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REAL ESTATE - PURCHASER'S RIGHTS

DON' TRUST YOUR BROKER!

Choose an independent lawyer who will protect you in the biggest investment of your life. Your attorney should protect your interest, not the commission of the broker. You have signed a real estate contract which represents the largest financial transaction of your life. Did your attorney review that contract? Your attorney, not an attorney the broker forced on you, because the house of your dreams would be sold if you did not sign now. Beware of the broker and the attorney he may recommend to you.

NEGOTIATIONS & INSPECTION

Real Estate Brokers and their sales agents are working for the seller not for you. Their commission depends on the price they sell the property for. The higher the price, the higher the commission. Therefore, it is in your best interest to negotiate intelligently. You are best prepared to negotiate if you know the market; do some research on property prices in the neighborhoods you would like to live in. Remember, the smaller the amount you borrow, the less interest you have to pay over the life the mortgage loan.

After you have concluded negotiations, but before you sign the contract, have a professional home inspection completed. That inspection should answer questions like these:

- * What needs to be repaired at your property?
- * What's unsafe or causing rapid costly damage?
- * What are the priorities of repairs?
- * How should repair priorities be adjusted for your circumstances?
- * What repairs involve significant costs?
- * What are the biggest risk of hidden damage?
- * What are the repair alternatives? Who should perform them?
- * What further investigations are most appropriate?

Once these questions are answered, you now have the opportunity to renegotiate a better price or walk away from the transaction since you did not sign any contract. It is better to lose a couple hundred dollars on an inspection than thousand of dollars later on.

CONTRACT TERMS TO UNDERSTAND

- * Right to Inspection, Condition of Real Estate.
- * Earnest Money
- * Financing Contingency
- * Home Inspection (As discussed above)
- * Home Sale Contract Contingency (You have house to sell)
- * Home Sale Closing Contingency (You must close first)
- * Possession
- * Prorations
- * Survey
- * Time is of the essence
- * Title Insurance - Title insurance will pay for defending against any lawsuit attacking the title as insured, and will either clear up title problems or pay the insured's loss. For a one time premium, an owner's title insurance policy remains in effect as long as the insured, or the insured's heirs retain an interest in the property, or have any obligations under a warranty in any conveyance of the property.

CLOSING COST & OTHER ISSUES

Before you close on the house, you should have a final walk through inspection, ensure that any repairs requested have been made and that items which were there are still there. Some of the costs associated with a closing are: statutory costs, transfer taxes, recording fees for deed, other state and local taxes, pro-rated taxes, attorney fees, title search cost, homeowners insurance, application fees, appraisals, points, adjustments, etc.

Important, before the closing understand the types of ownership of real property that are possible: joint tenancy, tenancy by the entirety or tenancy in common. Understand these terms before you go to the closing.

Are you interested in a consultation on the legal issues listed below? Then please check your choice(s) below and we will schedule a meeting with an attorney.

COMMENTS: _____