



**CILEX Level 6 Single Subject Certificate/CILEX Level 6 Professional Higher Diploma in Law and Practice/CILEX Level 6 Graduate Fast-Track Diploma**

**Unit 17 – Conveyancing**

**Question paper**

**June 2023**

**Time allowed: 3 hours and 15 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 100 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.
- 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 the purchase of Ground Floor Flat, 3 Barley Close, Hastings Road, Battle, East Sussex, TN33 9HZ and to **Documents 1 and 2** of the case study materials.

- (a) Explain why customer due diligence checks need to be carried out by your firm on Mr and Mrs Patel and what types of checks you would undertake in this particular case.

**(7 marks)**

Mr Patel has contacted you after reviewing the official copy of the register (**Document 2**) and has some questions regarding some of the entries.

- (b) (i) Explain the purpose of entry 2 in the Proprietorship Register and what steps you will need to take to comply with it.

**(9 marks)**

- (ii) Explain the purpose of entry 3 in the Proprietorship Register and whether or not you will need to comply with it.

**(6 marks)**

**(Total: 22 marks)**

## Question 2

Reference: Question relates to the Purchase of Ground Floor Flat, 3 Barley Close, Hastings Road, Battle, East Sussex, TN33 9HZ and to **Documents 1, 2, 3 and 7** of the case study materials.

- (a) Draft the contents of an email to your clients explaining what permissions and/or consents under the lease they will require for the following:
- moving into the property with their pet dog;
  - removing the wall between the living room and dining room; and
  - replacing the windows.

**(12 marks)**

All outstanding pre contract issues have now been dealt with. We have received instructions from National Westminster Bank PLC and it is happy to proceed. You hold signed documents, including Mr and Mrs Patel's signed contract and 10% deposit. They have also completed a co-ownership form, which sets out the difference between joint tenants and tenants in common. Mr and Mrs Patel have decided they would like to own the property as beneficial joint tenants. You are now ready to exchange contracts.

- (b) Explain what steps you will take in readiness for exchange and how you will exchange contracts on your clients' purchase by telephone.

**(6 marks)**

- (c) Explain:

- which pre-completion search you will submit to HM Land Registry in relation to the Sellers' title;
- the information that you will need to supply with that search;
- the purpose and effect of making that search; and
- the identity of the applicant.

**(6 marks)**

**(Total: 24 marks)**

### Question 3

Reference: Question relates to the Purchase of Ground Floor Flat, 3 Barley Close, Hastings Road, Battle, East Sussex, TN33 9HZ and to **Documents 1, 2, 3, 4 and 7** of the case study materials.

Completion is due to take place next week and the transfer needs to be approved. A draft transfer has been prepared by a junior colleague (**Document 4**).

- (a) Explain any amendments and additions you would make to any of the panels in this draft transfer (including but not limited to panels 11 and 12) in order to approve it, identifying within your answer where on the form you would make each of these amendments and additions.

**(10 marks)**

Completion has taken place and you are now dealing with the post-completion steps on your clients' purchase.

- (b) Explain the steps you will take on Mr and Mrs Patel's purchase to satisfy Stamp Duty Land Tax and Land Registry requirements. In your answer, identify any forms you will use, any time limits you must meet and any payments you must make.

**(11 marks)**

- (c) Explain any additional steps you would need to take under the lease (**Document 3**) on behalf of your clients, following completion of their purchase.

**(5 marks)**

**(Total: 26 marks)**

#### Question 4

Reference: Question relates to the purchase of Old Mill House, Oakhill Road, Sevenoaks, Kent TN13 2ES and to **Documents 5, 6 and 7** of the case study materials.

You have received all the replies to the local search (made in forms LLC1, CON29 and CON290), which Sarah submitted before she went on maternity leave.

- (a) Explain any issues that the extract of result of the local search on Old Mill House (**Document 6**) raises for your clients and any action you may need to take as a result.

**(8 marks)**

- (b) Explain any additional pre-contract searches you would undertake on Old Mill House and your reasons for undertaking the searches chosen.

**(8 marks)**

Sinead and Heather Randall have confirmed that you can submit the pre-contract searches. In the draft contract it states the seller is selling with limited title guarantee and they are unsure what this means.

- (c) Explain the meaning of 'title guarantee' within the contract and whether you would advise your clients to accept limited title guarantee on this purchase.

**(6 marks)**

As the title to the Old Mill House is unregistered, the seller's solicitors have included an epitome of title in the contract pack.

- (d) Identify which deeds and documents you would expect to be included in this epitome.

**(6 marks)**

**(Total: 28 marks)**

**End of the examination**

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