

PRE-CONTRACT QUESTIONNAIRE FOR PROPERTY SALE



FULL ADDRESS OF PROPERTY BEING SOLD (INCLUDING EIRCODE)

Address line 1 _____

Address line 2 _____

Town / City _____

County _____

Eircode _____

PROPERTY OWNER(S) _____

MAIN CONTACT DETAILS

Name _____

Telephone _____

Email _____

PRE-CONTRACT QUESTIONNAIRE FOR PROPERTY SALE

If this questionnaire is used for the purpose of a mortgage loan where the borrower is already the owner of the property, 'vendor' shall read 'borrower' and 'purchaser' shall read 'bank' where appropriate.

Please complete this form carefully. It is very important that your answers are correct because the information will be given to the purchaser who will rely on them.

For many of the questions you need only tick the correct answer. It does not matter if you do not know the answer to any question so long as you say so. If there are any questions that you do not understand, please contact us.

If the information you have provided changes after you fill in this questionnaire but before the sale is completed, tell us immediately. This is as important as giving the right answers in the first place.

1. YOUR DETAILS *(If there are three or more owners, please fill out separate sheets/separate online forms for questions 1.1.1 to 1.1.11 in respect of the third and further owners)*

Please complete the following personal details

DETAILS OF OWNER 1:

1.1.1. Your full name

1.1.2 Have you ever used any other name or variant of your name in Irish, English or in any other language?

Yes

No

Please give details

1.1.3 Your address, including Eircode (for correspondence)

1.1.4 Please provide your contact details

Telephone / mobile number

Email address

1.1.5 Anti-money-laundering requirements

Please bring the **originals** of the following when coming to see your solicitor. Copies will be taken and kept by your solicitor and the originals will be returned to you:

- Photo ID, such as a current passport, driver's licence or state-issued identity card with photograph. **[BRING]**
- Proof of address dated within the past 3 months, such as a utility bill for gas, electricity, water, or a letter from your bank or Revenue. **[BRING]**

1.1.6 What is your current family law status?

STATUS (tick appropriate box in middle column)	√	THE FOLLOWING WILL BE NEEDED WHERE INDICATED: (If any of your certificates or documents are in a language other than Irish or English, please provide a translation.)	
Single			
Single but previously engaged			
Married		State marriage certificate. Your spouse must consent to the sale / mortgage if the property is not in joint names and you both ordinarily reside or resided there.	[BRING]
Widowed		State marriage certificate AND Spouse's death certificate	[BRING] [BRING]
Separated		State marriage certificate AND Deed of separation Court order AND/OR Deed of waiver	[BRING] [BRING] [BRING]
Divorced		State marriage certificate AND Court order AND/OR Deed of waiver	[BRING] [BRING] [BRING]
Civil partnership		Civil partnership registration certificate. Your civil partner must consent to any mortgage if the property is not in joint names and you both ordinarily reside or resided there.	[BRING]
Surviving civil partner		Civil partnership registration certificate AND Deceased civil partner's death certificate	[BRING] [BRING]
Civil partnership dissolved		Civil partnership registration certificate AND Decree of dissolution of civil partnership	[BRING] [BRING]
Cohabiting		Details of - • How long you have been cohabiting • Whether you and your cohabitant have children together	

1.1.7 Do or did you and your spouse / civil partner /cohabitant ordinarily reside in the property?

Yes

No

1.1.8 In relation to your marriage or civil partnership or your cohabitation, are you or have you been involved in any family law litigation or has any been threatened in –

(a) Ireland?

Yes

No

If you answered 'Yes', please give details

(b) Any other jurisdiction?

