



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

Unit 10 – Conveyancing

Case study materials

November 2023

Information for candidates

- You should familiarise yourself with these case study materials before the examination, taking time to consider the themes raised in the materials.
- You should consider the way in which your knowledge and understanding relate to these materials.
- In the examination, you will be presented with a set of questions which will relate to these materials.
- You may discuss these materials with your tutor(s).

Instructions and information to candidates during the examination

- You are allowed to take your own clean/unannotated copy of this document into the examination. Alternatively, you can access the electronic version of this document in the examination.
- You are **not** allowed access to any statute books in the examination.
- You must comply with the CILEX Exam Regulations – Online Exams at Accredited Centres/CILEX Exam Regulations – Online Exams with Remote Invigilation.

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CASE STUDY MATERIALS

ADVANCE INSTRUCTIONS TO CANDIDATES

You are a trainee lawyer with Kempstons Solicitors. You are assisting conveyancing partner, Jo Ross, in two linked transactions for your client, Claud Peach.

Claud is selling his existing property at 47 Lewis Court, Cattletown to Louise and Kyle Appleton at the price of £250,000. He is keen to sell the property as soon as possible as he is moving to Kempston for work purposes. At the same time, Claud is purchasing 1 Bench Walk, Kempston for £310,000.

More information about these two transactions is contained in the Attendance Note prepared by Jo Ross (**Document 1**). Jo Ross has asked you to help him to progress these two transactions and has provided you with the following documents.

Document 1 File Note regarding Claud Peach

Document 2 Estate Agents Particulars of Sale for 47 Lewis Court

Document 3 Copy of email from Claud Peach

Document 4 Estate Agents Particulars of Sale for 1 Bench Walk

Document 5 Land Registry official copy register entries for 1 Bench Walk

NOTE: Land Registry Title Plans are not provided and will **not** be required for the assessment.

FILE NOTE RE: CLAUD PEACH

Date: 2 November 2023
Client: Claud Peach
Matter: Sale and Purchase

Claud Peach has contacted the office to instruct us to act on both his sale and purchase.

Sale of 47 Lewis Court, Cattletown CT17 4BT

Claud owns 47 Lewis Court in his sole name and lives there currently. He has an existing mortgage on the property with Cattletown Building Society for £105,000.

Claud has accepted an offer of £250,000 on the property from Louise and Kyle Appleton. Louise and Kyle are actively marketing their own property but do not have a buyer as yet. They need to sell their house so that the net proceeds of their sale can go towards the purchase of 47 Lewis Court.

I have a copy of the Estate Agents Particulars of Sale (**Document 2**) and an email from the client (**Document 3**) to which I need to reply.

Please set up a file and arrange for a redemption statement from Cattletown Building Society.

Purchase of 1 Bench Walk, Kempston MK4 7JR

Claud has had his offer of £310,000 for 1 Bench Walk accepted by the seller, Mrs Rani Choudhury, on the basis that the purchase will proceed quickly. Mrs Rani Choudhury wants a quick sale for personal reasons as she is moving to India.

Claud will be assisted in his purchase by a mortgage from Bison Bank plc.

Claud does not drive but he is starting a new job at a disused coal mine in Kempston, which has been turned into a tourist attraction. He is keen to buy this property because it is within cycling distance of the disused coal mine.

At the moment, we have a copy of the Estate Agents Particulars of Sale (**Document 4**) and the Land Registry official copy register entries (**Document 5**).

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WADE AND GRAYSON
Estate Agents

Tel: 01873 845000
Fax: 01873 845001

30 High Street
Cattletown
CT5 0JS

Estate Agents Particulars of Sale

Property:	47 Lewis Court, Cattletown CT17 4BT
Sellers:	Mr Claud Peach of 47 Lewis Court, Cattletown CT17 4BT
Buyer:	Mr Kyle and Mrs Louise Appleton of 12 Cornflower Road, Cambridge CB2 4LY
Tenure:	Freehold with vacant possession
Price:	£250,000
Commission:	2% (plus VAT) payable on completion
Sellers' lawyers:	Jo Ross, Kempstons Solicitors, Kempston Manor, Kempston, MK42 7AB
Buyer's lawyers:	B. Cork, Mitchell & Co, 31 Glebe Street, Cattletown, CT1 4PD

Additional information:

The buyers have agreed to pay £400 for the conservatory blinds in addition to the purchase price.

