

**THE CHARTERED INSTITUTE OF LEGAL
EXECUTIVES UNIT 10 – CONVEYANCING**

Time allowed: 1 hour and 30 minutes plus 15 minutes' reading time

Instructions to Candidates

- You have been provided with a clean copy of the case study materials for you to use in this examination.
- You have **FIFTEEN** minutes to read through this question paper and the case study materials before the start of the examination.
- **It is strongly recommended that you use the reading time to read this question paper fully.** However, you may make notes on this question paper or in your answer booklet during this time, if you wish.
- **All questions are compulsory. You must answer ALL the questions.**
- Write in full sentences – a yes or no answer will earn no marks.
- Candidates must comply with the CILEx Examination Regulations.
- Full reasoning must be shown in answers. Statutory authorities, decided cases and examples should be used where appropriate.

Information for Candidates

- The mark allocation for each question and part-question is given and you are advised to take this into account in planning your work.
- Write in blue or black ink or ballpoint pen.
- Attention should be paid to clear, neat handwriting and tidy alterations.
- Complete all rough work in your answer booklet. Cross through any work you do not want marked.

Do not turn over this page until instructed by the Invigilator.

Question 1

In relation to the sale of 4 Lavender Mews, Bensham, BF1 3JQ

Reference: Question relates to **Documents 1, 2, 3, 4 and 5** of the case study materials.

- (a) Identify **four** matters that should be included in a client care letter. **(4 marks)**
- (b) Identify the information that Bison Bank PLC will require, in order to provide a redemption statement. **(5 marks)**
- (c) Explain the key features and purpose of the Energy Performance Certificate (EPC). **(7 marks)**
- (d) Explain how you should respond to John's request that he sign the contract on behalf of Oliver. **(3 marks)**

(Total: 19 marks)

Question 2

In relation to the purchase of The Willows, Bensham, BF7 9RA

Reference: Question relates to **Documents 1, 5 and 6** of the case study materials.

You have been asked to raise additional pre-contract enquiries with the seller's solicitors.

- (a) Describe **five** provisions under the Law Society Conveyancing Protocol that relate to raising additional pre-contract enquiries. **(5 marks)**
- (b) (i) Identify what search you would carry out in respect of the drainage and water services to The Willows and from where this will be obtained. **(2 marks)**
- (ii) Explain how you would obtain information about the major roadworks near the property. **(5 marks)**
- (c) Explain the steps you must take on behalf of the Bank of Jonas Ltd as a result of Milly proposing to live with John and Oliver on completion of their purchase. **(3 marks)**

The land is subject to a trust of land.

- (d) Explain how a trust of land arises and what this would mean for John and Oliver as owners. **(4 marks)**
- (e) Explain what further investigations you would make in respect of the Conveyance dated 25 October 1991, once this has been provided by the seller's solicitor. **(3 marks)**

(Total: 22 marks)

Turn over

Question 3

In relation to exchange, completion and post-completion of The Willows, Bensham, BF7 9RA

Reference: Question relates to **Documents 1, 5 and 6** of the case study materials.

- (a) (i) Identify the **three** methods that can be used for exchange of contracts. **(3 marks)**
- (ii) Explain which formula will be used to exchange contracts on The Willows and how you would carry out this exchange in practice. **(6 marks)**
- (b) Identify the steps that must be taken, in order to carry out completion by post on the purchase of The Willows. **(3 marks)**

The Land Registry has raised a requisition in respect of Kate Evans' surname differing in the title.

- (c) (i) Identify how this requisition could have been prevented and how you will respond to the requisition. **(2 marks)**
- (ii) Explain the consequences of failing to respond to the requisition. **(3 marks)**

Assume that all Land Registry requisitions have now been dealt with and registration has been completed.

- (d) Describe what you would do with the title information document once it has been received from the Land Registry. **(2 marks)**

(Total: 19 marks)

End of Examination Paper

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