Yes

No

If you answered 'Yes', please give details

1.1.9 What is your PPS number and tax type?

(This information will be required by the Revenue Commissioners. If you don't have a current Irish PPS number, you need to apply now to obtain one prior to completion. See www.welfare.ie)

PPS No.:

Tax type:

Income tax

PAYE

VAT

Other (specify)

1.1.10 Are you resident in Ireland for tax purposes?

Yes

No

If you answered 'No', please give details

(If you are non-resident this may have tax implications for you and tax advice should be obtained)

1.1.11 Have you ever been adjudged bankrupt?

Yes

No

If you answered 'Yes' please give details

1.1.12 Have you entered into any kind of personal insolvency arrangement with your creditors?

Yes

No

If you answered 'Yes' please give details

DETAILS OF OWNER 2:

1.2.1. Your full name

1.2.2 Have you ever used any other name or variant of your name in Irish, English or in any other language?

Yes

No

Please give details

1.2.3 Your address, including Eircode (for correspondence)

1.2.4 Please provide your contact details

Telephone / mobile number

Email address

1.2.5 Anti-money-laundering requirements

Please bring the **originals** of the following when coming to see your solicitor. Copies will be taken and kept by your solicitor and the originals will be returned to you:

- Photo ID, such as a current passport, driver's licence or state-issued identity card with photograph. **[BRING]**
- Proof of address dated within the past 3 months, such as a utility bill for gas, electricity, water, or a letter from your bank or Revenue. **[BRING]**

1.2.6(a) What is your current family law status?

STATUS (tick appropriate box in middle column)	√	THE FOLLOWING WILL BE NEEDED WHERE INDICATED: (If any of your certificates or documents are in a language other than Irish or English, please provide a translation.)	
Single			
Single but previously engaged			
Married		State marriage certificate. Your spouse must consent to any mortgage if the property is not in joint names and you both ordinarily reside or resided there.	[BRING]
Widowed		State marriage certificate AND Spouse's death certificate	[BRING] [BRING]
Separated		State marriage certificate AND Deed of separation Court order AND/OR Deed of waiver	[BRING] [BRING] [BRING]

Divorced		State marriage certificate AND Court order AND/OR Deed of waiver	[BRING] [BRING] [BRING]
Civil partnership		Civil partnership registration certificate. Your civil partner must consent to any mortgage if the property is not in joint names and you both ordinarily reside or resided there.	[BRING]
Surviving civil partner		Civil partnership registration certificate AND Deceased civil partner's death certificate	[BRING] [BRING]
Civil partnership dissolved		Civil partnership registration certificate AND Decree of dissolution of civil partnership	[BRING] [BRING]
Cohabiting		Details of - • How long you have been cohabiting • Whether you and your cohabitant have children together	

1.2.7 Do or did you and your spouse / civil partner /cohabitant ordinarily reside in the property?

- Yes
No

1.2.8 In relation to your marriage or civil partnership or your cohabitation, are you or have you been involved in any family law litigation or has any been threatened in –

(a) Ireland?

- Yes
No

If you answered 'Yes', please give details

(b) Any other jurisdiction?

- Yes
No

If you answered 'Yes', please give details

1.2.9 What is your PPS number and tax type?

(This information will be required by the Revenue Commissioners. If you don't have a current Irish PPS number, you need to apply now to obtain one prior to completion. See www.welfare.ie)

PPS No.:

Tax type:

- Income tax
PAYE
VAT
Other (specify)

1.2.10 Are you resident in Ireland for tax purposes?

Yes

No

If you answered 'No', please give details

(If you are non-resident this may have tax implications for you and tax advice should be obtained)

1.2.11 Have you ever been adjudged bankrupt?

Yes

No

If you answered 'Yes' please give details

1.2.12 Have you entered into any kind of personal insolvency arrangement with your creditors?

Yes

No

If you answered 'Yes' please give details

2. TRANSACTION AND PROPERTY DETAILS

2.1 What type of property is it?

Private dwelling house

Apartment / Town house

Vacant site

Commercial

2.2(a) Please provide name and contact details of auctioneer, if you have employed one

2.2 (b) Have you yet found a purchaser?

Yes

No

2.2 (c) Please provide date and place of auction (if applicable)

2.3 What is the agreed sale price (if already sold)?

€

2.4 (a) Are there any contents included in the sale price?

Yes

No

If you answered 'Yes', please give details, including any estimated value

2.4 (b) Do you own outright all contents included in the sale price?

