



Selling Real Estate

If you are selling your home or other property, here are some things to consider:

- Fire and liability insurance should not be cancelled until the sale is completed. The property remains at your risk until the sale is completed.
- Before closing day, move all personal items out except those that you agreed to sell with the property. Once the sale is completed, you cannot re-enter the property.
- Before closing, give one key to your lawyer who will hand it over on closing. Leave other keys on the kitchen counter.
- Unless it is a condition of your agreement or special arrangements have been made through your lawyer, purchasers should not be allowed to enter the property before closing.
- If your property is rented, your lawyer will need the name of the renter, the amount of rent, when rent is due, the amount of any last month's rent deposit, the date when the tenancy started, details of any rent increases, who pays for utilities, etc.
- Until closing, it is important that you maintain the property in the same state as when the purchaser originally saw it.
- Make sure the property is heated continuously during cold weather as any damage resulting from lack of heat is your responsibility to repair.
- If the property will be vacant for more than a day or two, make arrangements with your house insurance representative to continue coverage. If your insurer is not notified and a break-in or other damage occurs, your insurer may refuse your claim.
- If your property is heated with oil, let your lawyer know the size of the oil tank and have the oil tank topped up the day before closing.
- Fixtures such as ceiling lights or any other item attached to the premises must not be removed unless agreed to in the Agreement of Purchase and Sale. If you are not sure what would be considered a 'fixture', discuss with your lawyer.
- After closing, do not pay any taxes or water bills, except as advised by your lawyer. Make payments that are due before closing. If you are unable to make a payment that is due before closing, let your lawyer know in advance.
- Your sale proceeds must be used by your lawyer to pay off any mortgage including interest, pre-payment penalties, and related charges.
- Provide your lawyer with the name and address of your mortgage company and your mortgage account number. Continue regular mortgage payments up to the closing date. Your lawyer will usually have to pay at least a day's extra interest as the final mortgage payment cannot usually be delivered to the bank on the day of closing.
- If your sale closes on a Friday and a mortgage is being paid out, additional mortgage interest will be payable to cover the weekend as well as any statutory holidays.

- Make arrangements with the post office to forward your mail.
- As soon as possible, provide your lawyer with your title deed, current tax bills and assessment notice, water bills and other documentation, and, if you have one, a survey. Make a note of any additions or deletions that are not shown on the survey.
- Advise your lawyer if you will be a non-resident of Canada for tax purposes on the day of closing. If so, special steps must be taken to obtain clearance from Canada Revenue Agency and it may be necessary to withhold some funds. If this applies to you, advise your lawyer as soon as possible.
- If the property you are selling is a recently-built home, let your lawyer know if the New Home Warranty is still in effect and provide details.
- If the closing date changes, let your lawyer know immediately.
- If the property has not always been your personal residence, advise your lawyer and review with your accountant whether or not you must collect GST from the purchaser.
- The day before closing, arrange for a reading of the hydro meter and gas meter and ask for the bill to be sent to your new address.
- If you know of any special matters relating to the property such as unregistered easements, etc., let your lawyer know promptly.
- Make sure your lawyer has your new address and phone number, so that correspondence can be sent to you after closing.

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