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Our Terms of Engagement with you

1. Thank you for approaching us in relation to this matter, we look forward to working with you. The purpose of this information is to outline key information about how we will work for you. **Attached** is some material, which sets out:
 - a Information for clients which we are required by the New Zealand Law Society to provide; and
 - b Our standard terms of engagement.

2. Services to be provided to you:

If you are purchasing, the fees are as follows (plus any additional services as required in 4 below):

<u>PURCHASE</u>	Our fee including GST – registering one mortgage	\$1,027.00
	Plus costs for search and registration fee of \$173.00	\$1,200.00
<u>PURCHASE</u>	Our fee including GST – no mortgage	\$ 930.00
	Plus costs for searches, registration and agency fee \$120.00	\$1,050.00

If you are selling, the fees are as follows (plus any additional services as required in 4 below):

<u>SALE</u>	Our fee including GST – discharging one mortgage	\$ 965.00
	Plus costs for searches, registration and agency of \$85.00	\$1,050.00
<u>SALE</u>	Our fee including GST – no mortgage	\$ 940.00
	Plus costs for searches and agency \$10.00	\$ 950.00

If you are refinancing, or varying your mortgage, the fees are as follows (plus any additional services as required in 4 below):

<u>REFINANCE</u>	Our fee including GST – one discharge/new mortgage	\$ 680.00
	Plus costs for searches and registration fees of \$170.00	\$ 850.00

VARIATION OF MORTGAGE

	Our fee including GST – excludes any Bank Consents	\$ 360.00
	Plus costs for searches and registration fees of \$90.00	\$ 450.00

The above costs include the standard disbursements in relation to that transaction. At the time of invoicing, the disbursements will be listed as it relates to your transaction. Any disbursement over and above the standard allowances will be charged separately. All standard tasks allowed for in your transaction are listed on our website.

In addition to the above, all changes in settlement dates (for example), conditional dates, re-draft of Kiwisaver's last minutes changes, price negotiations, early release of deposits from real estate agents (requiring bank consent), pre/post settlement issues will be time recorded at the hourly rate applicable to the person responsible for that task. Time recording will apply.

3. **PLEASE NOTE:** A purchase with a purchase price of \$1,500,000.00 or more (whether commercial or residential in nature) will have extra costs attached due to liability issues. Extra costs of \$500 + GST will be charged for every \$500,000.00, or part thereof, of price above (and including) \$1,500,000.00. For example, if the price is \$1,700,000.00 – then the costs would be \$1,080.00 (as above) + \$500.00. If the price was \$2,100,000.00 then the costs would be \$1,080.00 + \$500 + \$500 + GST.

4. **Fees**

The basis on which our fees will be calculated is in 2 above plus the following as required (GST inclusive, unless indicated):

RLWT / IRD LINZ TAX STATEMENTS / OIO / AML requirements (per person)	\$250.00 min
DEED OF NOMINATION	\$150.00
GUARANTEE	\$350.00
MINUTES (Trust/Company purchaser or vendor)	\$150.00
EXTRA DISCHARGE OF MORTGAGE or WITHDRAWAL OF CAVEAT (EACH)	\$280.00
REVIEW OF CONTRACT PRIOR TO SIGNING (Time based) – minimum	\$250.00
KIWISAVER/HCNZ First Home Buyers requirements (per application)	\$200.00
(or if together - \$300.00 instead of \$400.00)	
POWER OF ATTORNEY (plus GST) from (not including independent legal advice for one of the signing parties which may be a requirement)	\$ 700.00
CROSS-LEASE / BODY CORPORATE / BUILDERS REPORT / COMPLEX TITLE REVIEW / LIM REVIEW / RENTAL INVESTIGATIONS (Time and attendance based) – MINIMUM CHARGE (each)	\$250.00
BUILDERS REPORT OR BUILDING GUARANTEE ISSUES – Time Based min	\$200.00
PRE-SETTLEMENT/INSPECTION ISSUES – Time based – minimum	\$150.00
IRD RLWT requirements/formula's (if RLWT applies)	\$250.00 min
FATCA (applies to Beneficiaries of Estates and overseas payments)	\$150.00 pp
Police requirements for overseas payments over \$1,000.00 NZD	\$150.00 pp
Urgency (where settlement required within 5 working days of unconditional)	\$500.00 min

