



# PRACTICE AREA Snapshot CHECKLIST

## Sub-sale of Property WITH TITLE – Purchaser

**File reference:**

**DISCLAIMER** This Checklist is only intended to provide a general overview of the matters that should be considered in managing your case/transaction. The information provided in this Checklist is not intended to be legal advice. Many factors may affect the applicability of any steps or procedures set out here to your case and consequently you should apply your own discretion or seek appropriate advice (where applicable) before relying on these procedures.

### 1. VENDOR(S)

| Name(s) of Vendor(s): | NRIC No / Passport No / Company No: | Winding Up / Bankruptcy Searches / Company Searches |                |
|-----------------------|-------------------------------------|---|----------------|
|                       |                                     | Date Requested:                                     | Date Received: |
| a.                    |                                     |   |                |
| b.                    |                                     |   |                |
| c.                    |                                     |   |                |

### 2. PURCHASER(S)

| Name(s) of Purchaser(s): | NRIC No / Passport No / Company No: | Winding Up / Bankruptcy Searches / Company Searches |                |
|--------------------------|-------------------------------------|---|----------------|
|                          |                                     | Date Requested:                                     | Date Received: |
| a.                       |                                     |   |                |
| b.                       |                                     |   |                |
| c.                       |                                     |   |                |



**3. PROPERTY PARTICULARS**

|    |              |                 |                |
|----|--------------|-----------------|----------------|
| a. | Title Search | Date Requested: | Date Received: |
|----|--------------|-----------------|----------------|

b. Title particulars:

c. Address:

|    |                             |                             |              |
|----|-----------------------------|-----------------------------|--------------|
| d. | Property Tenanted: Yes / No |                             |              |
|    | Name of Tenant:             | Term of Tenancy:      years | Expiry Date: |

|    |                              |       |                    |
|----|------------------------------|-------|--------------------|
| e. | Tenure: Freehold / Leasehold |       |                    |
|    | Tenure                       | Years | Commencement Date: |
|    |                              |       | Expiry Date:       |

f. Restrictions in Interest: Yes / No

g. Express Conditions: Yes / No

|    |                   |                  |
|----|-------------------|------------------|
| h. | Charges: Yes / No |                  |
|    | Name of Chargee:  | Presentation No: |

|    |                   |                   |                    |
|----|-------------------|-------------------|--------------------|
| i. | Caveats: Yes / No |                   |                    |
|    | Presentation No:  | Name of Caveator: | Type of Caveat:    |
|    |                   |                   | Presentation Date: |

j. Other Encumbrances (if any):



**4. LETTER OF OFFER (if any)**

|   |                       |
|---|-----------------------|
| a. Date:  | Earnest Deposit (RM): |
| b. Deadline for Execution of Sale and Purchase Agreement: |                       |

**5. SALE AND PURCHASE AGREEMENT**

|  |       |
|--|-------|
| a. Date:   |       |
| b. Sale and Purchase Agreement Stamped: Yes / No | Date: |
| c. Stamped Copy(ies) given:                      |       |
| Client(s): Yes / No                              | Date: |
| Vendor(s): Yes / No                              | Date: |

**6. PURCHASE PRICE AND PAYMENT TERMS**

|   |                       |               |
|---|-----------------------|---------------|
| a. Purchase Price (RM):                                 |                       |               |
| b. Deposit (RM):  |                       |               |
| c. Balance Purchase Price (“BPP”) (RM):                 |                       |               |
| d. Retention for Real Property Gains Tax (“RPGT”) (RM): |                       |               |
| e. If client obtaining loan:                            |                       |               |
| i. Loan Sum (“LS”) (RM):                                | 1. Amount, date paid: |               |
|   | 2. Amount, date paid: |               |
| ii. Difference Between BPP and LS (RM):                 | Date Paid:            |               |
| f. Completion Period/Date:                              | Revised Date:         | Revised Date: |



|           |                                  |                      |               |
|-----------|----------------------------------|----------------------|---------------|
| <b>g.</b> | Extended Completion Period/Date: | Revised Date:        | Revised Date: |
| <b>h</b>  | Late Payment Interest Rate: % pa | Amount payable (RM): | Date Paid:    |

