SHARING WITH THE NEIGHBOURS

6.1 (a) do you share the use of anything such as a driveway or boundary with your neighbour?

Yes: Please give details	No
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(b)if you have answered “yes”, do you contribute towards the cost of repairs

Yes	No
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6.2 Do you contribute to the cost of repair or maintenance of anything used by the neighbourhood, such as a private road? If so, who is responsible for organising the work and collecting the contributions?

Yes: Please give details	No
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6.3 (a) Do you need to go next door if you have to repair or decorate your building or maintain any of the boundaries?

Yes: Please give details	No
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(b) If you have answered 2yes”, for how long have you been able to do so without objections by the neighbours?

Yes	No
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6.4 Do any of your neighbours need to come onto your land to repair or decorate their building or maintain the boundaries or for any other reason?

Yes: Please give details	No
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6.5 If so, have you ever objected?

Yes: Please give details	No
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7. ARRANGEMENTS AND RIGHTS

7.1 Are there any formal or informal arrangements that give someone else rights over your property? (e.g. right of way, light, drainage, turbary, fishing, sporting)

Yes: Please give details	No
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8. OCCUPIERS

8.1 Will vacant possession of the entire property be handed over to the purchaser?

No: please give details	Yes
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8.2 Does anyone other than you or your family live in the property?

Yes	No
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If “No”, go to question 9.1

If “Yes”,

(a) Do any of them have any right to say on the property without your permission?
(These rights may have arisen without you realising, e.g. if they have paid towards the cost of buying the house, paid for improvements or helped you make your mortgage payments.)

Yes: Please give details	No
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(b) Are any of them tenants or lodgers?
If “Yes”, we shall require full details of your agreement with them whether in writing or not.

Yes: Please give details	No
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9. PLANNING

9.1 When were the buildings on the property constructed?

9.2 What is the property used for?

9.3 Have you ever been notified by the planning authority that the property is a protected structure (listed building)?

Yes: Please give details	No
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9.4 Are you aware that the property is in a special amenity area, a special area of conservation, a natural heritage area, a special protection area or European Site?

Yes: Please give details	No
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9.5 (a) Have any of the building on the property been added to or altered since they were first constructed? if "No" go to question 9.8

Yes: Please give details	No
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(b) If "Yes", was planning permissions obtained? if you have answered "Not required" please explain why not. If you have answered "Yes", please provide us with a copy.

No	Not required	Yes
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(c) Was the building work carried out before 1st June, 1992? If "No", go to (e) and (f) below.

Yes	No
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(d) If "Yes", did you obtain building bye-law approval? If you have answered "Yes", please provide us with a copy.

Yes	No
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(e) If the building work was carried out since 1st June, 1992 did you serve a Commencement Notice? If you have answered "Yes", please provide us with a copy.

Yes	No
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(f) Did you need to obtain a Fire Safety Certificate? If you have answered "Yes", please provide us with a copy.

Yes	No
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9.6 (a) Have you applied for planning permission at any time which was not acted upon?

Yes: Please give details	No
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(b) If "yes" was the planning permission granted or refused? If it was granted, please provide us with a copy.

Granted	Refused
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9.7 (a) If any building work was carried out, was it supervised by an architect or engineer?

Yes: Please give details	No
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(b) If “Yes” did they give you a document confirming that the work was carried out in compliance with all necessary permissions and approvals?

Yes: Please give details	No
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9.8 (a) Has there been any change of use of the property since 1st October 1964 (e.g. dividing into flats, combining flats or using part for business use)?

Yes: Please give details	No
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(b) If “Yes”, was planning permission obtained? If you have answered “Yes”, please provide us with a copy.

Yes	No
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9.9 Have you received any notices from the planning or building control authority (e.g. warning notices, enforcement notices, or notices concerning compulsory purchase)? If you have answered “Yes”, please provide us with a copy.

Yes	No
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9.10 Is there any agreement in existence with the Planning Authority, restricting or regulating the development or use of the property.

Yes: Please give details	No
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9.11 Have you or has anyone on your behalf made an application for compensation under the Planning Acts.

Yes: Please give details	No
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9.12 Has the property ever been inspected by the Fire Authority? If you have answered “Yes” what were its requirements and have they been complied with?

Yes: Please give details	No
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10. LEASEHOLD PROPERTY

This section relates to residential property held under a long lease. If you are selling commercial property, we will need to discuss the lease more fully with you.

