

### Fees and Disbursements

Real estate transactions are based on a flat fee, plus disbursements. Lawyers' fees never include disbursements. Disbursements are costs incurred by your lawyer in the completion of your transaction. For example, in a purchase of a home, disbursements may include the following:

- Title Search- a search on the property, ensuring that you will be getting the property free and clear of any claims.
- Search of executions - search on all parties to make sure they have no outstanding judgments against them.

Your Real Estate Guide

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- Utility searches - Water, Gas, sometimes hydro (to make sure that the previous owners paid their bills to date).
- Tax search - to make sure that all outstanding property taxes have been paid by owners until date of closing.
- Land Transfer Tax - Government Tax on transfer of property. It is a percentage of your purchase price. You may be eligible for a rebate of up to \$2000 if you are a 1st time homebuyer and you are buying a newly constructed home.
- Registration Fees - Every document that needs to be registered costs about \$70 to register, for example: a deed, and/or a mortgage.
- G.S.T. on Lawyer's Fees
- Law Society Levy on Real Estate Transactions

This is not an exhaustive list, but it is a guideline as to what expenses you can expect as part of your closing costs.

Whether buying or selling, your lawyer will complete all the necessary documentation on your behalf and guide you through the process up to closing date.

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- Reliable
- Experienced
- Dedicated



### Profile

I am originally from Toronto and I completed my undergraduate degree at St. Michael's College, University of Toronto in Labour-Management Relations and Criminology.

I went on to law school at the State University of New York at Buffalo, where I earned my juris doctor degree. I was admitted to the New York Bar shortly thereafter.

Through the National Committee on Accreditation, I completed the equivalent to a year of law school upon my return to Ontario.

I articulated with Evans Law Firm, a labour law firm in Toronto.

I opened my own practice in Woodbridge, upon being called to the Bar in Ontario in March of 2000.

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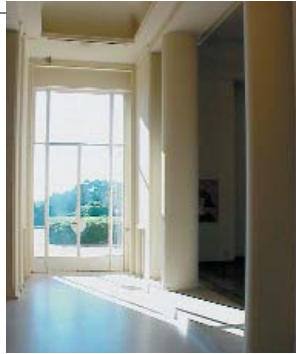
## Buying A Home? What You Need To Know



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## Comprehensive Services

*Know your costs before you buy. No surprises. Enjoy your new home with peace of mind.*

### Protecting Your Most Important Investment

Your lawyer will help guide you through all of the legal issues involved in buying your home. You may need advice about who should go on title (officially own the property), what kind of mortgage you should get, and many other decisions that have to be made when buying a home.

### Before Signing An Offer To Purchase

An offer to purchase is a contract binding on both the buyer and the vendor. Consulting a lawyer before you sign that offer can help avoid difficulties later on, and ensure that your best interests are protected.

Your lawyer can also help you determine exactly how much it will cost to buy the house. You need to plan for extra costs such as Land Transfer Tax, document registration fees, search fees, your lawyer's fees, and moneys that you will have to pay the vendor for items such as heating oil already in the tank or any prepaid utility bills and taxes -



none of which are included in the purchase price. When buying a newly constructed home, you should be aware that there are several additional costs usually imposed on the buyer by the vendor at closing.

Once the vendor has accepted your offer, your lawyer starts to work on your file. You can expect your lawyer to ask you questions about the property you plan to purchase and how you intend to use it. Over the following weeks, your lawyer will complete a series of legal inquiries, searches of records and extensive fact-checking, to make sure that, on closing, you will own the home and that the use intended for the home is legal (for example, whether the home is zoned for residential use only, or a combination of residential and commercial, whether renting a basement is permitted).

### You and Your Lawyer

#### Providing Advice

Among many responsibilities, your real estate lawyer acts as your trusted advisor. It is your lawyer's job to check various details and advise you on a wide range of matters. For example, your lawyer usually will:

- Prepare and check mortgage documents and explain the terms of your mortgage.
- Explain the different ways in which you can own the property if you're buying it with



someone else, and the difference between being joint tenants and tenants in common.

- Check the statement of adjustments to insure that you're paying only your share of the taxes, utility and fuel bills, and other costs that have been prepaid by the vendor.
- Explain the purposes of the documents that you have to sign.

### The Buying Process

To help make the transfer of ownership from the vendor to you, as smooth as possible, your lawyer may also:

- Arrange with utility companies to have Hydro, water and fuel meters read on the day of closing, and to have all future bills addressed to you, but most companies will require you to set up your own account.
- Ensure that you have home insurance in place as of the closing date.
- Hold in trust your closing funds and those provided by the mortgage lender, and transfer them to the vendor to ensure the home purchase closes.
- Arrange for you to receive the keys to your home as soon as possible after closing.

### Good Title to the Property

Why is good title important? Good title ensures that you really own the property, that it is properly described in registered documents, and no one else has a claim or lien to it that you do not know about.

For example, banks or other lending institutions, contractors, tenants and the spouse of the person selling the home may all have rights to the property that need to be resolved before

the sale can proceed. As part of title-related responsibilities, your lawyer usually will:

- Explain the option of purchasing title insurance.
- Check that the person who is selling the home has the right to sell the property, and no one else has a claim to it or a lien on it.
- Consider survey-related issues such as whether anything on your property encroaches on neighboring properties, or if neighbors are in fact using a part of your property.
- Contact the municipality to make sure that there are no work orders outstanding on the property which you can be forced to comply with after your home purchase has closed.



- Determine if any other organizations have interests in your property that could restrict your use of it. For example, there may be easements that give utilities the right to install and access Hydro or gas lines. As well, if some or all of the home is being rented, tenants have rights that could affect your ownership.
- Contact local utilities and a municipality to find out if there are liens on the property because of unpaid utility or tax bills.

If there are problems that could affect the title to your property, your lawyer can sometimes take steps to fix the problem. If the problem cannot be corrected, your lawyer will explain to you the risk of taking title without resolving the problem.