POWERUP
YOUR SALES

ETIENNE BEDEKER
Attorneys • Notaries • Conveyancers

ETIENNE BEDEKER & LINDIE VAN BILJON

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Training for Property Practitioners

Prepared by Lindie van Biljon

The Conveyancing Process

A deal is only complete upon registration.

Important to understand the process to:

- Manage expectations
- Prevent delays
- Protect commission
- Add value

Step 1: Receipt of OTP

- Attorney: Open file, initial emails to all parties, FICA compliance, request documents, request cancellation figures, clearance figures (rates & HOA/ body corporate).
- Agent ensures OTP is complete and conditions clear. No Electronic signatures

Step 2: Bond Application

- Bank approves bond.
- Attorneys appointed:

  - Transfer
  - Bond (if applicable)
  - Cancellation (if applicable)

Step 3: Suspensive Conditions

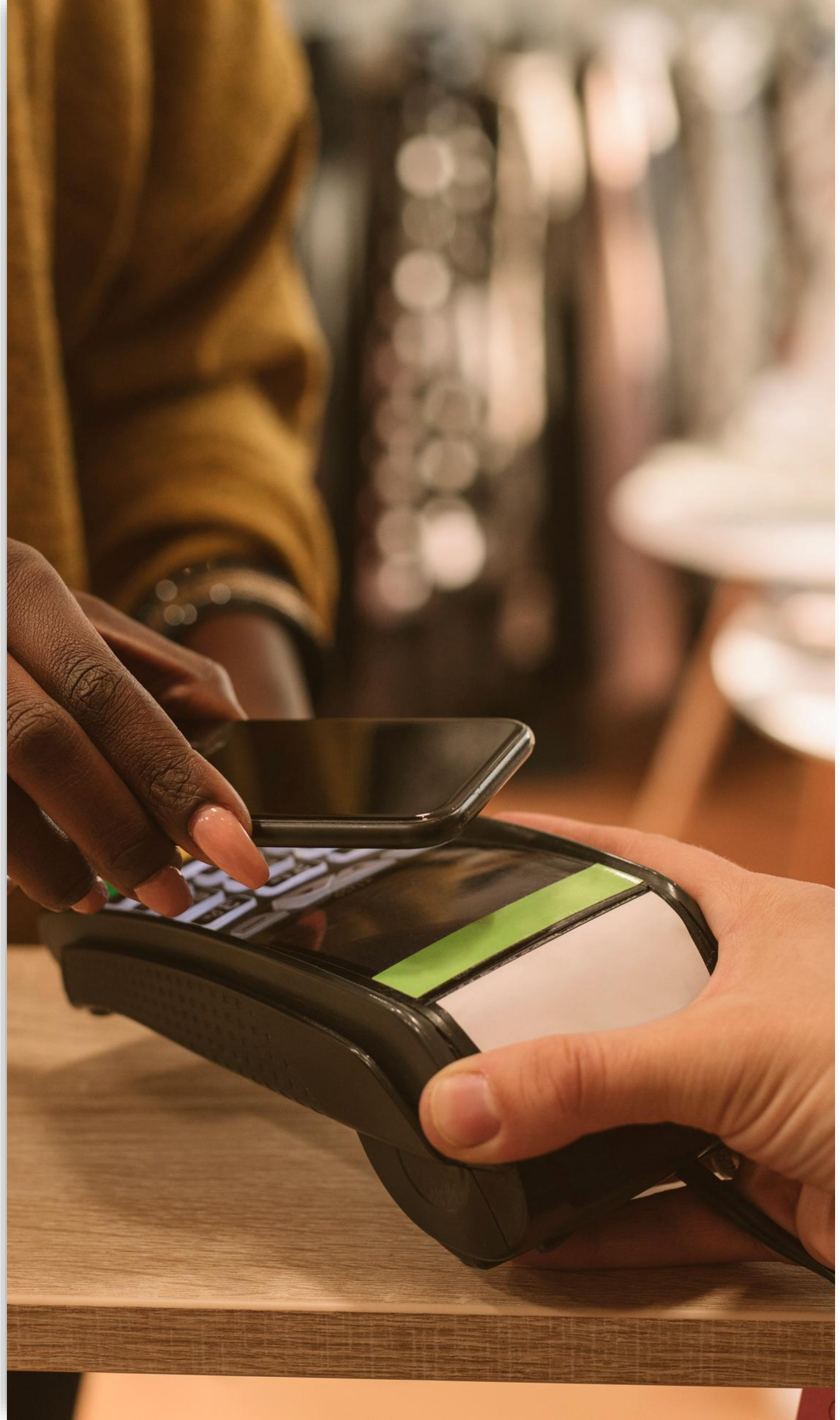
- Bond approval or sale of purchaser property.
- If unmet → deal lapses.

