

# HOME BUYING EXPERIENCE



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Royal LePage Nanaimo Realty Gabriola

*Discovering the right home should be an exciting event. At Royal LePage we are committed to making things easier for you by providing the information you need to make the right home buying decision.*

*Here's a step-by-step guide of the home buying process. Keep in mind that you have control over how fast or slow we proceed. As each transaction is unique, we should go over your specific situation and answer any questions that you may have pertaining to the transaction- we will be with you every step of the way.*

*As the largest real estate company on Vancouver Island, Royal LePage understands the local market and are well prepared to represent you in an effective search for property. Our commitment is to provide you a superior level of service, expertise, and local knowledge anywhere on Vancouver Island, or refer you to one of our colleagues throughout our extensive network of over 16,000 REALTORS®.*



# DECIDING TO BUY A HOME

Congratulations on your decision to purchase a home! Buying a home is one of the most important personal decisions you will ever make. It is an expression of your hopes and dreams, your lifestyle and values.

Starting the journey to homeownership can be overwhelming and stressful. But with a little planning, you'll get the home that's right for you. It will be a home that strikes a balance between your "wish list" items and the practical realities of the property, location and the housing market. Before you know it, you'll have a place to call your very own. A place to decorate. A place to entertain. A place to raise a family. It really is an exciting time!

But how or where do you begin? There are a lot of homes out there and diving in without a trusted advisor to guide you can become a huge task. A Royal LePage REALTOR® will help you define and narrow your search.

The right home will meet all of your important needs and as many of your additional wants as possible. What are the attributes that are most important for you? Is it location? Need more room? Downsizing? Schools? Neighbourhood? Remember there can be a difference between what you need and what you want...that can be your challenge.

In today's competitive real estate market, timing is everything. Based on the specifics you've identified, your REALTOR® will set up your own personal Private Client Search. This service provides you, by way of email notification, current up to date MLS listings, including address, room measurements, tax info, photographs and detailed information for the hottest new properties for sale in the area, when they become available so you don't miss out on your perfect home.



# PREPARATION

Purchasing a home is a very exciting time!

Before meeting with a lender, it is a good idea for you and anyone who will share in the ownership of the home to discuss your financial objectives in this purchase. How much of your savings can you spend up front? What is a comfortable monthly payment for you? What closing costs do you anticipate? Remember, there can be a big difference between what a lender will qualify you for and what you can comfortably afford based on your lifestyle.

**DOWN PAYMENT.** If you are considering purchasing a home with less than 25% down payment, your mortgage application is required by law to be insured by CMHC (Canada Mortgage & Housing Corporation) or Genworth Financial Canada. Mortgage insurance makes it possible for you to purchase a home using a lower down payment. It allows the lender to approve your mortgage with as little as 5% down. Generally, a higher down payment means better loan terms and a lower interest expense on the mortgage.

**QUALIFYING FOR A LOAN.** During the early stages, you would like to become prequalified for a mortgage loan. This ascertains the amount that you can afford. This gives you the flexibility to search for the right home, particularly when there are so many keen buyers. The seller also realizes that you are sincere in purchasing the property and can afford it. But remember, just because the lender says you can afford one price doesn't mean that's what you should spend. Be wise and thoroughly examine how much you should spend on a home.

Be prepared to provide the lender with; down payment information, bad debts, past credit history, current & employment history, letter from employer, assets, liabilities, credit scores, for those self-employed recent tax returns, etc.

If you shop around wisely for mortgage rates and terms, you can get a rate that can really help you save a substantial amount throughout the span of a loan. A small variation of 0.5% can also become significant, as can the terms of the loan.

If pre-approved the lender provides you with a letter of commitment, telling you how much money they would be willing to loan you're for the home purchase. However, keep in mind that even a pre-approval is not a guarantee that you will be approved for a mortgage loan, the home must still qualify.

A pre-approval can guarantee the rate, save time, and shows you are serious about your home buying intentions which may provide leverage in the negotiation process!



# IF YOU ARE ALSO SELLING YOUR HOME

## ***What if you're also selling a home?***

If you sell your existing home for a 'low' price, you're probably also buying at a low price. If you are upgrading to a larger home, in this market example, this actually works to your advantage.

