

# Buying or selling a home?

## Untangling facts about Japanese knotweed

**Maria Richards**, Associate in the Residential Property team, examines the impact of Japanese knotweed on buying or selling a home.



---

### **At Coodes we have first-hand experience of how this invasive plant can cause a house sale to break down.**

Recently we were assisting someone who was selling a converted barn on a very large plot. The buyer pulled out after the survey revealed there was Japanese knotweed in the next door neighbour's garden, meaning they could not secure a mortgage. Fortunately, we did eventually sell this property to a buyer who was not concerned about the neighbouring property's problem.

Another client's survey revealed a number of areas within the property with Japanese knotweed. Further enquiries revealed that the sellers had in fact been aware of it but didn't think it was a problem. The matter was further complicated by the fact that one of the boundaries was a river, which a Trust had responsibility for, and there was no money in the Trust's fund to put in place any measures on their part of the land.

### **What do I need to know about Japanese knotweed if I am buying a house?**

If you are the buyer, you need to instruct your survey at an early stage so that any issues with the property are identified and reported to the lender as early as possible. If the survey reveals that Japanese knotweed is there, don't panic. It might not be as bad a problem as you first anticipate and you may well have no issue in obtaining your mortgage finance.

The existence of Japanese knotweed on the property, or indeed any adjoining land, should be reported to the mortgage company before exchange of contracts. Each lender has their own views on the matter. Some will lend provided you promise to sort it out, others will lend if it is under a certain distance from the house whilst some may not lend at all.

The logo for Coodes Solicitors, featuring the word "COODES" in a bold, white, sans-serif font inside a white oval shape on a black background.

**SOLICITORS**  
EST 1747

## Our Offices

We are ideally placed with most of our offices conveniently located in town centres.

Elizabeth House  
Castle Street  
**Truro** TR1 3AP  
t 01872 246200

St Austell Business Park  
Carclaze  
**St Austell** PL25 4FD  
t 01726 874700

6B Falmouth Business Park  
Bickland Water Road  
**Falmouth** TR11 4SZ  
t 01326 318900

6 Cheltenham Place  
**Newquay** TR7 1DQ  
t 01637 878111

8 Race Hill  
**Launceston** PL15 9BA  
t 01566 770000

4 Bodmin Street  
**Holsworthy**  
Devon EX22 6BB  
t 01409 253425

10 Windsor Place  
**Liskeard** PL14 4BH  
t 01579 347600

The Guildhall  
Street-an-Pol  
**St Ives** TR26 2DS  
t 01736 339333

49 - 50 Morrab Road  
**Penzance** TR18 4EX  
t 01736 362294



---

### What should I do about Japanese knotweed if I am selling my house?

My advice to a seller would be to identify whether or not there is Japanese knotweed at the property at an early stage and to put in place a programme to manage it. This may cost you around £3,000 but it will save you time and money in the long run.

Legally the seller must provide the buyer with a Sellers Property Information Form (TA6) and one of the questions within this is whether the property has Japanese knotweed. The seller has the option to tick 'yes', 'no' or 'Not Known'. By ticking 'no' the seller is making a statement of fact and if they are wrong they could potentially open themselves up to have action taken against them in court. If the seller wants to completely safeguard themselves they should write 'however no investigations have been made' after ticking the 'Not Known' box.

---

Whether you are buying or selling, you may understandably be frightened by the suggestion of Japanese knotweed in a property, however provided you obtain the correct advice from a surveyor and a management plan is put into place there is no reason why the property cannot be sold or mortgaged.

For further advice and assistance, contact  
**Maria Richards** in the Residential Property team  
**01726 874700**  
[maria.richards@coodes.co.uk](mailto:maria.richards@coodes.co.uk)  
[coodes.co.uk](http://coodes.co.uk)