New Build Conveyancing Guide

Buying a new build home is exciting, but the process can sometimes feel overwhelming, especially when developers push for a quick exchange. This guide explains:

- Why delays can occur
- What your solicitor is checking
- How the process works
- How you can help keep things moving

We work closely with developers, lenders and all parties involved to progress your transaction as efficiently as possible, whilst ensuring your interests are fully protected.

Why developers push for a quick exchange

Developers operate to strict sales targets, funding deadlines and build programmes. As a result, transactions may move faster than you might expect.

This may include:

- Setting relatively short or firm exchange deadlines
- Referring to other buyers who have already exchanged
- Encouraging early commitment in line with build schedules

While this is a standard part of the new build process, it is important that you have sufficient time to take proper legal advice before proceeding.

Our role as your solicitor

Our role as your solicitor is different, we act solely in your best interests, not the developer's. Just as developers rely on their own legal and planning teams, you deserve the same level of protection.

We ensure all necessary legal checks are completed before you exchange contracts. These checks protect you from risk and help avoid unexpected issues after completion.

Why exchange might **take longer than expected**

Exchange of contracts is a key stage in the process and we will ensure all essential checks are completed before you proceed. Some common reasons why additional time may be required include:

1. Warranty documentation

We must ensure a valid new build warranty (e.g. NHBC, LABC) is in place. Without this:

- You may lack structural protection
- Deposit protection or insolvency cover may not apply
- It could impact mortgage lender approval and resale value

2. Roads and sewers (Section 38 / Section 104 Agreements)

We confirm arrangements are in place for adoption. If not, you could become responsible for future maintenance costs.

3. Planning and building regulation matters

Outstanding planning conditions or breaches can:

- Affect your mortgage
- Impact future resale value

4. Lender requirements

As we also act for your mortgage lender, their conditions must be satisfied before exchange. These checks may not always be visible but are essential.

5. Developer-supplied information

Reviewing documentation provided to ensure it is complete and accurate for your specific property.

6. **'Help to Buy'** (If applicable)

If you are using a Help to Buy equity loan:

- An Authority to Proceed is issued at the start
- An Authority to Exchange must be issued before exchange

Until this is received, we cannot exchange contracts as it could put your funding at risk. We will apply for this as soon as all requirements are met.

What are the realistic timescales

Stage	Typical duration / timescales
Reservation to exchange	Varies depending on developer
Exchange to completion	On notice – typically around 10 working days once structurally complete
Mortgage offer validity	Usually 3–6 months (extensions may be required for long builds)

Common client queries & issues

1. **ID & AML checks** (watch our short video guide)
   Please ensure your ID is submitted promptly and matches your details exactly to avoid delays.

2. **Proof of address (POA)**
   Providing correct documents at the outset prevents delays.

3. **Forms & questionnaires**
   Please complete these carefully and consistently. If unsure, we are happy to assist.

4. **Communication** (watch our short video guide)
   There may occasionally be periods where we are awaiting responses from developers or third parties. We will update you as soon as there is progress.

5. **Transactional timelines**
   New build transactions can sometimes feel fast-moving. If you have any concerns, we are here to guide you through the process. (watch our short video guide)

6. **Search fees and costs**
   We will ensure you are aware of all costs at the outset and notify you of any changes where applicable.

7. **Mortgage offer delays**
   Exchange cannot take place without a valid mortgage offer.

8. **Property chain**
   Your transaction may rely on other linked transactions progressing, this is a normal part of conveyancing.

Surveys & snagging inspections

Although new build properties benefit from warranties, defects can still arise.

You may wish to consider:

Pre-Completion Inspections (PCIs)
- Carried out before completion
- Identify defects early

Post-Completion Snagging Surveys (RICS regulated)
- Provide a detailed list of defects
- Can be submitted to the developer for remedial works

Most contracts do not allow delays to completion for minor snagging, but these inspections can still provide reassurance and protection.

Key tips to keep things moving

- ✓ Check documents carefully before submitting
- ✓ Complete all forms carefully and accurately
- ✓ Keep in regular contact with your broker and lender
- ✓ Be aware that some delays are outside of anyone's control
- ✓ Stay calm if developers apply pressure - legal checks are there to protect you
- ✓ Clarify all costs at the outset
- ✓ Use the correct system or email for document uploads
- ✓ Avoid booking removals or giving notice until exchange is confirmed

"New build transactions can move quickly, but it is essential that everything is done correctly. We are here to guide you through the process, explain each stage clearly and ensure your interests are fully protected throughout."

Louise Stephens-Pantoja - Head of Operations

We are here to **support & protect you**

We understand that the conveyancing process can feel stressful, especially when the developer is pushing for speed. But our role is simple, we are here to protect you.

We will only recommend exchange when your plot is legally safe, your lender is satisfied and you have all the information needed to make an informed decision. Watch our short video guide to the exchange process.

Contact us

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Book a callback at a time right for you

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