



**ISSUING OF MORE
THAN ONE
CONTRACT
FOR SALE**

The Conveyancing Committee has been asked to indicate the correct practice in the following circumstances:-

The vendor's solicitor has issued a contract to a purchaser's solicitor, but then received instructions to issue a second contract to a second purchaser's solicitor without calling for the return of the first contract from the first purchaser's solicitor, and without informing the second purchaser's solicitor of the issuing of the first contract.

The Conveyancing Committee is of the opinion that this is not proper practice, and that the first purchaser's solicitor should be informed in writing that the vendor is not proceeding with the sale to his/her client, and that a contract should not be issued to the second purchaser's solicitor without first calling for the return of the first contract from the first purchaser's solicitor.

*Published in Law Society
Gazette, May 2000*

**REFUND IF
CONTRACT SIGNED
UNAMENDED
WITHIN 7 DAYS**

The Conveyancing Committee has been asked to indicate the correct practice in the following circumstances:-

The vendor's solicitor has issued a contract to the purchaser's solicitor containing the following special condition:-

"If the purchaser signs the contract documentation without alteration or addition, and it is returned with the full deposit to us within 7 days of today's date, then the purchaser will receive a refund of £2,000. Time is of the essence in this regard."

The Conveyancing Committee is of the opinion that the insertion of such a special condition is not proper practice because:-

- 1 The purchaser's solicitor could not in these circumstances advise his/her client properly in relation to title and other essential matters and
- 1 It might introduce a conflict of interest between the purchaser's solicitor and the purchaser and
- 1 It might act as an inducement for the purchaser's solicitor to overlook some aspect of the transaction to which he/she would otherwise object.

*Published in Law Society
Gazette, May 2000*