



Rialtas na hÉireann
Government of Ireland

Housing for All Conveyancing and Probate Implementation Group:

***Best Practice Charter for Solicitors and Estate Agents in
Conveyancing***

1.0 Introduction and context

In December 2023, an Expert Group was established by the then Taoiseach, pursuant to Action 101 of the Housing for All Action Plan (November 2023), to review conveyancing and probate process in Ireland from a user perspective and recommend changes, implementable quickly and easily, to reduce costs and delays for home-purchasers. The group proved to be very effective, with a strong mix of legal, policymaking, operational and hands-on consumer expertise, and reported at end-June 2024. The [Final Report and Recommendations of the Expert Group on Conveyancing and Probate](#) was approved by Government on 16th July 2024.

The Expert Group's report put forward a series of recommendations including the need for a clear *statement of best practice* for Estate Agents and Solicitors, working together in conveyancing, and covering areas such as: Efficiency/Expediency; Cooperation; Accountability (to clients and as between professionals) and Advice to clients. A subsequent Implementation Group was established in September 2024 which picked up on this recommendation and developed this charter/guidelines from research, workshops and consultations, and inputs from members of both the Expert and Implementation Group. The completion of the document and proposed next steps were reported to the Government in June 2025 and the Implementation Group is now working to ensure dissemination of this both to the public and the professionals concerned.

The document aims to set out key *principles of best practice* for estate agents and solicitors in certain focused areas critical to the consumer's experience. Its implementation will benefit the professionals concerned in terms of transparency of what is expected of them and consumers in terms of what they can expect and what they must do themselves.

A number of things make it difficult to be overly-prescriptive about conveyancing processes. For instance, conveyancing has at its heart the transfer of property ownership and must of its nature be very formal and precise and in compliance with a complex body of law. It is not something which can be done overnight, and very careful inputs are required by a number of stakeholders, including the application of very substantial expertise by solicitors. Also, key stakeholders in a conveyancing process, in particular solicitors and estate agents, are instructed by their clients, who may be a seller or a buyer. These professionals are regulated by statutory regulators and, obviously, must always act in accordance with the law and regulatory requirements but, within that, they are also subject to the wishes and instructions of their clients, including confidentiality norms which apply. This Charter should be read bearing these two factors in mind.

The charter covers three key areas:

- Advice to seller clients
- Expediency/Efficiency/Avoidance of Unnecessary Delays; and
- Accountability.

2.0 Advice to Seller Clients

Many house sales are delayed needlessly at later stages in the process due to the lack of availability of information/documentation which should have been provided at the outset. This is a long-standing issue and has been the subject of legislative and other actions (with varying effectiveness) in both Scotland and England/Wales jurisdictions and also the subject of proposed private member's legislation in Ireland four years ago. Issues relating to pre-sale information and surveys were also covered extensively in the work of the Expert Group on Conveyancing and Probate in its report in June 2024. There are many elements of information and documents which need to be disclosed/sourced as early as possible in the conveyancing process in order to support a smooth transaction.

- **Initial Information provided to a seller:** Solicitors and estate agents should clarify to the seller at the initial engagement the complete set of documentation/information they are expected to provide/disclose. It should be made clear to the seller that such documentation/information must be made available at the earliest possible opportunity.
- **Clarification of roles for seller:** The respective roles and responsibilities of the estate agent, the solicitor, and the seller should be clarified at the initial engagement, so that a seller understands what is expected of them throughout the process.
- **Advice as to early appointment of solicitor by a seller:** Good practice is for the seller to appoint a solicitor to act on their behalf at the earliest point in the process, and not to wait until Sale Agreed stage is reached. Estate agents should therefore advise sellers to appoint a solicitor early in the pre-sale period.

The Law Society of Ireland and the Society of Chartered Surveyors Ireland published [*Speed up your Property Sale: A Guide to Avoiding the Most Common Delays*](#) in 2024 which may form the basis for the provision of advice to seller clients from the beginning of the conveyancing process. In addition, many initiatives have been taken over a number of years (e.g. by IPAV, Law Society and/or SCSi among others) regarding improving practices, information gathering and communications at the early stages of a conveyancing process to prevent problems later in the process. This Best Practice Charter seeks to bring all of this into one document and it will also be accompanied by both LSRA and PSRA formal codes of practice to deal with pre-sale information in conveyancing processes.

3.0 Expediency/Efficiency/Avoidance of Unnecessary Delays

The need for active and effective communication/cooperation between solicitors and estate agents bearing in mind their obligations to their clients is vital to the efficient running of a successful conveyancing process. Communication behaviour by the professions should not reasonably create an impression that clients are being 'bounced' between those professionals when they are looking for progress updates from them. The guidelines below reflect the fact that each profession has different roles and responsibilities in a conveyance.

- **Estate agent/solicitor communications:** Timeliness of communication between the professions should be prioritised to the full extent possible, throughout the conveyancing process in the overall interests of efficient and effective conveyancing process.
- **Completeness of information in documents exchanged:** Documents which are exchanged during the process, such as the Sales Advice Note, should contain detailed and reasonably complete information obtained from the relevant client prior to dispatch (e.g. to avoid the unnecessary further requests for clarification or additional information), acknowledging that solicitors and estate agents will often be dependent on the quality and extent of information provided to them by the client.
- **Expeditious treatment:** All parties should prioritise the expeditious treatment of queries/necessary actions as they arise in order to avoid unnecessary delays. This applies to exchanges between the two professions acting for the client and with the clients themselves and other relevant stakeholders necessary to progress the conveyancing process. This is particularly important in the pre-contract stage, where delays and lack of transparency to the clients (and others as appropriate) client are more likely to arise. Where possible, reasonable target turnaround times for responses to queries/required actions should be specified in communications between the professions and between the professions and their clients.
- **Ongoing information to clients:** As a matter of course, all professionals should provide ongoing and up to date information to their clients on the progress of the conveyancing process and should be required to cooperate fully and prompt with each other to the full extent possible to avoid unnecessary delays and so that their clients are kept informed. Client consent may be sought at the 'letter of engagement' stage regarding exchange of information between the seller's solicitor and the sellers' estate agent. A basic principle should be that a seller or buyer should always have a means at their disposal to get a timely response to a query on the progress of their conveyance.

- **Seller/Buyer solicitor contacts/cooperation:** To the fullest extent possible, active cooperation between selling and purchasing solicitors (e.g. timely answering of any queries arising, particularly in the pre-contract phase) to advance the conveyancing process for both clients involved is also vital.
- **Efficient use of time and waiting periods:** It is likely that periods will occur in which responses or documents are awaited from lenders, local authorities, Tailte Éireann, solicitors, estate agents, sellers/buyers and other stakeholders. A basic principle in the interests of clients is that solicitors and estate agents, having been appointed, should where appropriate seek to utilise these “waiting periods” so as to perform any other key tasks that can reasonably be progressed or completed to advance the conveyancing process.
- **Use of quickest turnaround options:** All communications between professionals and clients which are capable of being dealt with by email or equivalent or by phone conversations, rather than traditional post, should be used.

4.0 Accountability

Solicitors and estate agents should be able to measure and understand their levels of compliance with relevant standards and to demonstrate this to clients on request. The introduction of a baseline survey overseen by the Competition and Consumer Protection Commission from 2025 should pave the way for easier evidence-based assessment in the future of the extent to which all stakeholders involved in conveyancing are delivering on best practice requirements. Where IT/software options can help to improve tracking, communications with stakeholders and case management, these capabilities should be deployed by the professions.