

CASE STUDY MATERIALS

June 2021
Level 3
CONVEYANCING
Subject Code L3-10



THE CHARTERED INSTITUTE OF LEGAL EXECUTIVES

UNIT 10 – CONVEYANCING*

CASE STUDY MATERIALS

Information for Candidates on Using the Case Study Materials

- This document contains the case study materials for your examination.
- In the examination, you will be presented with a set of questions which will relate to these case study materials. You will be required to answer **all** the questions on the examination paper.
- You should familiarise yourself with these case study materials prior to the examination, taking time to consider the themes raised in the materials.
- You should take the opportunity to discuss these materials with your tutor/s either face-to-face or electronically.
- It is recommended that you consider the way in which your knowledge and understanding relate to these case study materials.

Instructions to Candidates Before the Examination

- A clean/unannotated copy of the case study materials is attached to this examination.
- You are permitted to take your own clean/unannotated copy of the case study materials into the examination. You are **NOT** permitted to take any other materials including notes or textbooks.
- In the examination, candidates must comply with the CILEx Examination Regulations – Online Examinations or with the CILEx Examination Regulations – Online Examinations with Remote Invigilation.

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* This unit is a component of the **CILEx LEVEL 3 PROFESSIONAL QUALIFICATIONS** and **LEVEL 3 LEGAL SERVICES KNOWLEDGE QUALIFICATIONS**

CASE STUDY MATERIALS

ADVANCE INSTRUCTIONS TO CANDIDATES

You are a trainee lawyer with Kempstons Solicitors, Kempston Manor, Kempston, MK42 7AB. You are assisting conveyancing partner Oliver Ogalu in two **unrelated** conveyancing transactions.

The two transactions, which are each for different clients, are in relation to:

- sale of 28 Castle Way, Bingley, England, B21 8NR, by Moira and Paula Crompton;
- purchase of 5 Star Road, Dinstone, Wales, DL8 1BF, by Abdul and Sabrina Mahmood.

Further information is contained in two file notes prepared by Oliver Ogalu **[Document 1]**. Oliver Ogalu has requested that you assist him to progress the two transactions and has provided you with the following:

- | | |
|-------------------|--|
| Document 1 | Two file notes prepared by Oliver Ogalu |
| Document 2 | Estate agent's memorandum of sale |
| Document 3 | Land Registry Official Copies of the register entries for 28 Castle Way, Bingley |
| Document 4 | Email from Abdul and Sabrina Mahmood to Oliver Ogalu |

DOCUMENT 1

FILE NOTES PREPARED BY OLIVER OGALU

File Note: Sale of 28 Castle Way, Bingley, England, B21 8NR

We are instructed in the sale of 28 Castle Way for Moira and Paula Crompton at a price of £200,000.

The buyer is John Sander, who is represented by Key Up Law LLP. Like us, Key Up Law LLP will be adopting the Law Society Protocol. I have opened a file, which contains the memorandum of sale from the estate agent, Alison Hull Estates [**Document 2**] and the official copy entries [**Document 3**].

There is a mortgage on the property in favour of Lodgers Bank Ltd with a balance remaining of around £110,000. There is no related purchase.

File Note: Purchase of 5 Star Road, Dinstone, Wales, DL8 1BF

We are instructed in the purchase of 5 Star Road, Dinstone, for Abdul and Sabrina Mahmood at a price of £264,000. Abdul and Sabrina have told me that they were attracted to the property because it is situated next to the common in Dinstone.

The clients are buying from David and Sophia Bond, who have an existing mortgage on the property and are represented by Coastal Conveyancing. Coastal Conveyancing has confirmed that it will be adopting the Law Society Protocol.

Abdul and Sabrina have applied for a mortgage in the sum of £200,000 from Framer Bank UK PLC, to assist with their purchase.

The clients do not have a related sale.

I have opened a file, which contains an email from Abdul and Sabrina [**Document 4**].

Turn over

DOCUMENT 2

ESTATE AGENT'S MEMORANDUM OF SALE

ALISON HULL ESTATES
Estate Agents

Tel: 01756 495092
Fax: 01756 495093

The Old Moat House
Bingley
B26 7HU

Memorandum of Sale

Property: 28 Castle Way, Bingley, B21 8NR

Seller: Mrs Moira and Mrs Paula Crompton, 28 Castle Way, Bingley, B21 8NR

Buyer: John Sander, 13 Over Terrace, Bingley, B29 8JH

Tenure: Freehold

Price: £200,000

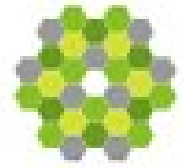
Commission: 2% + VAT

Sellers' lawyer: Oliver Ogalu, Kempstons Solicitors, Kempston Manor, Kempston, MK42 7AB

Buyer's lawyer: Kevin Bushall, Key Up Law LLP, 95 Chapel Street, Hammerton, HM2 8LP

Additional info: Sale subject to contract and to buyer's mortgage offer and survey. Buyer has no dependent sale. Buyer is to purchase the range cooker in the property for an additional £1,000

**LAND REGISTRY OFFICIAL COPIES OF THE REGISTER ENTRIES FOR
28 CASTLE WAY, BINGLEY, B21 8NR**



Land Registry

Official
copy of
register of
title

Title number KP260966

Edition date 18.11.2014

- This official copy shows the entries subsisting on the register on 21 March 2021 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 21 March 2021 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, Camberton Office.

A: Property Register

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

CAMBERTON : BINGLEY

- 1 (23.09.1998) The **freehold** land shown edged with red on the plan of the above title filed at the Registry and being 28 Castle Way, Bingley (B21 8NR)

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 (18.11.2014) PROPRIETOR(S): MOIRA LUCY CROMPTON and PAULA JUDE CROMPTON
- 2 (18.11.2014) The price stated to have been paid on 10 October 2014 was £178,000.
- 3 (18.11.2014) 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.

Turn over

C: Charges Register

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

- 1 (04.11.1985) A Conveyance of the land in this title dated 23 September 1985 and made between (1) The Council of the Borough of Bingley and (2) William Brown contains restrictive covenants.

NOTE: Original filed

- 2 (18.11.2014) REGISTERED CHARGE dated 10 October 2014.
- 3 (18.11.2014) Proprietor: LODGERS BANK LTD of The Causeway, 18 Penny Way, Bolden, BO9 7AQ

End of register

[NOTE TO CANDIDATES: The plan and Conveyance dated 23.09.1985 have not been supplied and are not required for this examination.]

DOCUMENT 4

EMAIL

From: Themahmoods@kmail.com
To: Oogalu@kempstons.co.uk
Sent: 23 March 2021, 14:11
Subject: 5 Star Road

Good morning Oliver,

As you know, we have made an offer on 5 Star Road and are keen to progress to an exchange as soon as possible. The house is perfect for us, overlooking the common and close to the school.

We have a couple of questions that we would be grateful if you would advise us on:

1. Please provide us with some further advice as to how to hold the property. This is a second marriage for both of us and Sabrina has a child, Rebecca (aged 7), from her first marriage, so we want to make sure that all interests are protected.
2. We have a lot of items to move in and will be doing this ourselves, so need as long as possible on the day of completion. We were hoping to get the keys at 8 am on the day of completion. This will give us the full day to move in.

We look forward to hearing from you in respect of the above as soon as possible.

Kind regards

Abdul and Sabrina

End of Case Study Materials