## ***To buy first or sell first?***

Generally speaking, under most market conditions, real estate professionals advise listing your present home and then shopping for your new home after accepting a suitable offer. Most people are unable to buy before they sell their existing home, but are able to time their sale and purchase so they happen on the same "closing date". Your REALTOR® can provide advice to assist you with making the right decision for your needs.

Many people are able to time their sale and purchase so they happen on the same "closing date". As a buyer, you can make your offer "conditional" on the sale of your existing home to make sure you're not left paying for two homes. As a seller, you can try to extend the "closing period" to give yourself more time to find your next home. A REALTOR® can provide advice and counsel during these kinds of negotiations.

## ***Getting Pre-Approved***

If you apply for a pre-approved mortgage before starting your new home search, you can define your price range and focus on homes that fit that scope. Lenders will guarantee a set some of financing and the best rate available, based on your situation, for a set time period (usually 90-120 days) while you locate your dream home.

A mortgage pre-approval removes one of the uncertainties in buying a home. If several buyers are interested in the same property that you are, being pre-approved can give you the advantage. Sellers are more likely to accept an offer from a buyer who has been pre-approved over a buyer who has no guarantee that they can attain the financing for the amount they offered.

It is always wise to still include a "subject to financing" clause in your real estate offer, to protect yourself against unforeseen issues.

## ***What if you find your new dream home before you've started to sell your old one?***

Talk to your existing mortgage lender about "Bridge Financing". This is when your lender (the bank) agrees to lend you the down payment for your new dream home, while you still cover the mortgage on your existing property.



# CHOOSING A REALTOR®

Buying a home is one of the largest decisions of your life. The first thing to do is to find a REALTOR® you are comfortable with and that you trust.

The term REALTOR® is a trademark identifying real estate licensees in Canada who are members of The Canadian Real Estate Association. REALTORS® adhere to a strict Code of Ethics and Standards of Business Practice. The code of ethics is a firm set of rules, describing what kind of performance you have a right to expect from a REALTOR®. It's your guarantee of professional conduct and the best in service.

Our REALTORS® at Royal LePage pride themselves on putting our client's needs first. This is your dream, and your REALTOR® is your advocate to help that dream come true.

We are full-time, knowledgeable professionals, that can provide you with such services as:

- Informing you about the community and current market conditions.
- Helping you to identify the type of home you need and can afford.
- Providing information about available properties and financing.
- Arranging viewing appointments of available properties.
- Providing answers and information to any questions you may have about a specific home you are considering.
- Explaining the forms used in a real estate transaction and assisting you in making a written offer to purchase.
- Presenting your written offer to the seller, and negotiating on your behalf.
- Coordinate the work of other professionals including; inspection companies, appraisers, mortgage & insurance representatives, title companies, lawyers/notaries.
- Help resolve any problems that may arise.
- Familiarizing you with the steps you must take to complete the purchase after the seller accepts your offer.

You will be working closely with your REALTOR®, so it is vital to find someone you can communicate easily with and build a relationship of trust.



# THE AGENCY RELATIONSHIP

## Working with a REALTOR®.

### DESIGNATED AGENCY

REALTORS® work within a legal relationship called agency. The agency relationship is between you, the client or principal, and the individual licensee or REALTOR® who is designated as your sole agent. The essence of the agency relationship is that your REALTOR® has the authority to represent you in dealings with others, as follows:

Specifically, the Designated Agent has the following duties:

- Undivided loyalty.
- To obey all lawful instructions of the principal.
- An obligation to keep the confidences of the principal.
- To exercise reasonable care and skill in performing all assigned duties.
- To account for all money and property placed in a Designated Agent's hands while acting for the principal.

Both buyer and seller can be represented by their own Designated Agents in a single transaction.

### DUAL AGENCY

Dual agency occurs when a Designated Agent is representing both the buyer and the seller in the same transaction. Since the Designated Agent has promised a duty of confidentiality, loyalty and full disclosure to both parties simultaneously, it is necessary to limit these duties in this situation. If you find yourself involved in a dual agency relationship, before making or receiving an offer, both you and the other party will be asked to consent, in writing, to this new limited agency relationship.

