

## SOLICITOR OR CONVEYANCER WHICH ONE SHOULD YOU CHOOSE

Conveyancing is the process of transferring ownership of land from one party (seller) to another (buyer). In most instances, the process is straight forward but because of the value of Real Estate it can have huge financial consequences if things go wrong. That is why in some states like Queensland and the ACT, all the conveyancing work must be done by a solicitor – They do not allow conveyancers to do the job.



There are a lot of steps in the conveyancing process and many conveyancing and solicitor firms including ours have refined the process to be highly efficient. This has meant that the price of conveyancing has reduced over the years and not increased unlike most other legal costs. However, conveyancing should not be reduced to process work that can be done by a trained monkey.

More and more conveyancing firms are outsourcing the process work of conveyancing to the Philippines, India, and other third world countries where the labour is cheaper. This practice is flaunting with danger. These conveyancing firms take on large volumes of work and operate on low overheads and are achieving increased profits. The work is being carried out by unqualified people who have been taught the task but you can have no confidence that they understand the reason behind the task or what can go wrong if they miss vital information.

We encourage you to do a search on product review and see the reviews for some of the online conveyancing firms. One such review

“I had nothing but trouble with this company. Do yourself a favour and pay someone local. This company refuses to return calls. They take your initial deposit and that's it. [Name of conveyancing firm] failed to attend my settlement. I incurred extra fees. Lost paperwork. Unable to arrange or book another settlement. I was put on warning. I represented myself at the last opportunity for settlement. [Name of conveyancing firm] turned up 15 minutes late on closure of the bank. I would have lost everything. The stress this caused was unbelievable. Phone calls never returned. Awful”

Some things to consider when deciding whether to engage a solicitor or conveyancer:

1. Only the top 10% of HSC graduates are accepted into Law. There are no academic requirements to enrol in most conveyancing courses. When you employ a lawyer, you know that the lawyer has the intellect to understand the law and what to look for in the property searches that may identify problems.
2. The minimum study required to become a lawyer is 4 years. The minimum study requirements for a conveyancer is 1 year.
3. Lawyers study the legal cases where something has gone wrong in the conveyance and the practitioner is sued by the client for failing to do their job properly. They know what to look out for and what the law requires of them. They read the cases and understand the why behind the process.
4. Lawyers have knowledge of tax law and can advise if asked on the effects that the conveyance could have on tax implications.
5. U Bank make the following statement on their website...
  - Conveyancers will generally be cheaper than solicitors, and are equipped to guide you through straightforward purchases
  - While a conveyancer's expertise is in conveyancing, a solicitor has broader knowledge of the law, and could advise on issues that fall outside of a regular conveyancing transaction, such as tax implications
  - A solicitor is better equipped to handle more complex sales that contain more risk.
6. The cost of using our law firm to do your conveyance is usually only few hundred dollars more than using a conveyancer. As indicated earlier, we have systems in place to make the work we do highly efficient and so we can offer competitive prices. We however, refuse to engage unqualified and cheap labour from third world countries to carry out our work and so cannot match the prices of some of the online conveyancing companies.

Our Guarantee to you:

All the work that we do will be carried out by a solicitor, in our office at Parramatta.

We know what to look for (whether it be the involuntary acquisition of land, restrictions on building, road widening proposals, etc) and will properly advise you.

We will be ready for settlement and the settlement will not be delayed or cancelled because we are not ready. This could save you hundreds of dollars in penalty interest and may avoid the sale falling over.

For further advice or to book an appointment please ring CK Lawyers on 9687 6000.