

Has your client lost their Title Deeds?

Here is the new procedure for obtaining a certified (VA) copy

Last year we warned you of a change in the process of obtaining a copy (what is known as a VA copy) of a title deed which has been misplaced. The new process was pended for some months but as of **1 January 2020** we now have to follow this process, which has the potential to delay your transfer.

When you sell a property, please check with the Seller if they have a bond registered. If they don't, please ask them if they have the original title deeds with them. If they have lost them, please immediately notify us so we can start this rather cumbersome process of obtaining a copy from the Deeds Office. The copy we have to lodge is not just the one we can get online, we have to make application and a certified copy is issued.

Here is the process which will need to be followed:

1. Your client will have to send us all the info regarding the property so that we can draft an Application in terms of Section 68(1) and Form JJJ;
2. The Deeds Office will generate a copy of the deed and attach the Notice of Intention and it will be laid for inspection at the Deeds Office;
3. We will then publish, in a newspaper circulating in the area, an advert advising that the Seller has lost the Title Deed and inform the public that he/she intends applying for a certified copy from the Deeds Office;
4. The general public must be given 2 weeks to object and only once this time period has elapsed then the Deeds Office can issue us with the certified copy. We are required to lodge a copy of the advert.
5. Currently, it can take some time to obtain the necessary VA or certified copy.

As you can see, this process can take up to a month to arrange so it is imperative to start the process when the transfer process begins, to avoid any delays. If you are aware that the Title Deeds have been lost, we suggest this is disclosed in the Sale Agreement, just in case this process does delay the transfer.

The cost of this process is between R3 500 and R4 300, with advertising costs.

If you have any queries please don't hesitate to [contact us](#).