

DOMINION REALTY LAW

THE VIRGINIA HOME SELLER'S CLOSING GUIDE

What to expect from contract to closing

Selling in Virginia. Closing from Anywhere.

A practical guide for Virginia residential sellers

Seller representation • Deeds • Document review • Estates & trusts • Powers of attorney • Remote sellers

Educational information only. This guide is not legal advice and does not create an attorney-client relationship. Real estate transactions vary; consult qualified counsel about your specific facts.

Selling a Home in Virginia

Once your contract is ratified, the transaction moves quickly. The seller may be asked to provide payoff information, respond to title or ownership questions, execute a deed and other documents, and review final settlement figures. The exact steps depend on the contract and the property.

The key distinction for Virginia sellers

Virginia law gives the purchaser or borrower the right to select the settlement agent. A seller may nevertheless retain a Virginia-licensed attorney to represent the seller’s interests and provide legal advice relating to escrow, closing, or settlement. That representation may include deed preparation, fee negotiation, document review, and advice on legal matters related to settlement or closing. Source: Va. Code § 55.1-1006.

Who does what?

Professional	Typical role in the transaction
Seller’s real estate agent	Handles listing and brokerage functions within the scope of the agent’s role and agreement.
Settlement agent	Performs settlement services. Virginia law defines those services to include administrative and clerical functions such as receiving funds, preparing settlement statements/closing disclosures, conducting the closing conference, disbursing funds, and arranging recording.
Seller’s attorney	Represents the seller’s legal interests within the agreed scope of engagement.

A settlement agent and a seller’s attorney may have different roles. If you retain counsel, ask your attorney to explain the scope of representation in your particular matter.

Your Seller Checklist

A little preparation can make the legal side of the sale easier to manage. Use this list as a starting point; your contract, settlement provider, lender, association, or attorney may require additional information.

- Keep a complete copy of the ratified sales contract and all later amendments or addenda.
- Identify every current record owner of the property.
- Gather current mortgage and home-equity loan information so payoff information can be requested when required.
- Locate your prior deed and any available trust, estate, power-of-attorney, or entity documents that may affect authority to sell.
- Tell your attorney or settlement professional promptly if an owner has died, is unavailable to sign, or if the property is owned by a trust, estate, LLC, or other entity.
- Provide HOA or condominium information when applicable.
- Review requests for documents and signatures promptly, especially as closing approaches.
- Verify wire instructions using a trusted method before sending funds or acting on changed instructions.

Virginia residential property disclosures

The Virginia Residential Property Disclosure Act applies to specified transfers of residential real property consisting of one to four dwelling units, subject to statutory exemptions. Virginia's Department of Professional and Occupational Regulation publishes the current Residential Property Disclosure Statement and information for buyers and sellers. Sources: Va. Code §§ 55.1-700 et seq.; Virginia DPOR.

Do not assume that an exemption applies to your transaction. If you are unsure about disclosure obligations, ask your attorney or real estate professional.

Issues to Flag Early

Some transactions need additional attention before the closing date. Tell counsel early if any of these situations apply.

Estate / deceased owner

A death in the chain of ownership can raise questions about authority to convey and the documents needed for the transaction.

Trust ownership

The trust and the trustee's authority may need to be reviewed.

Power of attorney

If someone will sign for an owner, the power of attorney and its use in the transaction should be evaluated before the signing date.

LLC or other entity

Entity status and signing authority may need to be confirmed.

Lien or judgment

A lien or judgment may affect the ability to deliver the title required by the contract.

Remote seller

Signing logistics should be addressed early if a seller will be outside Virginia or outside the United States.

Divorce or separation

Ownership and signing issues can arise even when only one person believes they own the property.

Name or ownership mismatch

Differences between the contract, deed, identification, or ownership records deserve early review.

Understanding Closing Documents & Money

The exact documents and charges vary by transaction. Before signing, review the documents provided to you and ask questions about items you do not understand.

The deed

The deed is the instrument used to convey the seller's interest in the real property. Virginia's seller-representation statute specifically identifies deed preparation as one service that seller's counsel may provide. Source: Va. Code § 55.1-1006.

Settlement statement / closing disclosure

Virginia law includes preparation of settlement statements or closing disclosures among settlement services. Review the figures carefully and raise questions before signing. Source: Va. Code § 55.1-1000.

Virginia transfer taxes

Virginia imposes state recordation tax on deeds unless an exemption applies. Virginia also imposes an additional grantor tax on specified conveyances; the statute states that the grantor pays that tax, although grantor and grantee may arrange for the grantee to pay all or part of it. Amounts can depend on value, liens, exemptions, and locality, so your transaction-specific figures should be confirmed before closing. Source: Va. Code §§ 58.1-801, 58.1-802.

Before you sign: confirm names and vesting information, property description where shown, seller credits/charges, payoff figures, commissions or other agreed charges, and expected net proceeds. Ask about anything you do not understand.

Remote Sellers

If you will not be in Virginia near closing, raise that fact early. The documents, signing method, notarization requirements, lender requirements, recording requirements, and transaction circumstances will determine what arrangements are available.

Before leaving or scheduling travel

- Tell your attorney and transaction professionals where you expect to be when documents must be signed.
- Ask which documents require original signatures, notarization, witnesses, or other formalities in your specific transaction.
- If a power of attorney may be necessary, address it early rather than waiting until closing day.
- Keep your attorney and settlement professionals informed if your location or availability changes.

Wire-fraud awareness

Real estate transactions are attractive targets for payment redirection scams. Treat any last-minute change to payment or wire instructions as something that requires independent verification. Use contact information you already trust rather than relying only on the contact information contained in a new message.

Your Questions Before Closing

Keep this page handy as you move through the transaction.

- Who is representing my legal interests as the seller?
- Who is the settlement agent?
- Have all owners and required signers been identified?
- Is an estate, trust, LLC, power of attorney, divorce, lien, or judgment involved?
- What documents will I be asked to sign?
- When and how will documents be delivered to me?
- What seller charges appear on the settlement figures?
- What mortgage or lien payoffs will be made?
- How and when should I expect any net proceeds to be delivered?
- If I am signing remotely, what arrangements must be completed before closing?

Notes

When to Call Dominion Realty Law

Consider contacting Dominion Realty Law when you want your own attorney representing your interests as a Virginia seller or when the transaction presents a legal issue that deserves closer attention.

- Estate or deceased owner
- Trust-owned property
- Power of attorney
- LLC or business-owned property
- Lien, judgment, title or ownership concern
- Remote or out-of-state seller
- Deed or closing-document question
- A seller who wants independent legal advice about the closing

READY TO TALK ABOUT YOUR VIRGINIA SALE?

Dominion Realty Law
Virginia Seller-Side Real Estate Law

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Important: This publication provides general educational information and is not legal advice. Reading or downloading it does not create an attorney-client relationship. Laws, forms, contract terms, and transaction requirements may change, and the facts of each transaction matter.

Public sources used for this guide: Virginia Code §§ 55.1-1000, 55.1-1006, 55.1-700 et seq., 58.1-801 and 58.1-802; Virginia Department of Professional and Occupational Regulation, Residential Property Disclosure Statement (effective July 1, 2026).