**7. INSTRUMENT OF TRANSFER (FORM 14A) AND STAMPING PROFORMA (PDS 15)**

|           |   |  |
|-----------|---|--|
| <b>a.</b> | Executed: Yes / No  | Date received from Vendor/Vendor’s Solicitors: |
| <b>b.</b> | Adjudication  |  |
|           | Date FORM 14A Submitted for Adjudication:   | Date Notice of Adjudication Received:          |
|           | Date Stamp Duty Paid:   | Date Stamped FORM 14A Extracted:               |
| <b>c.</b> | Presentation:   |  |
|           | Date FORM 14A (and Discharge of Charge, if applicable) Presented for Registration:          |  |
|           | Date issue document of title endorsed with name of Purchaser/transferee extracted:          |  |
|           | Date issue document of title endorsed with name of Purchaser/transferee given to purchaser: |  |

**8. CONDITIONS PRECEDENTS (if any)**

|           |   |   |                                       |                            |
|-----------|---|---|---------------------------------------|----------------------------|
| <b>a.</b> | Conditions Precedent Period:                        | Extended Conditions Precedent Period:   | Further Extended Date, if applicable: |                            |
| <b>b.</b> | Conditions Precedent (“CP”)                         | Party Responsible for Attendance to CP: | Applied:                              | Fulfilled / Not Fulfilled: |
|           | <b>i.</b> Approval of Foreign Investment Committee: |   | Yes / No                              | Yes / No                   |
|           |   |   | Date:                                 | Date:                      |
|           | <b>ii.</b> Approval of State Authority:             |   | Yes / No                              | Yes / No                   |
|           |   |   | Date:                                 | Date:                      |



|              |  |          |          |
|--------------|--|----------|----------|
| iii. Others: |  | Yes / No | Yes / No |
|              |  | Date:    | Date:    |
|              |  | Yes / No | Yes / No |
|              |  | Date:    | Date:    |

**9. REDEMPTION OF CHARGE(S) (if any)**

a. Chargee’s Redemption Statement and Letter of Undertaking

|                 |                              |                            |
|-----------------|------------------------------|----------------------------|
| Date requested: | Deadline to deliver:         | Date received from Vendor: |
|                 | Deadline Exceeded:      days |                            |

b. Vendor’s Undertaking to Refund (if applicable)

|                 |                              |                            |
|-----------------|------------------------------|----------------------------|
| Date requested: | Deadline to deliver:         | Date received from Vendor: |
|                 | Deadline Exceeded:      days |                            |

c. Redemption Sum:

|              |            |
|--------------|------------|
| Amount (RM): | Date paid: |
|--------------|------------|

d. Receipt of Original Title, Duly Executed Discharge of Charge, Duplicated Charge from Vendor

|  |                              |
|--|------------------------------|
| Documents received from Vendor? Yes / No     | Date:                        |
| Deadline for Vendor’s delivery of documents: | Deadline Exceeded:      days |

**10. DELIVERY OF VACANT POSSESSION/POSSESSION**

a. Deadline for delivery of vacant possession / possession:

|   |                 |
|---|-----------------|
| b. Vacant possession / possession delivered: Yes / No | Date Delivered: |
|---|-----------------|



**11. APPORTIONMENT OF OUTGOINGS:**

Cut Off Date for Apportionment of Outgoings:

| Expense       | Vendor’s Portion (RM) | Purchaser’s Portion (RM) | Reimbursed by Purchaser / Paid to Purchaser? |
|---------------|-----------------------|--------------------------|--|
| a. Quit rent  |                       |                          | Yes / No                                     |
| b. Assessment |                       |                          | Yes / No                                     |
| c. Sewerage   |                       |                          | Yes / No                                     |
| d. Others     |                       |                          | Yes / No                                     |
|               |                       |                          | Yes / No                                     |
|               |                       |                          | Yes / No                                     |



My notes...

