

# **Notes On Auction Purchases**

## **CHECKLISTS FOR POTENTIAL PURCHASERS**

### **1. PRE-AUCTION**

1. View the property. It will normally be “sold as seen”. Find out the guide price.
2. Note Interest. Some Sellers will sell prior to auction so notify your interest to make sure the property is not sold without your having the chance of making an offer.
3. Arrange finance with your Lender.
4. Arrange survey/arrange Specialist Surveys/estimates.
5. If Tenemental property, find out who the Factors are and whether there are major repairs instructed or outstanding.
6. Conditions. Note the conditions of sale. These will be in the Articles of Roup, the General Conditions of Sale and any Special Conditions of Sale.
7. Titles. Your Solicitor should inspect these pre-auction as the title is normally to be taken "as it stands".
8. Searches. Local Authority, Land Register, Personal and Charges Searches should be instructed as required.
9. Consider lodging a pre-auction offer.
10. Consider insurance. Normally the risk passes on the signing of the contract. Your Solicitor or Lender may be able to help.

### **2. AT THE AUCTION**

1. The catalogue gives details of the time and place. The Articles of Roup give the same details.
2. Check the property is still available and has not been sold prior or withdrawn by the Seller.
3. Check if there have been any amendments to the particulars.
4. Bidding.
  - 4.1 Decide on the maximum price that you will pay for the property and do not be tempted to go over this figure.
  - 4.2 The Auctioneer will invite bids. For your first bid raise your catalogue so the Auctioneer or his Assistants can see you. They will be looking for your first bid and will look to you again for further bids.

4.3 If the hammer falls on your bid and the Auctioneer does not withdraw the property because it has not reached its reserve price then you have been successful.

4.4 If successful do not leave the Auction until the paperwork is signed !

4.5 Proxy Bidding. If you are unable to attend on the day of the auction but still wish to purchase, it is possible to contact the Auctioneers who will advise of the alternatives such as bidding by proxy, telephone or by Agent.

### **3. THE CONTRACT**

1. Successful Bidders Form. This contains details of the lot number, address of the property and will be completed with the Purchaser's full name, address and telephone number and the Offeror's full name and address and telephone number if the Purchaser is buying on someone else's behalf. It will also contain the details of the price, the deposit and the balance and the details of the Purchaser's Solicitor's full name, address and telephone number. The Form will require to be signed by the Purchaser.

2. The Deposit. This requires to be paid and should normally be in the form of a Banker's draft, cash or Building Society cheque made payable to the Auctioneers.

3. Sign the Minute of Preference and Enactment in duplicate.

4. Request a copy of the Articles of Roup and Minute of Preference and Enactment.

### **4. AFTER AUCTION**

1. Tell your Solicitor if you have been successful or unsuccessful.

2. If successful, tell your Solicitor of the Seller's Solicitor's details. Ideally let your Solicitor have a copy of the Articles of Roup and Minute of Preference and Enactment and of any Successful Bidders Form.

3. Tell your Lender that you have been successful and advise of the entry date.

4. If successful, tell your Insurance Company. If unsuccessful, cancel the insurance.

**WARNING: These Notes are general in nature and are not to be relied on as advice for any particular purchase. They are to be used as a general guide only along with specific legal advice from a solicitor who can advise you along each step of the process.**