This relationship involves the following limitations:

- > The Designated Agent will deal with the buyer and the seller impartially;
- > The Designated Agent will have a duty of disclosure to both the buyer and the seller except that:
  - o the Designated Agent will not disclose that the buyer is willing to pay a price or agree to terms other than those contained in the offer, or that the seller is willing to accept a price or terms other than those contained in the listing;
  - o the Designated Agent will not disclose the motivation of the buyer to buy or lease or the seller to sell or lease unless authorized by the buyer or the seller;
  - o the Designated Agent will not disclose personal information, not otherwise necessarily disclosed in the transaction documentation, about the buy or seller to the other party unless authorized in writing.

The Designated Agent will disclose to the buyer defects about physical condition of the property known to the Designated Agent.



# EXCLUSIVE BUYERS AGENCY

There are good reasons why you, as a buyer, should be represented under our “Buyer Agency Contract”. The process of buying real estate is relatively complex and for this reason many home buyers seek the help and professional expertise of a licensed real estate agent. A buyer who understands their options will typically want to select their real estate representative EARLY in the transaction in order to avoid potential conflicts of interest should they be making many calls to various REALTORS®. Contracting an Exclusive Buyers Agent they can save you time and money by researching properties based on your criteria. That agent can help you secure the best mortgage rates, counsel you on the offer amount and terms most favorable to you, and negotiate on your behalf.

Many buyers are reluctant to use Exclusive Buyer’s Agency. They feel they can find, negotiate, and buy a home for less by themselves. Generally speaking that’s not true. The fair market value includes the commission and every seller will not sell for less than fair market value. Nine times out ten, the commission is paid for out of the transaction. However, if the commission is less than has been contracted for or if no commission is being offered there are negotiating strategies that can be employed, under these circumstances. In this situation you can be offered a couple of choices: the commission can be negotiated into the contract or you could pay the difference, as stipulated in the Exclusive Buyers Agency Contract. However, with a knowledgeable Buyer Agent, who has the ability to negotiate on your behalf to obtain the lowest price, you will have the best chance of purchasing a property and investment to meet your needs at a price acceptable to you.

At Royal LePage, under Exclusive Buyers Agency, we work with a limited number of clients at any given time. Our representatives make a significant commitment to each of them to find the right property for them. All we ask in return is that you make a commitment to us. While acting as your “exclusive” agent we can provide you with details on what’s currently for sale, along with what’s sold and for what price. This information, along with all related details and facts we supply, allows you to make an informed decision when buying. We deal with many listed properties, however; we also sell many unlisted properties to buyers who are under Exclusive Buyer’s Agency with us and others. However, if you want to find out more about the way we work in this capacity, we offer the opportunity to spend some time together to ensure that this dynamic working relationship is going to be in your best interest. In this way all parties involved can get a good idea of what you’re looking for, you get a better feel for the market, and we both can determine whether there’s a basis for an ongoing relationship.

Once you are ready to sign an Exclusive Buyers Agency and choose to have a Royal LePage REALTOR® represent you, we will enter into a written contract that clearly establishes both parties’ obligations.



# SHOP FOR A HOME

Once you have been prequalified for a loan, it's time to begin your search for the perfect home. One of the most important keys, to making the home buying process easier and more understandable, is planning.

## **BUYER CONSULTATION.**

Once you've found the Royal LePage REALTOR® that you've chosen to work with, you may wish to arrange a consultation with them, in order to describe your dream home, and ask any questions that you might have. The more you can inform your REALTOR® about your family's lifestyles, areas of interest, and preferred locations will help them understand your specific objectives and priorities to build a strategy for locating your ideal home in the perfect location.

Now you are ready to visit properties and your real estate professional can show you the homes that may be of interest. It's best to provide at least 24 hours' notice, to selling homeowners to ensure your REALTOR® can gain access to the homes.

Your advisor will research the properties of interest to you and, as you tour homes, they will help you analyze the benefits and drawbacks of each potential home. After a period of time, you may start to discover certain aspects of homes that appeal to you more than others. You'll learn that, as you look at homes, your priorities will probably adjust along the way. Once you have tailored some likes and dislikes for you in a home, you should make a list of home attributes, categorized into three areas:

**Deal-Breakers** - This category should be filled with a list of home attributes that make a house an absolute no-go.

**Wish List** - This category should be filled with attributes in a home that you would like to see, but are not necessary.

