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# POST AUCTION

## 10 tips for the successful property bidder

**1** ONCE a bidder is successful at an auction, he needs to be aware of certain procedures and the actions he has to take.

**1** The successful bidder is advised to do the all the necessary searches at the local land office and also with the respective developer in order to confirm the rightful owner of the property and other important information like restriction of interest, Malay Reserve Land, Bumiputra lot, etc.

**2** In a situation where there is a caveat placed on the property, the successful bidder can appoint a lawyer to assist on the removal of the caveat.

**3** Once the successful bidder has signed the Contract of Sale, he needs to immediately appoint a lawyer to effect the transfer of the ownership of the property as the lawyer attending the auction acts only on behalf of the auctioning bank.

**4** The successful bidder must decide either to pay the balance of the purchase price by cash or through financing from an institutional bank. If he opts for financing, he or she must immediately after the auction apply for the loan. This is so as

to avoid any delay in settling the balance of the purchase price as it may be subjected to further late interest. There is also the risk of the successful bidder's deposit being forfeited and the sale being terminated as this clearly is within the sole discretion of the auctioning bank, as envisaged in the terms and conditions of the Contract of Sale. It must be noted clearly that time is of essence.

**5** The successful bidder must always liaise closely with his lawyer and ensure that all matters pertaining to the transfer are well in order. And also, to press on to meet the time frame, that is the completion date, to settle the balance of the purchase price.

**6** If the successful bidder would like to add another name to the sale or nominate another person, he must obtain the consent of the auctioning bank and adhere to the time frame and procedures for such an addition or nomination as seen in the terms and conditions of the Contract of Sale.

**7** The successful bidder is normally given 90 to 120 days to settle the balance of the purchase price. It is advisable to check for any outstanding bills like assessment, quit rent, maintenance charges or utilities bills



View of the CIMB Property Mart information centre in Kuala Lumpur.

or late interest that have yet to be settled with the developer and obtaining the statements/bills for the same. The successful bidder's lawyer and the auctioning bank's lawyers will liaise together in order to apportion those outstanding payments and effect payment so that matters could be expedited and hence, allow the release of the balance of the purchase price from the successful bidder's financier sooner.

**8** The successful bidder is reminded and advised not to enter the said property for what-

ever reasons before the balance of the purchase price has been paid in order to avoid any unnecessary legal implications.

**9** Once the balance of the purchase price has been paid, the successful bidder would have to obtain a court order to evict any occupier and/or tenant (if any) who refuse to vacate the property.

**10** Most importantly, the sale of the property is on an "as is where is" basis. Therefore, the auctioning bank is not liable for

any vacant possession or the condition of the property.

■ CIMB is the auction partner for Star Property Fair 2010, which will be held from Nov 19 to 21 at Exhibition Hall 4 and 5 at Kuala Lumpur Convention Centre.

■ CIMB Property Mart is Star Property Fair's official auction partner. It will be conducting two auctions on Nov 20 from noon to 3pm. For more information, visit their booth (No. 001-002, 054-057) at the fair, call 1300 88 0811 or visit [www.cimbbank.com.my/propertymart](http://www.cimbbank.com.my/propertymart)