



## 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 3a John Street, Boddleston

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

- (a) Explain from where the deeds packet for 3a John Street will have been obtained by your firm and what professional undertaking your firm would have given when requesting the deed packet to be sent to it.

**[Note to candidates: You are not required to draft the undertaking].**

**(2 marks)**

- (b) You have been asked to draft the contract of sale under the Standard Conditions of Sale (Fifth Edition – 2018 Revision) ('SCS'). Explain:

- (i) how your firm will, under the SCS, hold the deposit received from the buyer on exchange of contracts;

**(2 marks)**

- (ii) how you will deal with Ian White's occupation of 3a John Street in the contract and why the buyer's conveyancer will require this.

**(7 marks)**

- (c) Identify which document you would provide to Mr Cooper's conveyancers in relation to the structure of 3a John Street and explain what is covered under the terms of this document at the time of this sale.

**(4 marks)**

Amrit Blade & Co will carry out a local search on 3a John Street on behalf of Mr Cooper.

- (d) Describe which **two** forms will be used to make a local search and give **two** examples of information that the local search result could provide.

**(4 marks)**

**(Total: 19 marks)**

## Question 2

### In relation to the purchase of Honeysuckle Cottage, Coal Lane, Bixtone

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

- (a) Explain what additional document of title you would request from Masons LLP to prove that Ms Blake can sell the property.

**(3 marks)**

The replies to the Fittings and Contents Form (TA10) that Ms Blake has supplied indicate that there is a garden shed at the property which the seller erected and intends to leave on completion.

- (b) Explain what title issue this raises for your clients and how this issue could be resolved by Ms Blake.

**(7 marks)**

- (c) Identify the class of title which applies to Honeysuckle Cottage and explain what this means.

**(5 marks)**

- (d) Explain the effect of Miss Patel and Mr White owning as beneficial joint tenants.

**(4 marks)**

You are looking at the entries in the property register of Honeysuckle Cottage.

- (e) Identify which pre contract search you would make as a result of these entries and explain why such a search will be necessary.

**(4 marks)**

**(Total 23 marks)**

**Turn over**

### Question 3

#### **In relation to the exchange and completion on 3a John Street and Honeysuckle Cottage**

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

You are now ready to exchange contracts on both your clients' sale and purchase by telephone.

- (a) **In relation to the sale of 3a John Street**, identify which Law Society Formula you would use to exchange contracts and state why you would use this particular Formula.

**(2 marks)**

- (b) Explain the rate of stamp duty land tax (SDLT) which will be applicable to your clients' purchase and how much tax they will have to pay upon completion of their purchase.

**(2 marks)**

You are preparing for completion.

- (c) In your answer booklet, draft the **contents only** of a pre-completion checklist **for the sale of 3a John Street**.

**(8 marks)**

- (d) Identify and explain the purpose of each of the documents that you will send to the Land Registry when applying for registration of your clients' purchase of Honeysuckle Cottage.

**(6 marks)**

**(Total: 18 marks)**

**End of Examination Paper**