



**CILEX Level 3 Certificate in Law and Practice/
CILEX Level 3 Professional Diploma in Law and Practice**

Unit 10 – Conveyancing

Question paper

November 2023

Time allowed: 1 hour and 45 minutes (includes 15 minutes reading time)

Instructions and information

- It is recommended that you take **fifteen** minutes to read through this question paper before you start answering the questions. However, if you wish to, you may start answering the questions immediately.
- You must answer **all** questions.
- This question paper is out of 60 marks.
- The marks for each question are shown — use this as a guide as to how much time to spend on each question.
- Write in full sentences — a yes or no answer will earn no marks.
- Full reasoning must be shown in your answers.
- Statutory authorities, decided cases and examples should be used where appropriate.
- You are allowed to use your own printed copy of the pre-release case study materials, as long as the materials are not annotated in any way. Alternatively, you can access the electronic version of the pre-release case study materials available in the examination.
- You are allowed to make notes on your scrap paper during the examination.
- You are **not** allowed access to any statute books.
- A basic calculator is provided should you require the use of one.
- You must comply with the CILEX Exam Regulations – Online Exams at Accredited Centres/CILEX Exam Regulations – Online Exams with Remote Invigilation.

Turn over

Answer ALL questions.

Question 1

Reference: Question relates to **Documents 1, 2 and 3** of the case study materials.

In relation to the sale of 47 Lewis Court.

- (a) Explain:
- (i) who would draft the contract for the sale of 47 Lewis Court and which contract form would normally be used for this purpose;
(2 marks)
 - (ii) the meaning and effect of the phrase 'subject to contract' as used in the Estate Agents Particulars of Sale for 47 Lewis Court.
(3 marks)
- (b) Explain the professional rules and practical considerations that will apply to your client's instructions to issue a second contract to Karen's lawyers for the sale of 47 Lewis Court.
(6 marks)

Your client has decided not to issue the second contract and to continue selling to the Appletons.

- (c) Explain how you would deal with the matter of the conservatory blinds, which are also being sold to the buyer of 47 Lewis Court for an additional sum of £400.
(4 marks)
- (d) In relation to the Energy Performance Certificate for 47 Lewis Court:
- (i) explain the type of information that would be given in that Certificate;
(4 marks)
 - (ii) identify the maximum time limit within which the estate agents must provide the buyers with the EPC.
(1 mark)
- (Total: 20 marks)**

Question 2

Reference: Question relates to **Documents 1, 4 and 5** of the case study materials.

In relation to the purchase of 1 Bench Walk.

- (a) Explain the additional pre-contract enquiry you would raise with the seller's lawyers in respect of the notice in the charges register on the title to 1 Bench Walk and what action you would require them to take before your client can proceed with the purchase.

(7 marks)

- (b) In relation to Pink Lane, the road giving access to 1 Bench Walk:

- (i) identify **three** documents or search results you would need to check for information about this road (Pink Lane);

(3 marks)

- (ii) identify what information each of these documents and search results would provide.

(3 marks)

- (c) Explain the purpose of the document you would send to Bison Bank plc before the bank will release the mortgage advance.

(3 marks)

Apart from the documents and search results you checked for information when considering the access road:

- (d) identify **two** other types of searches you would carry out before exchanging contracts on your client's purchase of 1 Bench Walk and give **one** example of the information that **each** search you have identified will provide.

(4 marks)

(Total: 20 marks)

Turn over

Question 3

Reference: Question relates to **Documents 1 and 5** of the case study materials.

In relation to post-exchange, completion and post-completion.

- (a) In relation to your client's existing mortgage on 47 Lewis Court with Cattletown Building Society:
- (i) identify what you will need to provide to the buyers' lawyers between exchange of contracts and completion regarding the discharge of this mortgage and how this would be supplied;
(2 marks)
 - (ii) identify the steps you would need to take to ensure that Cattletown Building Society's mortgage is discharged following completion of your client's sale of the property.
(3 marks)
- (b) Explain, with justification, which Law Society formula you would use to exchange contracts on your client's purchase of 1 Bench Walk.
(2 marks)
- (c) Identify, on the completion date of the purchase of 1 Bench Walk:
- (i) the amount of money you would send the seller's lawyers;
(1 mark)
 - (ii) how you would send the money to the seller's lawyers;
(1 mark)
 - (iii) by what time you would need to send the money.
(1 mark)
- (d) Explain the process that you would need to carry out to enable your client to be registered as proprietor of 1 Bench Walk, following completion of his purchase. Include both the name of the application form and who the information will be sent to.
(5 marks)
- (e) Explain why you would need to respond promptly to any requisitions raised by HM Land Registry as a result of your application for registration and the potential consequences of not doing so.
(5 marks)
- (Total: 20 marks)**

End of the examination

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