**Must-Haves** - This category should be filled with those things that a home must have in order for you to be interested. This list should be the most carefully compiled, as you do not want to purchase a house that does not have all of your "must-haves."

Subsequent to visiting every house, take down notes so you can compare later. If time provides, make at least two visits to the home.

As soon as you have identified your dream home, the financial and legal aspect of home buying comes into play. Since the objectives of the home buyer and home seller are not the same, take the help of your Royal LePage representative for arriving at a positive outcome.



# DECIDING HOW MUCH TO OFFER

A REALTOR® can help you find your perfect home, but only you can decide how much you are willing to offer for it.

Making an offer on a house is difficult. If you bid too low, others will outbid you; if you bid too high, you may be spending money you don't need to. Here are some things to keep in mind when making an offer on a house...

How much house can you afford? This should be the #1 factor when house-hunting. You can't offer more money than you can borrow, so secure a loan before seriously shopping around. Also, don't forget to include the closing costs when deciding how much money to borrow.

The Seller's price - Your offer will of course be highly dependent on what the seller asks for in the first place. Sellers typically follow one of three paths. Some sellers may overprice the home to give them substantial room to negotiate. Some sellers price according to what they think they should receive and don't really want to haggle. Finally, some sellers may marginally under-price the home in the hopes that it will attract many buyers and create a bidding war.

The seller's position - Always consider the seller's position when making an offer on a house. If you were a seller, would you be willing to take a little bit less if someone agreed to close the deal quickly and came with a loan pre-approved? Some sellers need to close quickly, so having everything ready to go can make the difference between a winning offer and a losing one. Be flexible and try to play to the seller's needs when making an offer.

Prices of comparable houses - To really get a good idea for how much you should offer, find out how many comparable houses sold for in the area. To ensure that it's really comparable, a similar house should have sold within the past six months, be in the same neighbourhood, and be similar in terms of age, size, and number of rooms. Your REALTOR® can provide you with information about the selling prices and marketing time of other houses in the area.

The real estate market - This can make a huge difference in terms of what you should offer. During busy markets, expect irrational bidders who drive up house prices considerably. Similarly, in down times, you can safely offer on the conservative side.

Once you have determined the amount you are willing to spend, your REALTOR® will help you prepare a written offer. In most transactions you will offer to deposit earnest money held in trust by Royal LePage, as a stakeholder, showing your sincerity in making a reasonable offer and abiding by the terms of the written contract.



# MAKING AN OFFER TO PURCHASE

Your REALTOR® will help you prepare an offer using standard forms. The offer, if accepted, will become a binding contract. Understanding the standard forms and the many transactional issues is key to negotiating the best terms to meet your individual needs.

This document is the most important paper you will sign because, it is a legal document, and it lays out all the terms of the transaction. It typically contains:

**Names** – your legal names, your current address, and the legal names of the Sellers.

**Legal Description** – the legal description of the property.

**Price** – How much are you are willing to offer.

**Deposit** – A deposit acts to represent an expression of the serious intention of the buyer, a deposit generally speaking is held by the Buyer's REALTOR'S® brokerage as a stakeholder in trust. A deposit that goes into "Trust" can not be released to either parties without all parties consent.

**Inclusions** – any items in / around the home that you think are included in the sale should be specifically stated in your offer. Some examples might be window coverings and appliances.

**Exclusions** – if there is anything you specifically want excluded.

**Completion Date** – is the date that the money changes hands in exchange for title.

**Possession Date** – usually follows completion by one to two days, depending on the circumstances of all parties surrounding the move.

**Adjustment Date** – is the date when you as the new owner are responsible for things like insurance, taxes, garbage, etc.

You should definitely add some conditions to your offer in order to protect yourself. Ensure that you have an opportunity to explore all aspects of the home and its purchase that are important to you.

Take precautions to protect yourself against unseen defects in the home. An inspection by a qualified inspector can provide you with unbiased opinions about the condition of the foundation, mechanical systems, plumbing systems, appliances, etc. If you can, accompany the inspector at the time the inspection is conducted.

Each contract is unique to the home and your personal circumstances. Other conditions for your benefit may include, but are not limited to, satisfactory inspection reports, property appraisal, surveys, title search, insurability of dwelling, and lender approval of mortgage financing. The contract will become final only when the conditions are satisfied or waived.

If you are uncertain about any of the clauses contained in the offer, you may wish to consult a lawyer before signing the contract.



# NEGOTIATING THE OFFER

Once your offer is written, it's time for your REALTOR® to start the negotiations with the Seller (or represented by their REALTOR® in order to reach an agreement. Most terms are negotiable when buying and your Royal LePage REALTOR® has the market knowledge and negotiating expertise necessary to make sure that your offer is given the best consideration. Your REALTOR® will ensure that you are well informed through every step of the negotiation. It is important that you remain in close contact with your REALTOR® during the negotiation process so that proposed changes can be reviewed and responded to quickly.

## ***The Seller has three options:***

### **1. ACCEPT THE OFFER EXACTLY AS IT IS.**

If the price and terms meet their needs, they may decide to accept an offer, and sign the contract without alteration.

Once the Seller signs a Contract of Purchase and Sale agreeing to its terms, acceptance is conveyed to the Buyer's REALTOR®, at which time it becomes a legally binding contract.

("Legally binding" means both you and the Seller will be bound by the terms of the contract and must perform your respective obligations as stated. Your performance can be enforced in a court of law.)

### **2. MAKE A COUNTER OFFER.**

If the offer is not acceptable to the Seller, further negotiations may be necessary to reach terms agreeable to both you and the Seller. If anything at all is changed, this is referred to as a "counter-offer."

The risk in making a counter-offer is that if the other party has changed their mind and rejects the counter-offer, one does not have the option to return to the original offer and accept it. But, the other party may decide to make another counter-offer back to you and the process of counter-offers could continue until an agreement is reached.

### **3. REJECT THE OFFER.**

The Seller is under no obligation to accept any offer, nor make a counter-offer. Once you and the Seller agree to the written terms and both of you sign, the document becomes a binding contract. Be sure that you pay close attention the terms. Otherwise, you may waive some contractual rights.



# BETWEEN CONTRACT & CLOSING

## **You have an Accepted Offer.**

Congratulations! At this time you have entered into a Contract of Purchase and Sale, agreed to a sale price, and are ready to engage in your specified due diligence for the purchase of your home. Deposits are due and payable in accordance with the provisions of the Contract.

If the Contract contains contingencies, also referred as conditions precedent or “subject to’s”, these will need to be deemed fulfilled or waived during the period specified. The purpose of a condition precedent in an offer to purchase is to set out a specific condition that must be fulfilled before the sale can go through. Expert inspections and approvals required should be scheduled well in advance of dates set for subject removals.

As a Buyer, you must make your best efforts to fulfill their conditions. However, if one of the conditions contained in such a clause cannot be met after every reasonable effort has been made to do so, the Contract ends and there should be no legal obligation to complete the purchase.

You will likely wish to engage a lawyer or notary public, preferably one who specializes in real estate conveyancing, to handle your documentation. At Royal LePage, we have an established network of local lawyers and notaries, and can assist you in making some recommendations to help you select one. We will facilitate the documentation distribution for your conveyancer.



# COMPLETION OF THE SALE

The real estate closing is also referred to as completion. The two terms are interchangeable, though “closing” is the more common usage. This is the final step in a real estate purchase transaction. It’s when property ownership is transferred from the seller to the buyer.

Within several days prior to completion, as Buyer, you will make an appointment with your lawyer/notary to review and sign many documents. These will include mortgage documents, if you are obtaining financing to facilitate the purchase. You will need to bring in certified funds for the down payment and the closing costs that were not included in the mortgage loan. To ensure a smooth transaction, this is a good time to touch base with your insurance company, your movers, and your REALTOR® to ensure all closing details are scheduled.

During this time the Seller will also have an appointment at their respective lawyer/notaries to review and sign paperwork in preparation for closing. Once the mortgage documents are signed, the lender will release the loan proceeds checks. In exchange for these loan and additional buyer proceeds, the Seller’s lawyer or notary, provides the title and ancillary documents. There will also be a final distribution of funds on closing day and the Seller’s lawyer/notary will make arrangements for the distribution once their mortgage balance and closing costs have been paid off. The Seller’s lawyer or notary will make arrangements for the distribution of the proceeds of the sale.