Step 4: Drafting Documents

- Power of Attorney, affidavits, transfer duty forms.
- Parties sign documentation.

Step 5: Costs

- Purchaser: Transfer & bond costs, transfer duty
- Seller: Commission, compliance, rates, levies, bond cancellation.



Certificate Number:0000665720

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

In terms of section 118 of the Local Government: Municipal Systems Act, (Act No. 32 of 2000), it is hereby certified that all amounts that become due to the City of Tshwane Metropolitan Municipality in connection with the undermentioned property situated within that municipality for municipal service fees, surcharges on fees, property rates and other Municipal taxes, levies and duties during the two years preceding the date of application for this certificate, have been fully paid:

DESCRIPTION OF PROPERTY:

Municipal Reference Number:
Erven:
Portion:
Extension:
Zoning:
Registration Division / Administrative
Suburb:
Town:
Sectional Title Unit Number:
Exclusive Use area and number as referred to as registered plan:
Real Right:
Scheme Registration Number:
Sectional Title Scheme Name:
Registered Owner:

Purchaser Name:
Purchaser Identity Number:
Date Issued:
This certificate is valid untill:

Digitally signed by City of Tshwane Municipality

Signee: BATCH_USER
Authorized Officer:

Certifcate by ATTORNEY ETIENNE BEDEKER INC

I, ______________________________ (full name and surname)

hereby certify that this is a print-out of a data message in respect of the original clearance certificate issued by the City of Tshwane Metropolitan Municipality.