Yes

No

If you answered 'No', please give details

(You must give details of anything which may not be yours to sell, for example, anything the subject of lease or finance agreements that may exist in relation to these contents, for example hire purchase)

2.5 When do you hope to complete the sale?

(In the case of a sale, the completion date (which will have to be agreed with the purchaser) is the day by which you must vacate the property and have removed all your belongings, but leaving those items that you have agreed to sell to the purchaser. In the case of a mortgage, the completion date (which will have to be agreed with the bank) is the day on which the bank releases your loan monies.)

2.6 Does the property, or the development in which it is situate, consist of a block of 5 or more storeys (including the basement)?

Yes

No

2.7 Does anyone other than the owners and their immediate family, occupy the property?

Yes

No

If you answered 'Yes', please give details

2.8 (a) Is the property an apartment or is it situated in a privately managed development?

Yes

No

If you answered 'Yes', please provide the name and contact details of the managing agents or the secretary of the management company, from whom we will require further information

(NOTE that there may be a fee payable to the managing agents for this information)

2.8 (b) Please confirm amount of current annual service charge

€

2.8 (c) Is a designated car parking space included in the purchase price?

Yes

No

If you answered 'Yes', please give details

2.9 Where are the title deeds of the property?

At home

With my bank

Please give details

(If the deeds are with your bank, please give details of the name and address of your bank and the loan account number(s) in the enclosed letter authorising us to take up the deeds on your behalf and then sign and return the letter to us. If the property is in joint names, all owners must sign this letter.)

[Note: Vendor's solicitor will have to enclose appropriate letter for signature]

[ENCLOSE]

3. MORTGAGES / INCUMBRANCES / PROCEEDINGS

3.1 Is the property subject to any mortgage or charge?

Yes

No

If you have answered 'Yes', please give the name of your bank and an estimate of the amount owing to your bank at this time including top up loans

3.2(a) Have you ever received a grant in respect of the property?

Yes

No

If you answered 'Yes', please give details

3.2(b) If you answered 'Yes', is any part of the grant repayable?

Yes

No

If you answered 'Yes', please give details

3.3 Is the property liable to the NPPR (non-principal private residence) charge?

(This applies to non-principal private residences from 31 July 2009 to 31 March 2013 both inclusive. See www.nppr.ie)

Yes

No

If you answered 'Yes', please give details

AND provide a certificate of discharge

[BRING]

If you answered 'No', please explain why the NPPR charge does not apply

AND provide a certificate of exemption, if applicable

[BRING]

3.4 Is the property liable to the household charge?

(This applies to dwelling houses for the year 2012. See www.householdcharge.ie)

Yes

No

If you answered 'Yes', please give details

AND provide a certificate of discharge or other evidence of payment

[BRING]

If you answered 'No', please explain why household charge does not apply

3.5 Is the property liable to LPT (local property tax)?

(This applies to all dwellings since 2013. See www.revenue.ie)

Yes

No

If you answered 'Yes', please give details

AND please provide LPT property ID number for the property being sold

AND please provide up to date screen printout (from Revenue website)

[BRING]

If you answered 'No', please explain why local property tax does not apply

3.6 Is the property subject to a nursing home charge under the Fair Deal Scheme? (See: www.hse.ie)

Yes

No

If you answered 'Yes', please give details

3.7 Has anyone obtained a money judgement against you?

Yes

No

If you answered 'Yes', please give details

3.8 Has a fine (to include costs, compensation or expenses) in excess of €500 been imposed on you by a court as a result of being convicted of an offence?

Yes

No

If you answered 'Yes' and the fine remains unpaid, has a recovery order (pursuant to the provisions of the Fines (Payment and Recovery) Act 2014) been made by the court whereby an approved person or sheriff has been appointed as a receiver to collect the fine?

Yes

No

If you answered 'Yes', please provide evidence that the recovery order has ceased to have effect.

3.9 Is anyone suing you or threatening to sue you in connection with the property?

Yes

No

If you answered 'Yes', please give details

3.10 Does anyone other than the owners have any rights to the property?

(for example, a right of residence, by contributing towards the cost of buying it, paying for improvements, contributing or helping the owner(s) to make the mortgage repayments, etc)

Yes

No

If you answered 'Yes', please give details

4. OUTGOINGS

4.1 (a) Is the property liable for commercial rates?