5. **For all other services such as commercial, family law etc, our standard charge out rates are as listed below:**

Directors/Partners: \$350.00 per hour plus GST

Associates/Solicitors: \$300.00 per hour plus GST

Legal Executives: \$250.00 per hour plus GST

+ any additional services you require as per 2. and 4. above

We may charge an additional fee if we are required to complete work on an urgent basis.

6. The fees contained in our terms of engagement are subject to change and therefore all fees referred to above apply to your transaction and are valid for a period of two months from the date we provided these to you.

7. **Files**

We are obliged to retain your file for up to 10 years. We have chosen to retain your file in electronic form. Therefore, your file will be scanned to our online database and retained for a period of 10 years from the date of scanning. At the end of the 10-year period your file will be removed and destroyed from the database.

You are entitled to ring and request a copy of that file at any time. A fee for printing may be charged. Your original documents will be destroyed via a document destruction company (shredded for privacy purposes). If you wish to uplift your physical file you must advise us of your wish to do so before your file is complete.

8. Responsibility for Services

The names and status of the people in our firm who may be responsible for and carry out the services that we will provide for you are:

Kathryn Walker, Director

Kirsten Pennell, Solicitor

Tammi Goncalves, Legal Executive

9. We are obliged to comply with all laws applicable to us in all jurisdictions, including (but not limited to):

- a) Anti-money laundering (AML) and countering financing of terrorism laws; and
- b) Laws relating to tax and client reporting and withholdings.

10. As a requirement of the AML legislation, we may be required to undertake customer due diligence on you, persons acting on your behalf and other relevant persons such as beneficial owners and controlling persons. We may not be able to begin acting, or to continue acting, for you until that is completed.

11. We require fees for your conveyancing matter to be paid in full on settlement. We reserve the right to charge interest on unpaid fees of 5% per month, or such lower rate as we agree upon. A minimum monthly charge of \$15.00 for costs of recovery will be added. All invoices require payment within 7 days of date of the invoice if there is no settlement.

12. Please ensure that you provide us with a bank statement, deposit slip or screenshot, showing your account name and number if we are required to pay you funds on settlement. Due to audit requirements, failure to provide a correct account number by way of a physical confirmation as noted above may delay payment of funds to you.

13. Once again, we thank you for your instructions and look forward to working with you in this matter.

The team at K J Law

www.kjlaw.co.nz

07 853 2814

Our fee (purchase with a mortgage) includes:

- preliminary advice in relation to the contract (expect if reviewed prior to signing)
- receiving and perusing the contract
- searching and checking the title
- reporting to you on the terms of the contract and the title
- communication with you and seller's lawyer as to confirmation of the conditions of the contract
- preparing notices of sale for the Local Authority
- searching the personal property securities register to make sure that none of the chattels passing with the property are able to be / likely to be repossessed
- requesting details from the seller's lawyer of their primary contact and conveyancing professional to enable us to set up an edealing
- receiving the settlement statement from the seller's lawyers and checking that the apportionments in the settlement statement are correct
- receiving and preparing loan documentation from your bank and attending on execution
- setting up the edealing to register the transfer of the title and the mortgage
- preparing an authority and instruction form for you to sign, authorising us to transfer the title to you
- receiving the insurance certificate
- forwarding our Solicitors Certificate and loan documentation to the bank
- completing a guaranteed search of the title
- receiving settlement funds from you and/or the bank
- preparing the file for settlement
- completing registration of the transfer of the property and the mortgage
- reporting to you & to the bank

Please note that our fee does not include the cost of building, valuation, or LIM reports, the provision advice on those reports, drafting additional clauses, or negotiations/disputes with the seller. The cost of extra attendances will be charged on the basis of our time records. Additional fees may also be charged where the purchase is being undertaken by a trust or company.

