

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

Unit 10 – Conveyancing

Case study materials

January 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 Jane Costa, a conveyancing partner of the firm, in a **related** sale and purchase.

The transactions are as follows:

- the sale of 74 Bedford Road, Kempston, KE7 0BL
- the purchase of 12 The Mews, St Nicks, Cambershaw, CA1 8NS.

Jane hands you the following documents:

- | | |
|-------------------|---|
| Document 1 | Two file notes prepared by Jane Costa |
| Document 2 | Memorandum of Sale from Knights Estate Agents |
| Document 3 | Land Registry official copy register entries for 74 Bedford Road, Kempston, KE7 0BL |
| Document 4 | Correspondence from the seller's solicitors, B4Law Plc, relating to 12 The Mews. |
| Document 5 | Land Registry official copy register entries for 12 The Mews, St Nicks, Cambershaw, CA1 8NS |

File Note: Sale of 74 Bedford Road, Kempston

We are instructed in the sale of 74 Bedford Road for Walter Cartwright at a price of £392,000. I enclose a copy of the sales memorandum from Knights Estate Agents **[Document 2]**. The buyer is Finley Parker, who is represented by Stammer & Sons LLP. I have opened a file in this matter, it contains the Land Registry official copy entries **[Document 3]**.

Mr Cartwright's wife, Tina Cartwright, died last year. The private client department is dealing with the estate of the late Tina Cartwright under matter number CAR192/001. Please contact the fee earner directly if you need anything.

There is a mortgage on the property in favour of Cattletown Building Society, with a balance remaining of approximately £250,000.

The buyer's solicitors have confirmed that they will be adopting the Law Society's Conveyancing Protocol, as will we.

File Note: Purchase of 12 The Mews, St Nicks

We are instructed in the purchase of 12 The Mews, for Walter Cartwright at a price of £255,000. The client is buying from Brian Dixon, who is represented by B4Law Plc. Mr Dixon has a related purchase.

I have opened a file, it contains correspondence received from B4Law Plc who act for the seller **[Document 4]**, together with the Land Registry official copy entries **[Document 5]**. The Mews is a small development of 12 houses at the end of St Nicks Road.

Mr Cartwright will be obtaining a mortgage from Copperfield Building Society for £175,000.

The seller's solicitors have confirmed that they will be adopting the Law Society's Conveyancing Protocol, as will we.

[Note to candidates: Land Registry Title Plans are not provided and will not be required for the assessment.]

CASE STUDY MATERIALS

DOCUMENT 2

AGENT'S MEMORANDUM OF SALE

Knights Estate Agents
Tel: 01429 845000
Fax: 01429 845001
30 High Street
Kempston
KE3 3ST

28 December 2022

Property: 74 Bedford Road, Kempston KE7 0BL

Seller: Mr Walter John Cartwright of 74 Bedford Road, Kempston KE7 0BL

Buyer: Finley Kyle Parker of 28 Bears Way, Bedford MK76 9AS

Tenure: Freehold with vacant possession

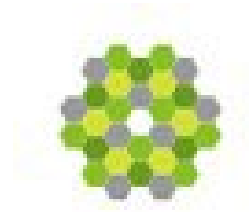
Price: £392,000

Commission: 2% (plus VAT) payable on completion

Seller's lawyers: Jane Costa, Kempstons Solicitors, Kempston Manor, Kempston, KE42 7AB (ref: JC/CAR192/002)

Buyers' lawyers: Oscar Paddles, Stammer & Sons LLP, The Old Bridge, Kempston KE29 3BN

Additional information: Sale subject to contract and to Buyer's mortgage offer, related sale and survey



Land Registry

Official
copy of
register of
title

Title number LL98546

Edition date **18.02.2014**

- This official copy shows the entries subsisting on the register on 3 January 2023 at 16:01:17.
- 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 3 January 2023 at 16:01:17.
- 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, Waveley Office.