Yes

No

If you answered 'Yes', please give details

AND provide up to date receipts

[BRING]

If you answered 'No', please explain why the property is not liable for commercial rates

4.1 (b) Is the property liable for commercial water rates?

Yes

No

If you answered 'Yes', please give details

AND provide up to date receipts

[BRING]

If you answered 'No', please explain why the property is not liable for commercial rates

4.2(a) Has there been any notice of any change in the rateable valuation of the property?

Yes

No

If you answered 'Yes', please give details

4.3. Is the property subject to any other periodic or annual charge?

Yes

No

If you answered 'Yes', please give details

AND provide up to date receipts

[BRING]

4.4 Is the property liable for water charges?

(Water charges apply to dwellings since 1 January 2015. See www.irishwater.ie NOTE that solicitors acting for vendors are legally obliged to deduct any unpaid water charges from sale proceeds and pay them to Irish Water)

Yes

No

If you answered 'Yes', please give details

AND provide a certificate of discharge from Irish Water as evidence of payment

[BRING]

If you answered 'No', please explain why the property is not liable for water charges

5. TAXATION

(Note: Depending on the circumstances, you may require specialist tax advice.)

5.1 (a) Is the property your principal place of residence?

Yes

No

If you answered 'No', please give details

5.1 (b) If you have answered 'YES', has this always been the case?

Yes

No

If you answered 'No', please give details

5.1 (c) Is there more than one acre of ground being sold with the house?

Yes

No

If you answered 'Yes', please give details

5.2 Does the sale price suggest that the property may have development potential?

Yes

No

5.3 Is VAT chargeable on the sale price?

Yes

No

Not known

AND provide contact details of your tax adviser

5.4 Is the property (select one only) –

wholly residential?

wholly non-residential?

mixed (part residential and part non-residential)?

(NOTE: If you answered 'mixed', an auctioneer's valuation reflecting the agreed apportionment will be required)

6. BOUNDARIES

'Boundary' means any fence, wall, hedge or ditch which marks the edge of your property.

6.1 Looking towards the property from the road, who either owns or accepts responsibility for –

(a) the boundary on the left?

I/We do

Next door

Shared

Not known

(b) the boundary on the right?

I/We do

Next door

Shared

Not known

(c) the boundary at the back?

I/We do

Next door

Shared

Not known

6.2 If you answered 'Not known' to (a), (b) or (c), which of the boundaries have you actually repaired or maintained?

6.3 Are you involved in any dispute with your neighbours about boundaries?

Yes

No

If you answered 'Yes', please give details

6.4 Are there any written agreements about any of the boundaries?

Yes

No

If you answered 'Yes', please give details

AND provide a copy

[BRING]

7. NOTICES

7.1 Have you either sent or received any letters or notices that affect your property in any way, including compulsory purchase orders?
(for example, from or to neighbours, the local authority, a government department, a statutory body or a utility provider etc, excluding routine bills)

Yes

No

If you answered 'Yes', please give details

AND provide a copy

[BRING]

8. SERVICES AND UTILITIES

This section applies to gas, electrical and water supplies, sewage disposal and television reception.

8.1 Please tick which services are connected to the property:

Gas

Mains electricity

Mains water

Well

Group water scheme

Septic tank

Mains drains

Other (specify)

(You should make your own arrangements for the transfer of all services, such as telephone, gas, electricity, and water prior to completion)

8.2 If the property has television reception –

(a) Please indicate how this service is received

Cable TV

Satellite dish

TV aerial owned by you

TV aerial owned by another

(b) If serviced by a satellite dish or aerial that is owned by you, will it be included in the sale price?

Yes

No

8.3 Do any drains, pipes or wires for these services cross any neighbour's property?

Yes

No

Not known

If you answered 'Yes', please give details

8.4(a) If the property obtains its water supply from a well, is this well on the property?

