



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

Unit 19 – Residential and Commercial Leasehold 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 the conveyancing partner, Alan Waring. You are acting for the following clients in relation to their conveyancing transactions:

1. Iona Lewis

Your client, Iona Lewis, is buying Flat 17, Brooks Place, Church Lane, Longbury, Hartshire, AT16 2LP, which is a newly-built flat.

2. Nile Vance and Beth Tarr

Your clients, Nile and Beth, are buying an existing leasehold property, 1 Morgan Road, Longbury, Hartshire, AT7 9BD.

3. Lamon Pravat

Your client, Lamon Pravat, is the landlord of 35 Denne Road, Brampton, Longbury, Hartshire. He has sought your advice on several matters concerning his commercial lease, which he granted for 10 years to his tenant, Tony, in 2018.

Alan Waring has given you the following documents.

Document 1 File Note relating to Iona Lewis

Document 2 File Note relating to Nile Vance and Beth Tarr

Document 3 Land Registry Official Copy Register Entries for 1 Morgan Road, Longbury, Hartshire

Document 4 Extract from Local Land Charges Search (LLC1) results relating to 1 Morgan Road, Longbury, Hartshire

Document 5 Extracts from the lease for 35 Denne Road, Brampton, Longbury, Hartshire

DOCUMENT 1

FILE NOTE –12 OCTOBER 2023

We have been instructed by Iona Lewis in connection with:

Purchase of Flat 17, Brooks Place, Church Lane, Longbury, Hartshire, AT16 2LP

Our client has instructed us to act in her purchase of a newly-built flat, Flat 17, Brooks Place, from Blade Developments Limited.

Iona has informed us that the price of Flat 17 is £270,000. She has visited the sales office for Brooks Place and advised them that we have been instructed.

Iona has also informed us that the flat is within a block of 24 flats that has been built on the site of a demolished factory, located on the bank of the River Whilt.

Iona is delighted her new flat will overlook the river nearby.

Blade Developments Limited own the freehold of Brooks Place and this is subject to a registered charge in favour of Shawcross Bank plc.

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We have been instructed by Nile Vance and Beth Tarr in connection with:

Purchase of 1 Morgan Road, Longbury, Hartshire, AT7 9BD

Our clients have instructed us to act for them in their joint purchase of an existing leasehold property, 1 Morgan Road, Longbury, Hartshire, AT7 9BD, from Bhavna Hassan at an agreed price of £1,100,000. The property is a six-bedroomed detached house. The original construction was a Victorian barn with tractor store but the barn and tractor store were converted into the present-day house by a property developer in 2016.

Nile and Beth want to extend the property shortly after completion by building an extension at the rear of the property. Their plans for the extension will also entail cutting down two trees in the rear garden and the erection of a new fence along the southern boundary at the rear of the garden.

Nile and Beth have no related sale. Nile sold his house six months ago and is temporarily living at home with his parents. Beth is currently living in rented accommodation at Flat 4d, Maple Gate, Longbury, Hartshire, AT2 3JH. Beth's lease is for a six-month period in return for a payment of £425 per week. Beth intends to move out of the flat as soon as the purchase of 1 Morgan Road is completed.

They will part-fund the purchase with a new joint mortgage loan of £550,000 from Midland Counties Building Society. We are acting for both the lender and the buyers in this transaction. The balance of the purchase money will come from their savings.

OFFICIAL COPY ENTRIES – 1 MORGAN ROAD, LONGBURY, HARTSHIRE**OFFICIAL COPY OF REGISTER ENTRIES**

This official copy shows the entries subsisting on the register on **25 September 2023** at **10:13:12**.

This date must be quoted as the 'search from date' in any official search application based on this copy.

Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.

Issued on 25 September 2023.

This title is dealt with by **Land Registry Bilston Office**.

LAND REGISTRY
TITLE NUMBER: BT 476327

Edition date: 15 APRIL 2019

A: Property Register

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

COUNTY
HARTSHIRE

DISTRICT
TRELFORD

1. (17.11.2016) The leasehold land shown and edged with red on the plan of the above title filed at the Registry and being 1 Morgan Road, Longbury, Hartshire, AT7 9BD.
2. (17.11.2016) Short particulars of the lease(s) (or under-lease(s)) under which the land is held:

DATE : 1 November 2016
TERM : 225 years from and including 1 November 2016
RENT : £500 and additional sums
PARTIES : 1. Alexander Brown Investments Limited
2. Mica Gallagher
3. (17.11.2016) There are excepted from the effect of registration all estates, rights, interests, powers and remedies arising upon, or by reason of, any dealing made in breach of the prohibition or restriction against dealings therewith inter vivos contained in the lease.
4. (17.11.2016) Unless otherwise mentioned the title includes any legal easements granted by the registered lease but is subject to any rights that it reserves, so far as those easements and rights exist and benefit or affect the registered land.

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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. (15.04.2019) Proprietor(s) Bhavna Hassan of 1 Morgan Road, Longbury, Hartshire, AT7 9BD
2. (15.04.2019) The price stated to have been paid on 22 March 2019 was £895,000

C: Charges Register

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

1. (17.11.2016) A Conveyance of the land in this title dated 13 September 1965 made between (1) Amy Dodds and Charles Lukacs (Vendors) and (2) Matthew Kent and Haitha Kent (Purchasers) contains the following covenant:

'The Purchasers with the intent and so as to bind the property hereby conveyed and to benefit and protect the retained land of the Vendors lying to the south of the land hereby conveyed hereby covenant with the Vendors that they and their successors in title will at all times observe and perform the stipulation not to erect any boundary wall or fence which is more than three foot in height on the southern boundary of the land hereby conveyed and which adjoins the Vendors' retained land'

2. (15.04.2019) REGISTERED CHARGE dated 22 March 2019 to secure the moneys including the further advances therein mentioned.
3. (15.04.2019) Proprietor(s): Clifton Finance Group plc of 76 Moss Street, Cattletown, Hartshire, CT6 3RD.

END OF REGISTER

NOTE: A date at the beginning of an entry is the date on which the entry was made in the Register

NOTE: The Title Plan is not provided and is not required for the assessment

EXTRACT FROM LOCAL LAND CHARGE SEARCH (LLC1) RESULTS

LOCAL LAND CHARGES ACT 1975

SCHEDULE TO OFFICIAL CERTIFICATE OF SEARCH

DATE: 13 November 2023

SEARCH NO: 7685523

PROPERTY: 1 Morgan Road, Longbury, Hartshire, AT7 9DB

Part 4 – Miscellaneous Charges

Charge date – 14/05/09

Description – Tree Preservation Order – operative 14 May 2009

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**EXTRACTS FROM THE LEASE FOR 35 DENNE ROAD, BRAMPTON, LONGBURY, HARTSHIRE
AT1 4LP**

15. Assignment

15.1 The Tenant shall not assign the whole of this lease without the consent of the Landlord, such consent not to be unreasonably withheld.

15.2 ...

15.3 The Landlord and the Tenant agree that for the purposes of section 19 (1A) of the Landlord and Tenant Act 1927 the Landlord may give its consent to an assignment subject to all or any of the following conditions:

(a) A condition that the assignor enters into an authorised guarantee agreement

End of the case study materials

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