



Fighting over fixtures and fittings

Perfectly sensible people can lose their sense of perspective in the heat of the sale, leading to unnecessary feuds over trivial items, agents tell Arabella Youens

RECENTLY, a colleague in the COUNTRY LIFE offices bought her first house. A typical transaction, it had its fair share of false starts and stumbles as an exchange date was agreed, postponed, rescheduled and confirmed. Then, just as everyone thought they were on the home straight, the vendor announced that she was going to remove both the integrated dishwasher (as previously agreed) and its covering panel (made bespoke to match the rest of the units in the kitchen). It didn't make any sense, but she refused to relent, and to avoid stalling the process further, the buyer gritted her teeth and gave way.

These interruptions to transactions, which have been known to throw sales off altogether, are what buying agent Jonathan Harrington refers to as 'stiff-legged terrier syndrome'. 'I've seen it all,' he says. 'What's hard to believe is that sensible and intelligent people can fall out over minor items and completely lose sight of the deal, even with houses worth several million pounds. I remember years ago the sale of a big house near Ascot fell through because the



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Other seemingly innocuous items that have caused rumpuses during transactions include a vendor of a £2.3 million house demanding £10 for each of the loo-roll holders in the bathrooms; mahogany loo seats being removed from the bathrooms of another house without replacing them with an alternative; plants going from the garden without warning; another vendor calculating how many lightbulbs he was leaving in the house and pitching that

sum into the negotiation; and, after a particularly fierce argument about curtains between a buyer and vendor who were friends, the vendor removing the curtain poles and leaving the curtains in a heap on the floor.

Michael de Pelet of Knight Frank's office in Sherborne remembers a time when he was selling a nice house with a swimming pool that had its own springboard. 'The vendor wanted a ridiculous sum for this thing, but the buyer understandably took the opinion that when he goes to Savile Row to have a suit made, he doesn't expect to be charged extra for



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the buttons. Eventually, I volunteered to buy the thing, but, in the end, the vendor saw sense.' An agent pulling out his own wallet to smooth the process isn't as rare as you might think. 'I once had a vendor and purchaser fall out over the sit-on lawnmower,' says Mr Harrington. 'The vendors changed their minds and decided they wanted to keep it. My clients were furious, and so, as it was becoming a deal-breaker, I bought it out of my fee. When I went back a few months later, I discovered that the mower had been christened Jonathan!'



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How to avoid the pitfalls

In an ideal world, a buyer should list all the items they want included in the first offer and confirm these in writing. Mr de Pelet also recommends that his vendors remove anything particularly special before launching the house. 'Otherwise, ridiculous things such as door knockers set off spoilt-child syndrome.' Fixtures and fittings are legally included, but what they precisely are can be a grey area. In reality, what often happens is that the list of included contents is sent with the draft contract, and there battle begins. At the very least, try to include carpets and curtains (if they are desired), white goods and light fittings at the outset.

'One of the major sticking points is often the survey,' believes Mr Harrington's colleague Russell Hill. 'More often than not, a long list of minor maintenance requirements is presented as major structural defects when trying to negotiate the

price, and the vendors find this hard to accept.'

Charles Birtles recommends a pre-completion inspection on the houses he buys for clients. 'It avoids disputes, many of which arise because the vendor didn't read the legally binding fixtures-and-fittings form before putting the removal company to work.' He's had a couple of near misses, including new owners moving in to discover gates and outbuildings padlocked with no sign of the keys, and a vendor, initially at least, reluctant to call out a locksmith to resolve the issue. 'But I know of some very generous vendors who included their Rolls-Royce in the sale because they didn't want to take it with them when they relocated abroad.'



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