If the property is freehold, go to Question 11

10.1 What is the name and address of your landlord? _____

10.2 What rent do you pay? _____

10.3 If the landlord employs an agent to collect the rent, What is the name and address of that agent?

10.4 Do you have the landlords receipt for the last rent payment?
If you have answered "Yes" please provide us with a copy.

Yes	No: Please give details
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10.5 Have you complied with your lease insofar as you know?

Yes	No: Please give details
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10.6 have you ever received a notice from the Landlord? If you have answered "Yes" please provide us with a copy

Yes	No
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10.7 (a) Have you taken any steps to buy the freehold

Yes	No
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(b) if so, did you do this yourself or involve your solicitor?

Solicitor	I did it
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(c) please supply any document you received from the land registry or from your landlord concerning the purchase.

11 INCUMBRANCES / PROCEEDINGS

11.1 Is the property subject to any mortgage or charge? If you have answered “Yes” please give an estimate of the amount owing to your lender at this time including top up loans, overdrafts, term loans, credit card accounts, etc.

Yes: Please give details	No
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11.2 (a) Have you ever received a grant in respect of the property.

Yes: Please give details	No
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(b) If so, is any part repayable?

Yes: Please give details	No
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11.3 Has anyone obtained a money judgement against you?

Yes: Please give details	No
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11.4 Is anyone suing you or threatening to sue you over the property.

Yes: Please give details	No
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11.5 Does anyone other than you and your spouse have any rights to the property.
(e.g. by contributing towards the cost of buying it, paying for improvements or contributing or helping you to make your mortgage repayments)

Yes: Please give details	No
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12. OUTGOINGS

12.1 (a) Do you pay any rates, water or refuse charges?

Yes: Please give details	No
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If you have answered "Yes", please provide us with up to date receipts.

(b) What is the Rateable Valuation of the Property.

€ _____
€ _____

(c) Is the property subject to any other periodic or annual charge (such as a service charge)? If you have answered "Yes" please provide us with up to date receipts.

Yes: Please give details	No
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13. FIXTURES / FITTINGS / CONTENTS

13.1 What contents are included in the sale?

13.2 Do you own outright everything include in the sale? (*you must give details of anything which may not be yours to sell, for example anything rented or on HP*)

Yes	No: please give details
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14. TAXATION

This section relates primarily to residential property – more detailed tax advice may be required if you are selling commercial property.

14.1 Is the property your principle place of residence?

Yes	No: please give details
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If you have answered “Yes”:

Yes	No: please give details
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(a) Has this always been the case?

(b) Is there more than one acre of ground with the house?

Yes: Please give details	No
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(in general the sale of your place of residence on up to one acre of ground is exempt from Capital Gains Tax (CGT) if the purchase price of property exceeds the CGT threshold (at present £300,000) we will need to apply for a Certificate of Clearance from CGT. This will issue Automatically if you are resident in Ireland and it does not mean that you are not liable to pay CGT on the sale)

14.2 Does the purchase price suggest that the property may have development potential?
(you maybe be liable to pay CGT even if there is one acre or less with your residence)

Yes	No
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14.3 (a) Did you purchase the property before or after 5th April 1996

Before	After
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(b) If you answered “before” did you pay residential property tax (R.P.T)?
(if the sale price is more than the RPT threshold (at present £300,000) we will need to obtain a Residential Property Tax Clearance Certificate from the Revenue Commissioners and they may require a payment of R.P.T from you before issuing the Clearance Certificate if the sale price is considerably above the stated property value in your last return).

Yes	No
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14.4 Are you selling the property in the course of your business? if so, it may be necessary to charge VAT on the sale price.

Yes: Please give details	No
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14.5 Has the property been the subject of a gift within the last 15 years or an inheritance within the last 12 years.

Yes: Please give details	No
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(if you answered "Yes" it may be necessary to obtain a Certificate of Discharge from Capital Acquisitions Tax)

15. GENERAL

15.1 Is there a lake or island waterway on the property

Yes: Please give details	No
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15.2 Are you aware of any protected species of birds or animals or flora on the property.

Yes: Please give details	No
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15.3 Are you aware of ant National Monument on the property?

Yes: Please give details	No
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15.4 Is there any other information that you think the buyer may have a right to know?

Yes: Please give details	No
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16. BER CERTIFICATE

16.1 Where is the BER Certificate in respect of this Property ?

17. NPPR TAX

17.1 Is the Property subject to NPPR Tax (Second Property Tax) ?

17.2 If so, have you got receipts ?

Signature(s)

Date:

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Law society of Ireland

Vendor:
Property:
