DE BEER
& ASSOCIATES



The Pre-Listing Legal Checklist Every Agent and Seller Needs

Most transfer problems that surface weeks after the offer is signed were already visible before the property went on the market. These are the the exact legal items to sort before you list so the transfer doesn't stall later.

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The Pre-Listing Legal Checklist

1. Electrical Certificate of Compliance

Must be current (not older than two years for change of ownership) and no alterations may have been made since it was issued. Solar installations or distribution board upgrades void the existing certificate. This remains one of the most common last-minute delays on both the Upper Highway and the North Coast.

2. Gas Certificate of Conformity

Required only if there is a fixed gas installation. Portable cylinders on a hose usually fall outside the requirement.

3. Electric Fence System Certificate

Needed where an electric fence exists or has been altered. Separate from the ordinary electrical CoC.

4. Beetle / Entomologist Certificate

Not required by statute, but still standard contractual and banking practice on freehold properties in KZN, especially in humid coastal and Upper Highway areas. Leaving this too late regularly adds two to four weeks to the process.

5. Rates Clearance Readiness

Confirm the municipal account is up to date and that clearance figures can be obtained without delay. Late or incorrect figures remain one of the most common transfer hold-ups across eThekwini and the surrounding municipalities serving the Upper Highway and North Coast.



Booking a free consultation with Gordon will clarify the legal process, identify any hurdles to your sale and ensure you go to market with the right strategy and the right protection. **Knowledge is power.**

DE BEER & ASSOCIATES

Gordon De Beer Property Lawyer, Consultant & Strategist

Address: 12 Old Main Rd, Clifton Park, Gillitts, 3610

Mobile (both offices): +27 82 519 5401

Email: info@gordondebeer.co.za

North Coast office: 33B Hewitt Rd, Salt Rock, 4420

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6. Levy Clearance (Sectional Title or Estate)

Outstanding levies, special levies or incomplete body corporate documentation regularly stop lodgement on the North Coast and in many Upper Highway complexes.

7. Building Plans & Unapproved Structures

Any additions, alterations or structures without approved plans create real risk. These issues surface late and can delay or even collapse a sale. This is particularly relevant in older Upper Highway suburbs and some North Coast estates where alterations have been made over the years

8. Seller's Disclosure Form

Must be complete and accurate. Incomplete or vague disclosures remain a frequent source of post-signature disputes between buyers and sellers.

9. Fixtures and Fittings

Clearly list what is included and what is excluded. Verbal assumptions about built-in items still cause unnecessary arguments after the offer is signed.

10. Existing Bond Position

Know the outstanding balance and the realistic cancellation timeline. Bond cancellation delays still catch sellers off guard and can push registration back by weeks.

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