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Land Buyer's Checklist: 7 Steps Before You Pay for Property

A practical guide for property buyers, drawn from the Sessions Court decision in the Datuk Red land suit.

1. **Conduct a land search before you pay**

Never rely on promotional materials or verbal assurances. Obtain an official land search from the relevant land office to confirm the registered owner's name, whether the seller is the registered owner, and whether there are any existing charges, caveats, or restrictions. If the seller is not the registered owner, ask why — and verify the answer independently.

2. **Confirm the seller's authority to sell**

If the seller is a company, confirm that it actually has the legal right to sell the lots. Ask whether the company has acquired the land from the registered owner, whether the title has been transferred, and whether the full purchase price has been paid. In the Datuk Red case, the company sold lots even though the title was never transferred to it, and the master purchase price was not fully settled.

3. **Ask about subdivision, rezoning, and approvals**

Do not assume that agricultural land can be developed or rezoned. Ask for written confirmation on the current land category and zoning, whether subdivision has been approved, whether rezoning is pending or merely proposed, and any conditions imposed by authorities. If rezoning is only a possibility, treat it as an uncertainty, not a promise.

4. **Get every promise in writing**

If a developer or agent tells you the land will include certain facilities or that it can be rezoned, ask for that in writing. Do not accept verbal assurances, brochure descriptions alone, social media claims, or statements by agents that are not confirmed in the contract. The court found that buyers in this case had been given representations about the land that were not accurate.

5. **Check the sale and purchase agreement carefully**

Before signing, review the identity of the seller, the seller's authority to sell, the schedule for transfer, the consequences if transfer is delayed or fails, and whether the purchase price is tied to specific milestones. If possible, have a lawyer review the agreement.

6. **Keep records of every payment and every document**

Maintain a file containing copies of the sale and purchase agreement, receipts for every payment, all correspondence with the seller, agent, and lawyer, land search results, promotional materials you relied on, and notes of any verbal promises. Good records are decisive if a dispute arises.

7. **If something feels wrong, act early**

If you discover that the land is still in the original owner's name, or the developer cannot confirm its authority to sell, act immediately. Put your concerns in writing, stop further payments until the issue is resolved, seek legal advice, and if necessary consider whether to terminate the transaction and seek a refund. The buyers in this case filed suit in 2019 and only obtained judgment in 2026.

Need help reviewing a property transaction?

We'd be glad to talk.

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