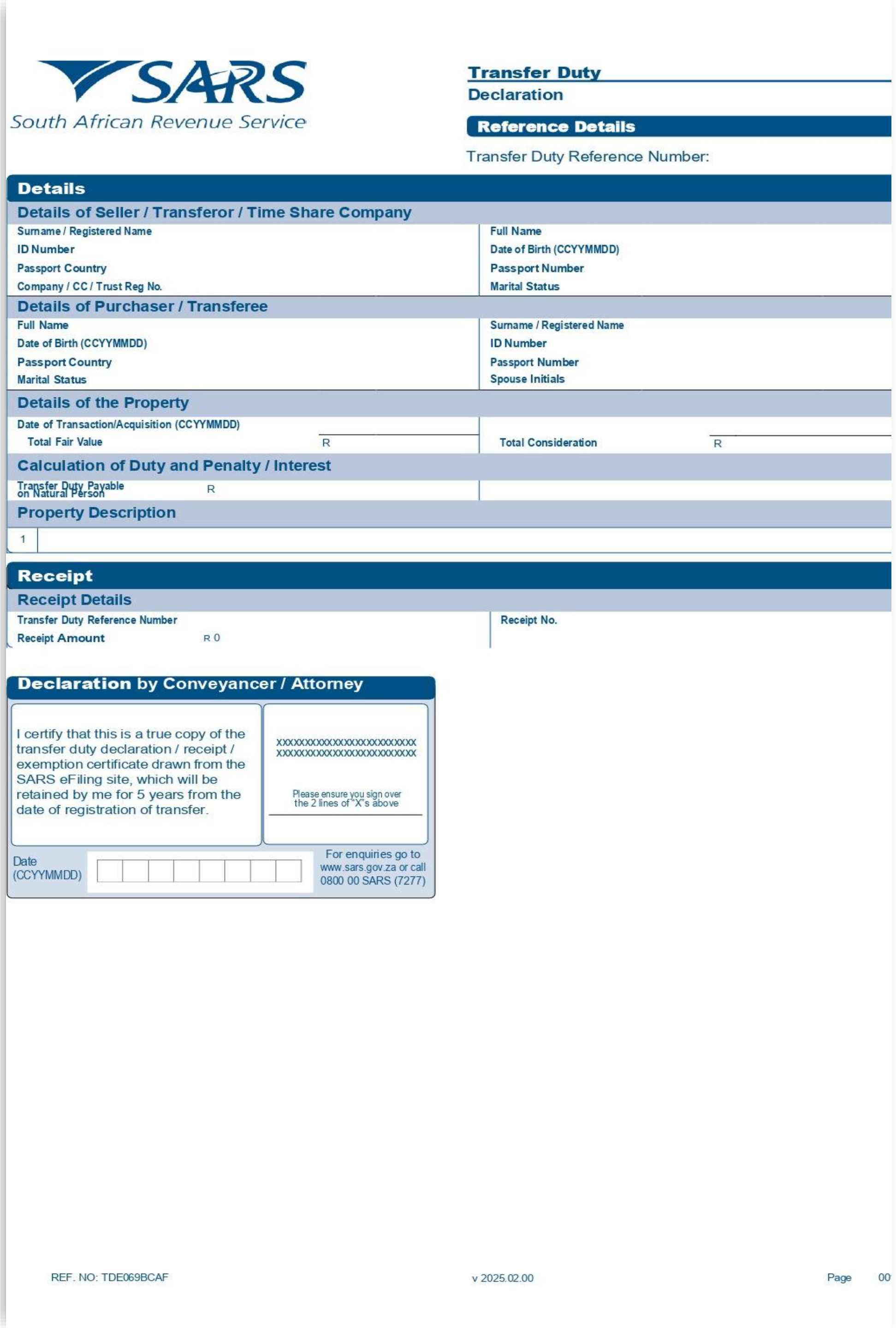
Conveyancer **Date** **Stamp**

Step 6: Rates Clearance

- Issued by municipality.
- Seller must pay outstanding rates.
- Figures are issued 4 months in advance
- Certificate valid 60 days from date of issue

Step 7: Transfer Duty

- Issued by SARS.
- Exemption if VAT or below threshold.


SARS
South African Revenue Service

Transfer Duty
Declaration

Reference Details

Transfer Duty Reference Number:

Details

Details of Seller / Transferor / Time Share Company

Surname / Registered Name	Full Name
ID Number	Date of Birth (CCYYMMDD)
Passport Country	Passport Number
Company / CC / Trust Reg No.	Marital Status

Details of Purchaser / Transferee

Full Name	Surname / Registered Name
Date of Birth (CCYYMMDD)	ID Number
Passport Country	Passport Number
Marital Status	Spouse Initials

Details of the Property

Date of Transaction/Acquisition (CCYYMMDD)

Total Fair Value	R	Total Consideration	R

Calculation of Duty and Penalty / Interest

Transfer Duty Payable on Natural Person R

Property Description

1

Receipt

Receipt Details

Transfer Duty Reference Number	Receipt No.
Receipt Amount R 0	

Declaration by Conveyancer / Attorney

I certify that this is a true copy of the transfer duty declaration / receipt / exemption certificate drawn from the SARS eFiling site, which will be retained by me for 5 years from the date of registration of transfer.

xxxxxxxxxxxxxxxxxxxxxxxxxx
xxxxxxxxxxxxxxxxxxxxxxxxxx

Please ensure you sign over the 2 lines of "X"s above

Date (CCYYMMDD)

For enquiries go to www.sars.gov.za or call 0800 00 SARS (7277)