Yes

No

Not known

If you answered 'No', please give details

8.4(b) Does the property obtain its water supply from a group water scheme?

Yes

No

Not known

If you answered 'Yes', please give details

8.5 If the property drains into a septic tank, is the tank and its percolation area on the property?

Yes

No

Not known

If you answered 'No', please give details

If you answered 'Yes', certificate of registration of the septic tank with Protect our Water will be required.

[BRING]

(See www.protectourwater.ie)

8.6 Do any drains, pipes, wires or cables which service another property pass over or under the property?

Yes

No

Not known

If you answered 'Yes', please give details

8.7 Is there a well or septic tank on the property that services another property?

Yes

No

Not known

If you answered 'Yes', please give details

8.8 Are you aware of any agreement that is not with the deeds about any of these services?

Yes

No

Not known

If you answered 'Yes', please give details

8.9 Does a public road lead directly to the property?

Yes

No

Not known

If you answered 'No', please give details

8.10 Are you selling part only of your property?

Yes

No

(a) If you answered 'Yes', will the purchaser require any rights, such as a right of way or a right to use a well or septic tank on the property retained by you?

Yes

No

Not known

If you answered 'Yes', please give details

(b) Will you need to retain any rights over the property being sold?

Yes

No

Not known

If you answered 'Yes', please give details

(In either case, a Land Registry compliant map marked by your engineer / surveyor / architect will be required)

[BRING]

9. SHARING WITH THE NEIGHBOURS

9.1(a) Do you share the use of anything such as a well, septic tank, driveway or boundary with your neighbour?

Yes

No

If you answered 'Yes', please give details

9.1(b) If you answered "YES", do you contribute towards the cost of repairs?

Yes

No

If you answered 'Yes', please give details

9.2 Do you contribute to the cost of repair or maintenance of anything used by the neighbourhood, such as a private road, etc?

Yes

No

If you answered 'Yes', please give details

(If you answered 'YES', we will need details of who is responsible for organising the work and collecting the contributions)

9.3 Do you need to go next door if you have to repair or decorate your building or maintain any of the boundaries?

Yes

No

If you answered 'Yes', please give details

(If you answered "YES", we will need details of how long you have been able to do so without objections by the neighbours)

9.4(a) Do any of your neighbours need to come onto your property to repair or decorate their building or maintain the boundaries or for any other reason?

Yes

No

If you answered 'Yes', please give details

9.4(b) If you answered 'Yes', have you ever objected?

Yes

No

If you answered 'Yes', please give details

10. ARRANGEMENTS AND RIGHTS

10.1 Are there any formal or informal arrangements that give someone else any rights over your property?

(for example right of way, light, drainage, turbarry (turf cutting), fishing, sporting, sight lines, etc)

Yes

No

If you answered 'Yes', please give details

11. OCCUPIERS

11.1 Will vacant possession of the entire property be handed over to the purchaser?

Yes

No

If you answered 'No', please give details

11.2a Are there tenants in the property?

Yes

No

If you answered 'Yes', please give details

(If you answered 'Yes', we will require full details of your agreement(s) with them whether in writing or not)

AND provide copy agreement(s) (if in writing).

[BRING]

11.2b Is there a security deposit?

Yes

No

If you answered 'Yes', please give details of the amount and who holds it.

12. PLANNING AND BUILDING CONTROL(REGULATIONS)

12.1 Do you know when the buildings on the property were constructed?

Yes

No

If you answered 'Yes', please give details

12.2(a) Have any of the buildings on the property been erected, extended or altered since 1 October 1964?

Yes

No

If you answered 'Yes', please give details

12.2(b) If you answered 'Yes', was planning permission obtained?

Yes

No

Exempt

Please give details

12.2(c) Please provide copies of all documentation you have in relation to planning and building regulations. **[BRING]**

12.3 Have you ever been notified by the planning authority that the property is a protected structure (listed building) or a proposed protected structure or is subject to any tree preservation orders?

