



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.

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

Question 1

In relation to the sale of 25 Kynaston Road

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

- (a) Identify and explain **five** preliminary steps you would need to take, on your firm receiving initial instructions from your client to act in her sale of 25 Kynaston Road.

(5 marks)

- (b) Explain the reasons why a Property Information Form (Form TA6) is required and describe the legal effect of the replies given in the form. Give **two** examples of the type of information which the form will provide.

(5 marks)

- (c) Explain why your client should appoint a second trustee to act jointly with her in the sale of 25 Kynaston Road.

(5 marks)

- (d) Identify, and explain the purpose of, **five** documents which you would need to include in the pre-contract package to be sent to the buyer's lawyers on your client's sale of 25 Kynaston Road.

[Note: Do NOT refer to the Property Information Form in your answer.]

(5 marks)

(Total: 20 marks)

Question 2

In relation to the purchase of Rowton Cottage

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

- (a) Identify **five** financial aspects of your client's purchase of Rowton Cottage which you would need to discuss with him, on your firm receiving initial instructions to act for him in his purchase.

(5 marks)

- (b) Identify **two** potential conveyancing sources of information on planning matters relating to Rowton Cottage. Explain why you should check these planning matters before exchange of contracts on your client's purchase.

(5 marks)

- (c) In relation to your client's new mortgage on Rowton Cottage, explain:

- (i) why you would need to receive a copy of your client's mortgage offer prior to exchange of contracts;

(2 marks)

- (ii) what document you must provide to Pan Euro Bank plc before the mortgage advance will be released by the bank in readiness for completion, and the purpose of that document.

(3 marks)

- (d) In relation to the exchange of contracts on your client's purchase of Rowton Cottage, explain:

- (i) which Law Society Formula the seller's lawyer would require you to use and why that particular Formula would be used in this case;

(2 marks)

- (ii) how, on exchange of contracts, the deposit paid by your client would be held by the seller's lawyer.

(3 marks)

(Total: 20 marks)

Turn over

Question 3

In relation to post exchange of contracts, completion and post completion matters

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

- (a) Explain the purpose and effect of the result of the Form OS1 search of the register of Rowton Cottage that you would make at the Land Registry pre-completion.

(5 marks)

- (b) Describe **five** of the matters which you will need to check on the date of completion, before you proceed to complete your client's purchase of Rowton Cottage.

(5 marks)

- (c) Explain, in relation to the existing mortgage on 25 Kynaston Road:

- (i) the matters covered by the undertaking that you would give to the buyer's lawyer on or before completion of your client's sale;

(3 marks)

- (ii) the professional consequences for your firm in providing this undertaking.

(2 marks)

- (d) Identify, and explain the purpose of, **five** documents which you would send, when applying for registration of your client's purchase at the Land Registry.

(5 marks)

(Total: 20 marks)

End of Examination Paper