A: Property Register

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

BEDFORDSHIRE

- 1 (18.02.2014) The freehold land shown edged with red on the plan of the above title filed at the Registry and 74 Bedford Road, Kempston, Bedfordshire (KE7 0BL).

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 (18.02.2014) PROPRIETOR(S): WALTER JOHN CARTWRIGHT and TINA LOUISE CARTWRIGHT
2. (18.02.2014) 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. (18.02.2014) The price stated to have been paid on 1 February 2014 was £308,000.

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C: Charges Register

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

- 1 (18.02.2014) A Transfer of the land in this title dated 23 September 2012 made between (1) The Council of the Borough of Bingley and (2) William Brown contains restrictive covenants.

NOTE: Original filed.

- 2 (18.02.2014) REGISTERED CHARGE dated 1 February 2014.
- 3 (18.02.2014) Proprietor: CATTLETOWN BUILDING SOCIETY of The Causeway, 18 Penny Way, Bolden BO9 7AQ

End of register

[NOTE TO CANDIDATES: The plan and Transfer dated 23 September 2012 have not been supplied and are not required for this examination.]

DOCUMENT 4

CORRESPONDENCE FROM B4LAW PLC

Jane Costa
Kempstons Solicitors
Kempston Manor
Kempston
KE42 7AB

Your Ref: JC/CAR192/002
Our Ref: B4DIX00112

11 November 2022

Dear Sirs

Re: Sale of 12 The Mews, St Nicks, Cambershaw, CA1 8NS

We can confirm that we act on behalf of the Seller of the above property and understand that you act on behalf of the Buyer.

Our client has a related purchase, we are in receipt of our client's mortgage and searches, and are dealing with a couple of outstanding enquiries.

B4Law Plc is accredited under the Law Society's Conveyancing Quality Scheme (CQS) and accordingly subscribe to the Protocol. Our CQS number is CQS24518.

The person dealing with this matter is Gemma Harradine, a solicitor. The person with overall responsibility for supervision of this matter is Patrick Ezra, who is a Managing Partner of the firm.

Please confirm the name of the conveyancer dealing with the matter and their supervisor, together with any direct email addresses.

We look forward to hearing from you with confirmation that you are instructed by the Buyer.

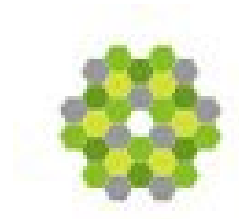
Please confirm that you are similarly instructed, and we shall send over the draft contract, however in the meantime, we enclose office copies to enable you to carry out your searches.

We look forward to hearing from you.

Yours faithfully

B4Law Plc

Turn over



Land Registry

Official copy of register of title

Title number **CB18998**

Edition date **01.08.2017**

- This official copy shows the entries subsisting on the register on 23.10.2022 at 10:12:08.
- 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 23.10.2022 at 10:12:08.
- 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, Waveley Office.

A: Property Register

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

BEDFORDSHIRE

- 1 (21.04.2008) The freehold land shown edged with red on the plan of the above title filed at the Registry and 12 The Mews, St Nicks, Cambershaw (CA1 8NS).
- 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 10 April 2004 and made between (1) Deena Easton (Vendor) and (2) Violet Gower (Purchaser):

"TOGETHER WITH a right of way with or without vehicles at all times and for all purposes to and from The Mews over the road known as St Nicks Road SUBJECT TO the Purchaser and his successors in title paying one twelfth of the cost of maintaining the said road".

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 (01.08.2017) PROPRIETOR(S): Brian Ray Dixon of 12 The Mews, St Nicks, Cambershaw CA1 8NS.
2. (01.08.2017) The price stated to have been paid on 30 June 2017 was £221,000.

C: Charges Register

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

2 (01.08.2017) REGISTERED CHARGE dated 30 June 2017.

3 (01.08.2017) Proprietor: COPPERFIELD BUILDING SOCIETY of 1 Meadow Road, London WE1 7JH

End of register

[NOTE TO CANDIDATES: The plan and the Conveyance dated 10 April 2004 have not been supplied and are not required for this examination.]

End of the Case Study materials

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