The title, mortgage and ancillary documents are then registered, to officially transfer the ownership to the buyer.

Finally, the REALTOR® will make arrangements to provide you keys to your new home!

Congratulations on the successful purchase of your home!



# MOVING CHECKLIST

## 6 WEEKS BEFORE MOVE

- Get estimates and hire a mover. Here are several questions to ask:
  - Are on site estimates offered?
  - Will the movers pack items? (if so, additional cost?)
  - What additional charges may arise?
  - How is pricing determined?
  - What insurance is included?
- Or, call and get an estimate on renting a moving van.
- Get all estimates in writing and request signed copies.
- Contact your insurance company for additional coverage (optional).
- Create a binder to hold all move-related paperwork (checklist, contracts, receipts).
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## 5 WEEKS BEFORE MOVE

- Conduct a room-by-room survey. Sort items to keep, donate, discard and sell.
- Organize and hold a garage sale, if desired.
- Have valuable items appraised. Photograph or videotape - note any damage.
- Phone to arrange for transfer of homeowners/rental insurance.
- Locate health practitioners in the community you are moving to, to make arrangements to have standing prescriptions at a pharmacy near your new home.
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## 4 WEEKS BEFORE MOVE

- Gather packing supplies, including:
- Boxes (various sizes, wardrobe and specialty boxes)
  - Box cutters
  - Tape (packing, masking, blue painters)
  - Tape dispensers
  - Wrapping materials (bubble, plastic, tissue paper)
  - Labels
  - Fill out any change of address with post office.
  - Send friends and family a we're moving announcement.
  - \_\_\_\_\_



# MOVING CHECKLIST

## 3 WEEKS BEFORE MOVE

- Pack contents of garage, attic and storage areas, as well as other infrequently used items.
- Mark boxes and furniture with appropriate labels.
- Label and number each box. Keep a master inventory list with contents of each box.
- Make arrangements to have; electricity, phone, gas, water, sewer, garbage/recycling, cable/satellite disconnected in your old home the day you leave and installed in the new home the day before you arrive.
- Call a locksmith to have your new home's locks changed on moving day or shortly thereafter.
- Arrange to have a cleaning company prepare the new home before you arrive, if desired.
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## 2 WEEKS BEFORE MOVE

- Pack the bulk of your items.
- Notify magazines, newspapers, banks and credit card companies of your new address.
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## 1 WEEK BEFORE MOVE

- Print an information sheet for the movers. Include new address, directions and your cell phone number
- Finish packing. Set aside enough clothing for the week ahead plus a suitcase to pack.
- Place small valuable and important documents in a box/bag. Ask a friend to hold onto it until you're settled, or keep it in a safe place on moving day.
- Discard any hazardous materials that cannot be moved in the moving truck.
- Create a last out, first in box with all day to day necessities, including any of the following that are applicable:
  - Bedding      • Toilet paper      • Medications
  - Towels      • Basic tools      • Snacks
  - Toiletries      • Cleaning supplies      • A few dishes
- Consider hiring a cleaning company to come in and do a quick clean after the movers leave, or schedule a day that you will come back and make sure everything is in place for the new occupants.
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# MOVING CHECKLIST

## MOVING DAY

- Do a walk through before movers arrive to make sure everything is packed.
- Make sure there are no items left behind.
- Give keys to the REALTOR® or property manager.
- Arrange for someone to direct the movers at your new home.
- Read all the registers and record the readings.
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## MOVING INTO YOUR NEW HOME

- Arrange for someone to direct the movers at your new home. Ensure they have a copy of the master packing list and are taking inventory as boxes are unloaded.
- Inspect for damage. Photograph any relevant items before signing the release.
- Test faucets, toilets, utilities, smoke detectors and phone systems.
- Begin to unpack.
- Flatten boxes. Set them out for recycling or store for future use.
- Enjoy your new home!
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## WITHIN 30 DAYS OF YOUR MOVE

- Pick up mail being held at the local post office.
- Change of address.
  - Driver's License
  - Voter's Registration
  - Auto Registration
- Contact Welcome Wagon, if you desire!
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