

## **TIPS FOR HOME BUYERS AND SELLERS**

**Erik M. Fraser**



Erik M. Fraser Law Office

Oshawa Shopping Centre Executive Tower

419 King Street West, Suite 515, Oshawa, ON L1J 2K5

ph: (905) 240-7500 fax (905) 240-8300

[efraser@erikfraserlaw.ca](mailto:efraser@erikfraserlaw.ca) [www.erikfraserlaw.ca](http://www.erikfraserlaw.ca)

1. Get pre-approved for financing from a mortgage broker or financial institution before seeking out homes to purchase.
2. Use a qualified real estate agent to help you find and buy the right home. There is no cost to use a real estate agent when you are purchasing a home (either new or lived in). You should have an agent that works only for you, not the seller.
3. Use a qualified and insured home inspector to inspect the home prior to purchase. A satisfactory home inspection should be a condition of completing the purchase.
4. Budget all your costs prior to the purchase of a home, including banking, legal fees, moving, necessary renovations, yearly municipal taxes, and provincial land transfer tax. Toronto has a Municipal Land Transfer Tax that will further increase costs.
5. Use title insurance when purchasing a home. Your lawyer will assist. Title insurance is a one-time payment that can lower your overall costs. It protects you against title fraud the entire time you own your home up to a 200% increase in value of your home.
6. Find a lawyer you are comfortable with. The least expensive law firm may not be the best fit for you. Your sign-up appointment prior to the closing of your purchase or sale should be completed with a lawyer rather than with a legal assistant.
7. When purchasing a home, the lawyer should advise you of any issues revealed in a title search such as restrictive covenants or easements affecting title to the property.
8. Your lawyer will help you decide who should become the registered owner of the property being purchased. One can own property as a joint tenant, usually with a spouse, where ownership will pass to a surviving spouse on death. Property owners can also own property as tenants-in common. Usually, business partners choose this form of ownership where the ownership of the partners stays in their estate on death.
9. When purchasing or selling a home, contact all utility providers (hydro, water, gas) before closing.
10. When listing your property for sale, be sure it is clean. Fix minor defects that may decrease the property value. Do not simply cover serious defects, such as a leak or a foundation crack, with paint. You could face legal action following a sale for concealing a defect. Speak to your lawyer or real estate agent if you have any questions.
11. Check with your lawyer when purchasing to see if there are any tax benefits available, such as a first-time buyers exemption for land transfer tax.

Thank-you for reading our Tips for Home Buyers and Sellers. We would ask that you consider our firm for any future real estate, wills and estates, and/or corporate law assistance you or your family may require.