REF. NO: TDE069BCAF v 2025.02.00 Page 00

Step 8: Guarantees

Issuing bank

Banking details where guarantee will be paid into
(usually, cancellation of the current bond and the transfer attorneys trust account)

Date

In reply please quote Your reference

Our reference

Dear Sir

Acting under instructions received from **(Bond attorney name).** We advise that we are holding the sum of **R(bond amount)** at your disposal on behalf of **(the purchaser)**

This amount will be paid to you by us/at our PRETORIA Branch* free of commission** or into the bank account, upon receipt by us/them of written confirmation (either by way of an original letter or a facsimile transmission thereof) from attorney(s) + **(Bond attorney name)** or other sufficient evidence that the following transactions have been registered:

a Cancellation of all existing Mortgage Bonds over (property details)
b Registration of transfer to (purchaser) of (property)
c Registration of a First Mortgage Bond in favour of (bank) over (property) by (purchaser) for the amount of (bond amount)

Should any new or previously undisclosed fact emerge which may prejudice the Bank's security or any circumstance arise to prevent or unduly delay registration of the abovementioned transaction we may withdraw from our undertaking, prior to registration, by giving you written notice to that effect, whereupon the said sum will no longer be held at your disposal.

This letter is neither negotiable nor transferable and must be returned to us/the paying branch* either against payment of the abovementioned sum or in the event of our withdrawal from the undertaking in terms of the preceding paragraph and be presented for payment within ninety days from date of registration.

Where funds cannot be transferred electronically payment will only be made upon presentation of this letter to us/the paying branch.