Yes

No

If you answered 'Yes', please give details

12.4 Are you aware if the property or any part of it is situated in an architectural conservation area, an area of special planning control, an area of special amenity, a landscape conservation area, a strategic development zone or other area designated under the Planning Acts for any specific purpose or objective, or if it is subject to any actual or proposed designation of all or any part of the property whereby it would become liable to compulsory purchase or acquisition for any purpose under the Planning Acts?

Yes

No

If you answered 'Yes', please give details

12.5 What is the property used for?

12.6(a) Has there been any change of use of the property since 1st October 1964 (for example dividing into flats, combining flats or using part for business use)?

Yes

No

If you answered 'Yes', please give details

12.6(b) If you answered 'Yes', was planning permission obtained?

Yes

No

If you answered 'Yes', please give details

12.6(c) Please provide copies of all documentation you have in relation to planning and building regulations. **[BRING]**

12.7 Do you hold

- any certificate of compliance from an architect, engineer or surveyor confirming that the work or change of use was carried out in compliance with all necessary permissions and approvals, including building regulations where applicable, or
- any certificate of exemption?

Yes

No

If you answered 'Yes', please provide the original certificate(s)

[BRING]

(If you answered 'No', you will need to obtain appropriate compliance documentation)

12.8 Have you obtained a grant of planning permission at any time which was not acted upon?

Yes

No

If you answered 'Yes', please give details

12.9 Have you received any notices or letters from the planning or building control authority (for example warning notices, enforcement notices, etc)?

Yes

No

If you answered 'Yes', please give details

AND please provide copies

[BRING]

12.10 Is there any agreement in existence with the planning authority, restricting or regulating the development or use of the property?

Yes

No

If you answered 'Yes', please give details

AND please provide copies, if in writing

[BRING]

12.11 Have you or has anyone on your behalf made an application for compensation under the Planning Acts?

Yes

No

If you answered 'Yes', please give details

12.12(a) Has the property ever been inspected by the fire authority?

Yes

No

12.12(b) If you answered 'Yes', what were its requirements?

12.12(c) Have those requirements been complied with?

Yes

No

13. LEASEHOLD PROPERTY

This section relates to residential property held under a long lease or a fee farm grant. If you are selling commercial property, we will need to discuss the lease more fully with you.

13.1 Have you received any demand for ground rent within the last 6 years or for fee farm rent within the last 12 years?

Yes

No

If you answered 'Yes', please give details

13.2 Have you received any notice or correspondence from the landlord in relation to the ground rent or the fee farm rent in the last 6 years or 12 years respectively?

Yes

No

If you answered 'Yes', please give details

13.3 If you have paid ground rent or fee farm rent please provide us with a receipt

[BRING]

13.4 Have you complied with your lease insofar as you know?

Yes

No

If you answered 'No', please give details

13.5 Have you taken any steps to buy the freehold?

Yes

No

If you answered 'Yes', please provide any ground rent documents you received from the Land Registry or from your ground landlord concerning the purchase

[BRING]

14. MISCELLANEOUS

14.1 Is there a lake or inland waterway or foreshore on or abutting the property?

Yes

No

If you answered 'Yes', please give details

14.2 Are you aware of any protected species of birds or animals or flora on the property?

Yes

No

If you answered 'Yes', please give details

14.3 Are you aware of any National Monument on the property?

Yes

No

If you answered 'Yes', please give details

14.4 Do the Building Energy Rating (BER) Regulations apply to the property?

(These regulations apply to most dwellings and buildings since 1 January 2009, subject to a small number of exemptions)

Yes

No

Exempt

If you answered 'Yes', please provide a copy of a valid BER certificate and related advisory report.

[BRING]

If you answered 'No' or 'Exempt' please explain why the regulations do not apply

14.5(a) Has the property been tested for radon?

Yes

No

If you answered 'Yes', please provide a copy of the report of the test

[BRING]

14.5(b) Has any action been taken to reduce radon levels?

Yes

No

If you answered 'Yes', please give details

14.6 Is there any other information that you think the purchaser may have a right to know?

Yes

No

If you answered 'Yes', please give details

Signature of Vendor 1:

Signature of Vendor 2:

Date:

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