

Choosing a conveyancer or solicitor for a property purchase

What conveyancing should cost, what a licensed conveyancer can and cannot do, and the searches worth paying for

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Conveyancing is fixed-fee, repetitive work, which is good news: you can compare quotes directly, and the difference between a cheap and a careful conveyance is usually a few hundred dollars of disbursements and whether anyone actually reads the title. The mistake is treating it as paperwork when it is the step that catches the easement, the unapproved extension or the encumbrance you never saw.

What it should cost

A standard residential conveyance in Tasmania - purchase or sale - commonly sits around \$1,200 to \$2,500 including GST, plus disbursements. Disbursements are the government fees and searches and are additional: for a purchase allow roughly \$500 or more including the Land Titles Office transfer fee (around \$257), and for a sale allow \$200 to \$500 including the mortgage discharge fee (around \$208) and electronic settlement fees.

Solicitors and licensed conveyancers quote similar fixed fees, but they are not interchangeable. A solicitor can advise on the wider legal questions - capital gains tax implications, easements, trusts, estate issues - that a conveyancer cannot. If your purchase is straightforward, a licensed conveyancer is often the cheaper and equally competent choice; if anything about the title or your ownership structure is unusual, use a solicitor.

What the law requires

Under the Conveyancing Act 2004, anyone who is not a legal practitioner must be licensed to carry on the business of conveyancing for fee or reward. Licences are issued by Consumer Affairs Tasmania and are valid for three years, and a licensed conveyancer must keep trust money in a trust account. Ask for the licence number.

Your practitioner must give you a costs disclosure setting out the fees and an estimate of disbursements. Solicitors hold a current practising certificate issued through the Tasmanian Legal Practice Board and carry professional indemnity insurance, which matters precisely because a conveyancing error - a missed encumbrance, a botched transfer - is expensive and, unlike a do-it-yourself job, may be compensable.

Red flags

No costs disclosure, or a fee quoted with no mention of disbursements.

A quote well below the others that turns out to exclude the essential searches.

No licence number, or a practitioner who will not put the fee in writing.

Being asked to sign the contract before anyone has read it.

A conveyancer advising on tax or estate questions outside their licence.

Settlement handled informally, with money moving outside a trust account.

What good looks like

A written costs disclosure with the fixed fee and each search itemised.

They read the contract and explain what the conditions really mean before you commit.

They flag title issues, easements and permitted-use questions you had not thought of.

They tell you when a question is a solicitor's job, not a conveyancer's.

A named person who answers the phone as settlement approaches.

What to ask

- "What is your fixed fee for this transaction, and what are the estimated disbursements?"
- "What searches are included, which are optional, and what does each cost?"
- "Will you read the contract and advise on the conditions before I sign?"
- "Are you a licensed conveyancer or a solicitor - and who actually handles my file?"
- "What professional indemnity insurance cover do you hold?"
- "How do you handle settlement, and what is the fee if settlement is delayed?"
- "What has this transaction thrown up that I could not see in the title?"

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