

10 November 2023

MISCELLANEOUS CHARGES FOR THE ACCOUNT OF A SELLER

Sellers must bear in mind that although the purchaser is responsible for payment of the transferring attorney's fee, there are certain costs and miscellaneous charges for which they (the sellers) are responsible, and which is payable before registration of a property can take place.

Some of these charges are standard, but some are unforeseeable and depends on the specific transfer.

The seller must take note of these charges as neither the estate agent nor the transferring attorney can foresee these charges on date of conclusion of the transaction. The seller may be liable for the following:

1. The most common charges for which a seller is responsible are the following:

- Bond cancellation costs
- Compliances certificates
- Rates and taxes in advance (clearance figures), as well as a fee to the city council consultant appointed to obtain such figures or to attend to any necessary journals at the city council
- Levies of a HOA or Body Corporate in advance, as well as the admin fee of the Body Corporate or HOA to issue such figures

2. The Other fees not applicable to every transaction.

Sellers also need to be aware of these fees as they are liable for payment thereof if the specific transaction requires the action(s) set out below:

- 4(1)(b) Application for rectification of a title deed
- Regulation 68(1): Application for a copy of the Title deed if original is lost
- Section 24(6) application: Extension of a Unit (where a sectional title unit was extended)
- Registration of a General Power of Attorney
- Section 68(1) Application: Removal of Title Deed Condition