

Erasmus Motaung Inc.

JULY TOPIC



EDUCATIONAL MOMENT



2026

WHY YOUR PROPERTY TRANSFER COULD BE DELAYED IN 2026

INTRODUCTION AND WHY ARE PROPERTY TRANSFERS SLOW IN SOUTH AFRICA?

For many buyers and sellers, the moment they sign an Offer to Purchase feels like a huge milestone. However a large part of the process is still ahead of them. Deposit paid, contracts exchanged, it's then that many property transactions start to face difficulties. Although some delays are inevitable, property experts reveal most issues can be avoided. By having a better understanding of the transfer process, and helping to prepare in advance, many property transactions can be registered much faster than expected.

Why are Property Transfers Slow in South Africa?

Preparing and registering a property transfer is not as simple as clicking a button.

Property transfers are a complex legal process which involve banks, municipalities, conveyancers, compliance certificates, bond registrations, cancellation attorneys, Deeds Office, SARS and so much more.

Until every step of the process has been satisfied, a transfer cannot be registered. One delay along the way can cause problems for the entire transaction. Although technology has helped speed up the process in recent years, conveyancing transactions in South Africa still typically take between 8-12 weeks to register if there are no complications.



ERASMUS MOTAUNG INC.
Attorneys • Notaries • Conveyancers

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COMMON CAUSES OF PROPERTY TRANSFER DELAYS

Here are some common causes of delays which are experienced during property transfers.

PLEASE NOTE THAT NOT ALL DELAYS ARE ATTRIBUTED TO INDIVIDUALS INVOLVED IN THE PROCESS. SOME ISSUES MAY BE OUT OF YOUR CONTROL.

MUNICIPAL CLEARANCE CERTIFICATES

One of the most common causes of delay is municipalities. If there are any unpaid municipal rates or service charges, the transfer will be delayed until clearance certificates have been issued.

Some of the common causes for delay from the municipal side include:

- Billing queries
- Municipal backlog
- Incorrect municipal account details.

BOND APPROVAL AND DELAYS FROM THE BANK

If your buyer is obtaining finance for their purchase, they are at the mercy of their bank's timelines and approval processes.

Missing documents, bond affordability reassessments, or just plain old bank delays can all hold up the transaction.

In some cases the existing bond will also need to be cancelled by the seller's conveyancer. Delays in receiving these bond cancellation instructions can also affect timelines.

SARS & TRANSFER DUTY

A common forgotten role player is SARS. For a transfer to be registered, transfer duty must be paid and a transfer duty receipt obtained from SARS. Any delays or queries with SARS can hold up the transaction until the issue has been finalised. Please note that if your transaction involves a trust, company, deceased estate, VAT vendor or complex financial structures, it may be flagged for review by SARS.

FICA AND DOCUMENTATION DELAYS

You would be surprised on how often incorrect documentation can delay the transfer process. Unsigned documents, expired IDs, incorrect marital statuses and other documentation hurdles can prevent a transaction from moving forward.

If an attorney spots an issue with your documents, they will usually reach out to ask for any necessary certifications or corrections.

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COMMON CAUSES OF PROPERTY TRANSFER DELAYS CONTINUES...
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COMPLIANCE CERTIFICATES	COMPLEX TRANSACTIONS
• Electrical • beetle, • gas compliance, • electric fence certificates and • plumbing certificates may be requested by the buyer’s bank. Any issues arising from these certificates will need to be addressed before the transaction can progress. These could include requests for repairs or renovations before the transaction can be registered.	Transfers which involve: • deceased estates • trusts • divorce cases • companies or • complex subdivision negotiations will typically take longer. Additional steps, conveyancing professionals and documentation will be required.

REASONS WHY PROPERTY TRANSACTIONS FALL THROUGH

If you are wondering why your transaction did not make it to registration, you are not likely to be alone. Delays can cause buyers or sellers to become anxious, which sometimes results in the deal falling through. Additionally, if your transaction is taking longer than expected, here are some reasons why it could fall through:

Sellers May Receive A Better Offer	Sellers May Face Pressure To Pay Back Their Bonds	Buyers May Decide To Withdraw Their Offer	Bond Approvals May Expire	Occupation Disputes
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DURING TIMES OF ECONOMIC UNCERTAINTY, EVERY DAY COUNTS!

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BUYERS AND SELLERS CAN HELP AVOID DELAYS

THERE IS NO GUARANTEED WAY TO AVOID DELAYS DURING YOUR TRANSACTION. HOWEVER PROPERTY EXPERTS ADVISE THAT FOLLOWING THE TIPS BELOW WILL HELP IRON OUT ANY POTENTIAL PROBLEMS BEFORE THEY ARISE:

Submitting FICA documents at the beginning of the process.

Completing compliance certificates as soon as possible.

Double checking municipal accounts are up to date.

Understanding the timelines involved and preparing accordingly.

Responding promptly to your conveyancer's requests.

Working with professional and experienced conveyancers.

THE BOTTOM LINE

Delays are part of buying and selling property in South Africa. As long as you know what to expect, you will be able to avoid any unnecessary delays.

KNOWLEDGE IS POWER!

Most property transfers do proceed successfully - but the process is rarely as quick or simple as many people expect. If you are buying or selling a property and have questions about the transfer process, our team is always available to assist and guide you through each step.

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