Our fee (purchase without a mortgage) includes:

- preliminary advice in relation to the contract (expect if reviewed prior to signing)
- searching and checking the title
- reporting to you on the terms of the contract and the title
- communication with you and the seller's lawyer as to confirmation of the conditions of the contract, or otherwise
- preparing notices of sale for the Local Authority
- searching the personal property securities register to make sure that none of the chattels passing with the property are able to be / likely to be repossessed
- requesting details from the seller's lawyer of their primary contact and conveyancing professional to enable us to set up an edealing
- receiving the settlement statement from the seller's lawyers and checking that the apportionments in the settlement statement are correct
- setting up the edealing to register the transfer of the title
- preparing an authority and instruction form for you to sign, authorising us to transfer the title to you
- completing a guaranteed search of the title
- receiving settlement funds from you
- preparing the file for settlement

- completing registration of the transfer of the property
- reporting to you

Please note that our fee does not include the cost of building, valuation, or LIM reports, the provision advice on those reports, drafting additional clauses, or negotiations/disputes with the seller. The cost of extra attendances will be charged on the basis of our time records. Additional fees may also be charged where the purchase is being undertaken by a trust or company.

Our fee (sale with a mortgage) includes:

- preliminary advice in relation to the contract
- receiving and perusing the contract
- searching and checking the title
- reporting to you on the terms of the contract and the title
- communications from the buyer's lawyer of confirmation of the conditions of the contract, or otherwise
- communication with you as to confirmation of the conditions of the contract
- requesting the discharge of mortgage and settlement figure from your bank
- requesting rating information from the Local Authority
- working out the rates apportionment
- preparing the settlement statement and sending it to the buyer's lawyer
- receiving and checking the notices of sale
- receiving edealing details and checking the edealing set up by the buyer's lawyer
- preparing an authority and instruction form for you to sign, authorising us to discharge the mortgage and transfer the title
- receiving discharge of mortgage authorisation
- preparing the file for settlement
- receiving the mortgage settlement figure
- completing registration of the discharge of mortgage and transfer of the property
- paying any outstanding rates to the Local Authority
- repaying the mortgage
- paying proceeds of sale (less our fee) to your nominated bank account
- sending the notice of sale to the Local Authority
- reporting to you

Please note that our fee does not include the cost of building, valuation, or LIM reports, the provision advice on those reports, drafting additional clauses, or negotiations/disputes with the buyer. The cost of extra attendances will be charged on the basis of our time records. Additional fees may also be charged where the sale is being undertaken by a trust or company.

Our fee (sale without a mortgage) includes:

- preliminary advice in relation to the contract
- receiving and perusing the contract
- searching and checking the title
- reporting to you on the terms of the contract and the title
- communications from the buyer's lawyer of confirmation of the conditions of the contract, or otherwise
- communication with you as to confirmation of the conditions of the contract
- requesting rating information from the Local Authority
- working out the rates apportionment
- preparing the settlement statement and sending it to the buyer's lawyer

- receiving and checking the notices of sale
- receiving edealing details and checking the edealing set up by the buyer's lawyer
- preparing an authority and instruction form for you to sign, authorising us to transfer the title
- preparing the file for settlement
- completing registration of the transfer of the property
- paying any outstanding rates to the Local Authority
- paying proceeds of sale (less our fee) to your nominated bank account
- sending the notice of sale to the Local Authority
- reporting to you

Please Note that our fee does not include the cost of building, valuation, or LIM reports, the provision advice on those reports, drafting additional clauses, or negotiations/disputes with the buyer. The cost of extra attendances will be charged on the basis of our time records. Additional fees may also be charged where the sale is being undertaken by a trust or company.