Yours faithfully

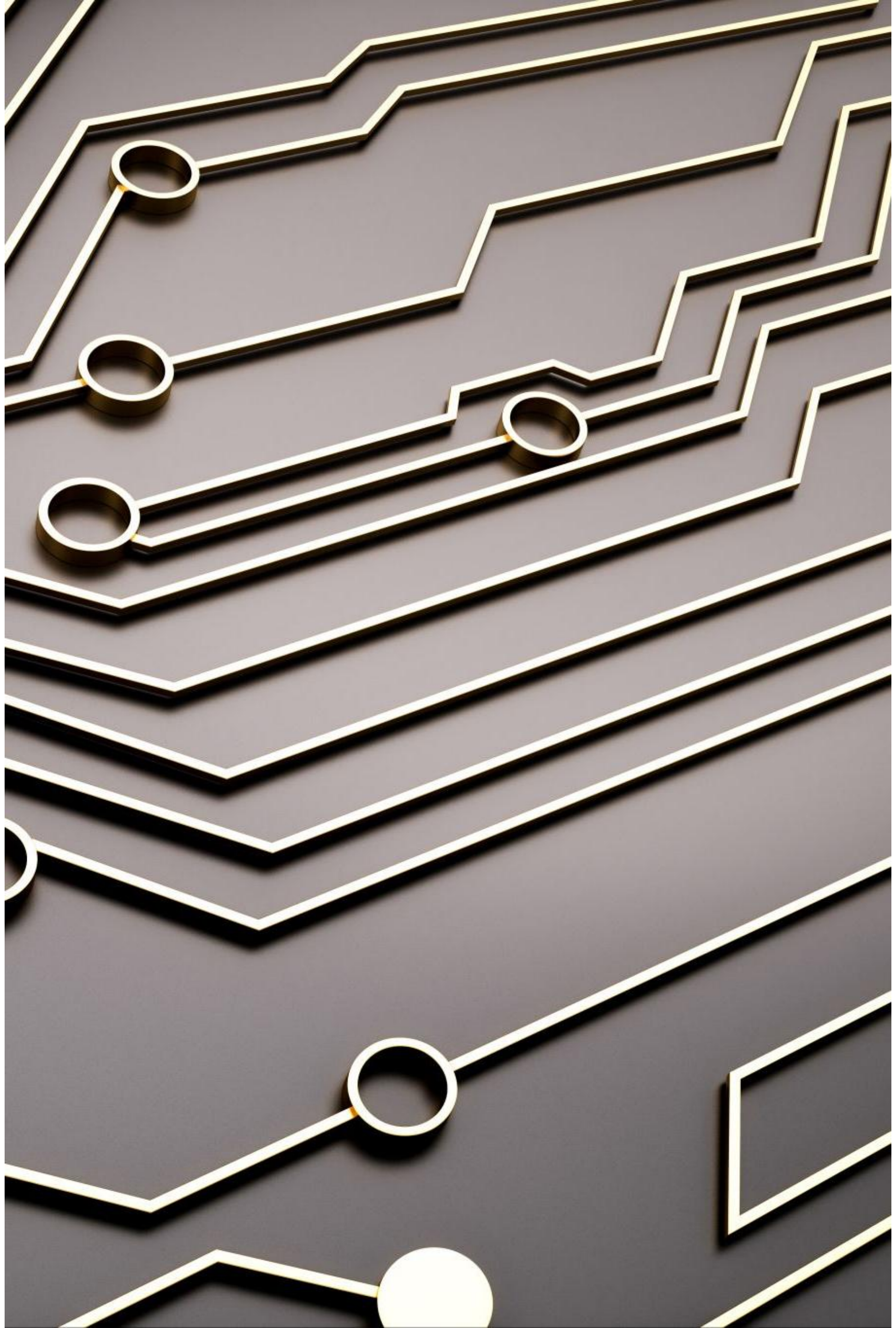
COUNTERSIGNED

MANAGER SIGNATURE

- Issued by bank after signing of bond documents
- Secures purchase price.

Step 9: Compliance Certificates

- Electrical, plumbing, gas, electric fence, solar.
- Required before lodgement.

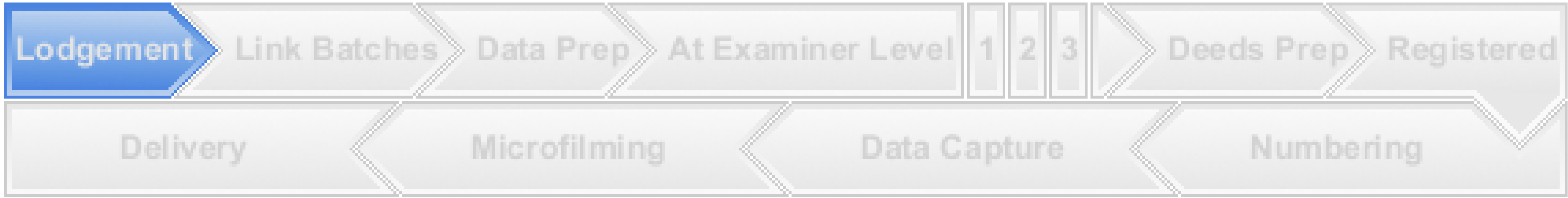


Step 10: Lodgement Prep

- All docs ready:
- ✓ Guarantees received
- ✓ Transfer duty receipt received
- ✓ Rates and/or levy clearance issued
- ✓ Documents signed
- ✓ Compliance certificates in place

Step 11: Lodgement

- Documents lodged at Deeds Office.
- Linked with bond cancellation and bond registration attorneys.



Step 12: Deeds Office

Process takes 7–10 working days.

Step 13: Registration

- Ownership transfers.
- Seller paid.
- Commission paid.

Step 14: After Registration

- Registration letters Final accounts day after registration.
- Title deed to bank (if bonded) once delivered from deeds office.

Common Delays

- Outstanding municipal or levy figures
- Bond approval delays
- Missing compliance certificates
- Incorrect documents submitted to attorney / delays by seller and purchaser to furnish FICA documents
- Late guarantee issue
- Seller shortfall on purchase price
- Building plans if required by bank/purchaser

Practical Tips

Ensure OTP clarity.

Follow up.

Communicate with clients.

- OTP to bond approval 2–3 weeks
- Document prep & compliance 2–4 weeks
- Lodgement to registration 1-2 weeks

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