



HOME BUYERS' OFFER TO PURCHASE (OTP) CHECKLIST



This checklist helps home buyers in South Africa create a comprehensive and protective Offer to Purchase (OTP). Use it to ensure all key elements are included to safeguard your interests and make the home-buying process smoother.

1. PERSONAL DETAILS

- **Buyer and Seller Names & ID Numbers:** Ensure names and ID numbers match the identity documents provided.
- **Contact Information:** Verify phone numbers and email addresses for correspondence to prevent admin errors and delays.

2. PROPERTY DESCRIPTION

- **Title Deed Accuracy:** Ensure the property description matches the Title Deed exactly. This is crucial for registration at the Deeds Office.

3. PURCHASE PRICE

- **Affordability Check:** Confirm the purchase price you offer is affordable. Include costs like rates, taxes, and utilities. Once signed, the OTP is legally binding.

4. OCCUPATION DATE

- **Set Occupation Date:** Decide whether occupation will be on transfer or earlier. Include occupational rent details if applicable.

5. FIXTURES AND CHATTELS

- **Clarify Inclusions and Exclusions:** Specify which fixtures (e.g., ceiling fans) and chattels (e.g., appliances) are included in the sale.

6. DEFECTS

- **Inspection Report:** List all defects found. Differentiate between patent defects (visible) and latent defects (hidden). Consider a professional home inspection.

7. SPECIAL CONDITIONS

- **Contingencies:** Include any special conditions that could delay the sale (e.g., needing to sell another property, home loan approval).



Have any questions? Reach out at shaheen@skprojects.co.za

8. DETAILED PROPERTY CONDITION REQUIREMENTS

- **DEEP CLEAN:**

Confirm the property must be professionally deep cleaned before transfer.

- **REMOVAL OF SCREWS AND FILLING HOLES:**

Ensure all screws are removed, and holes filled and repaired.

- **FUNCTIONALITY CHECK:**

Include a requirement that all fixtures and fittings are in working order. Conduct a thorough inspection to identify any issues.

9. LEGAL COMPLIANCE

- **ELECTRICAL COMPLIANCE CERTIFICATE**

Ensure the seller provides a valid electrical compliance certificate.

- **ADDITIONAL COMPLIANCE CERTIFICATES:**

If applicable, include requirements for gas compliance, plumbing if applicable.

10. FINANCIAL PROVISIONS

- **Purchase Price and Payment Terms**

Clearly state the purchase price and payment schedule, including any deposits and financing conditions.

- **Holding Back Funds**

Include a clause that allows holding back a portion of the purchase price if the seller fails to meet agreed conditions.

11. INSPECTION AND REPAIRS

- **Inspection Period**

Define a timeframe for conducting a professional inspection. Address any significant issues discovered before proceeding with the sale.

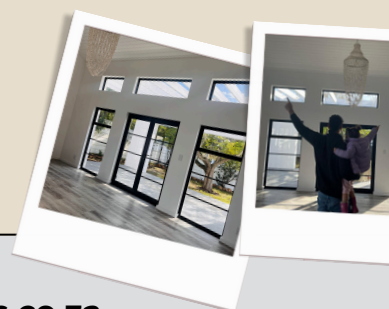
- **Repair Obligations**

Detail any specific repairs or renovations the seller must complete before the transfer of ownership.

12. OCCUPATIONAL DETAILS

Occupation and Possession Dates

- Specify when you will take occupation and possession of the property.
This is crucial for planning your move and any initial renovations you plan to undertake.



Repair Obligations

- Detail any specific repairs or renovations the seller must complete before the transfer of ownership.

13. LEGAL RECOURSE AND PENALTIES

• DEFAULT AND BREACH CLAUSES

Include terms that outline the consequences if either party fails to adhere to the contract. Detail the process for addressing breaches and the penalties involved.

• COOLING-OFF PERIOD

For residential properties, ensure that a cooling-off period is included, allowing you to retract from the agreement within five days if necessary.

BY FOLLOWING THIS CHECKLIST, YOU CAN ENSURE THAT YOUR OTP IS COMPREHENSIVE AND PROTECTS YOUR INTERESTS. ALWAYS HAVE YOUR OTP REVIEWED BY A LEGAL PROFESSIONAL TO ENSURE IT COMPLIES WITH SOUTH AFRICAN LAWS AND REGULATIONS.

