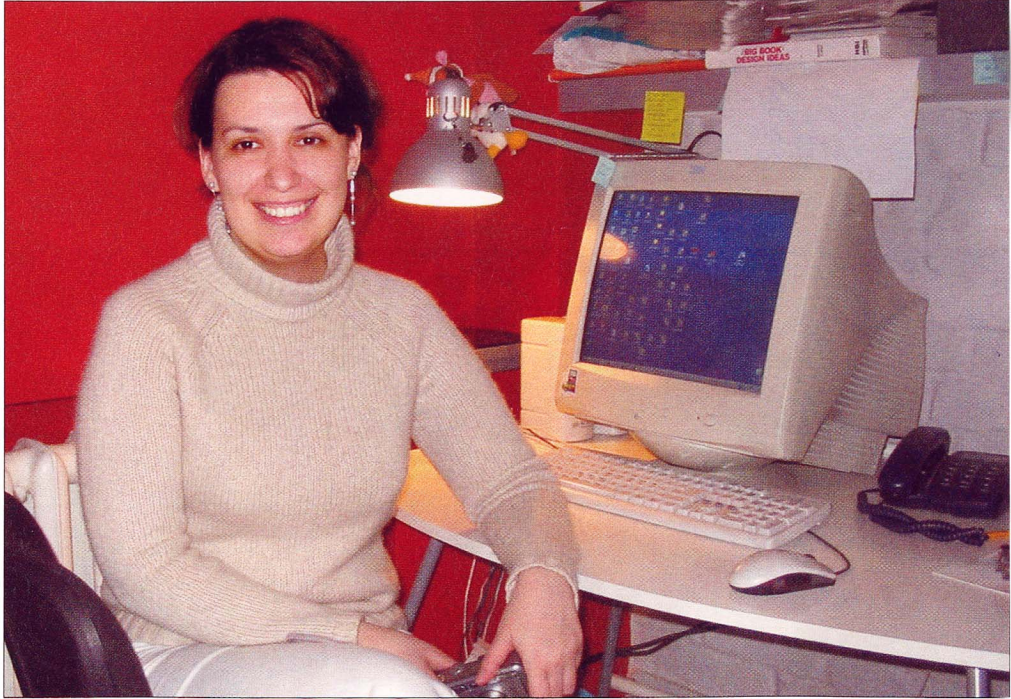


# Smooth Move

by Katerina Bezgachina



COURTESY OF EVANS PROPERTY SERVICES

**M**oving into a new home should be a cause for celebration, but only if the deal is legally watertight, as managing partner of Evans Property Services Karina Kheifetz explains.

**Q:** What are the most important stages in taking possession of an apartment?

**A:** There are three important dates that should be agreed: signing the purchasing contract, taking physical possession of the property, and taking legal possession, when the seller registers out and you de jure become the owner.

**Q:** How soon after signing the purchasing contract can you move in?

**A:** The date depends on whether the property is free at the time of the purchase or if people still live in it, and if so, how soon they can move out. Ideally, it takes one to two weeks to re-register and move into the newly purchased property. But the process can last a month or more if legal problems come to light during the process of registration.

**Q:** What if the previous occupant refuses to vacate the property?

**A:** If the seller cannot physically move out of the apartment on the date specified in the contract, it should be indicated when he could.

One way to ensure that the seller abides by the contract is to pay money in several installments: when the deal is signed, when you move in and when the previous owner registers out.

Certain sellers prefer buyers willing to buy on their conditions and pay the whole amount up-front. In this situation, taking possession depends entirely on a

good relationship with the previous owner.

**Q:** How do you ensure that the previous owners register out and that there are no other people registered at the address?

**A:** Once you are in possession of all the papers confirming your ownership rights, even if the previous owner is still registered in your apartment this does not affect them. But this does not prevent family members or kin of the previous owner from asserting their rights.

Therefore check all the documents stating who is registered there and authorizations for selling the property from co-owners or the Guardian Council if children are in the ownership papers. Check also the property's legal history on the Single State Ownership Roll.

A law passed last year states that if a legal purchase was made in good faith the buyer will be compensated for the loss of the property. Therefore when signing a deal make sure that the whole amount paid is indicated in the contract.

A property can also be insured against loss, but usually only at the buyer's expense.

**Q:** What other things need to be taken care of when you move in?

**A:** Some sellers renovate their properties prior to sale, in which case you should check that any changes in the plan are officially authorized, otherwise municipal authorities can demand that you restore the original plan or else levy a big fine.

Check also that the contract specifies that the previous owner agrees to the transfer of the telephone line to the new occupant, as otherwise it will be cut and need to be re-installed with a new number, which is very time consuming.