Sale subject to contract and to buyers' mortgage offer and survey.

EPC available to download online.

COPY EMAIL FROM CLAUD PEACH

To: Jo.Ross@Kempstonssolicitors.co.uk
From: Santaclaud@worldnet.com
Re: My sale and purchase
Date: 01st November 2023

Good morning Jo

You should have now received the estate agents particulars confirming my sale and purchase. I have posted the client care documentation and you should receive this today.

As you are aware, I am keen to move forward as soon as possible as I am starting my new job in January. I have just received a telephone call from my mother's friend, Karen Spriggs, who has said that she would be interested in buying 47 Lewis Court for the same price that the Appletons are paying. Karen is a cash buyer so I would not have to wait for the Appletons to sell their property. Is it possible for us to issue contracts to both parties and see who exchanges first?

I am very keen not to lose 1 Bench Walk as it is perfect for me. I am worried that Mrs Choudhury will sell to another buyer if I can't proceed quickly.

I look forward to hearing from you with your advice.

Kind regards

Claud Peach

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FOSTER LOCKHEART ESTATES

67 High Street, Kempston MK1 0LM

Tel: 01234 719254

Fax: 01234 719255

Estate Agents Particulars of Sale

Property:	1 Bench Walk Kempston MK4 7JR
Seller:	Mrs Rani Choudhury of 1 Bench Walk, Kempston, MK4 7JR
Buyer:	Mr Claud Peach of 47 Lewis Court, Cattletown CT17 4BT
Tenure:	Freehold with vacant possession
Price:	£310,000
Commission:	2% (plus VAT) payable on completion
Sellers' lawyers:	Carr & Sons Solicitors, 61 High Street, Kempston MK1 0LM
Buyer's lawyers:	Jo Ross, Kempstons Solicitors, Kempston Manor, Kempston, MK42 7AB

Additional information:

Sale subject to contract and to buyer's mortgage offer and survey.

EPC available to download online.

LAND REGISTRY OFFICIAL COPY ENTRIES FOR 1 BENCH WALK



Land Registry

Official copy of register of title

Title number CB72489

Edition date 27.03.2021

- This official copy shows the entries subsisting on the register on 31 October 2023 at 11:12:14.
- This date must be quoted as the 'search from date' in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 31 October 2023 at 11:12:14.
- Under s.67 of the Land Registration Act 2002 this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by Land Registry, Camberton Office.

A: Property Register

This register describes the land and estate comprised in the title.

BEDFORDSHIRE

- 1 (23.09.1998) The freehold land shown edged with red on the plan of the above title filed at the Registry and being 1 Bench Walk, Kempston (MK4 7JR).
2. The land has the benefit of the right granted but is subject as mentioned in a Conveyance of the land in this title dated 7 May 1962 and made between (1) Ray and Damion Franz (Vendor) and (2) Oleg and Patsy Green (Purchaser): "TOGETHER WITH a right of way with or without vehicles at all times and for all purposes to and from Bench Walk over the road known as Pink Lane SUBJECT TO the Purchaser and his successors in title paying one quarter of the cost of maintaining the said road".

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CASE STUDY MATERIALS

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

1 (18.09.2014) PROPRIETOR(S): RANI ASIM CHOUDHURY of 1 Bench Walk, Kempston, Bedfordshire MK4 7JR

2. (18.09.2014) The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof.

3. (18.09.2014) The price stated to have been paid on 9 September 2014 was £248,000.

C: Charges Register

This register contains any charges and other matters that affect the land.

1 A Conveyance of the land in this title dated 7 May 1962 made between (1) Ray and Damion Franz and (2) Oleg and Patsy Green contains restrictive covenants.

NOTE: Original filed.

2 (18.09.2014) REGISTERED CHARGE dated 9 September 2014.

3 (18.09.2014) Proprietor: LODGERS BANK LTD of The Causeway, 18 Penny Way, Bolden BO9 7AQ

4 (27.03.2021) NOTICE of home rights under the Family Law Act 1996 in favour of Anjit Choudhury of 11 Eastern Road, Pebblebridge, PB2 9BS, the spouse or civil partner of Rani Asim Choudhury.

End of register

[NOTE TO CANDIDATES: The filed plan and Conveyance dated 7 May 1962 has not been supplied and is not required for this examination.]

End of the case study materials