

**CASE STUDY MATERIALS**

January 2017  
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**

- You will be provided with a clean copy of the case study materials in the examination.
- You are **NOT** permitted to take your own copy of the case study materials or any other materials including notes or textbooks into the examination.
- In the examination, candidates must comply with the CILEx Examination Regulations.

***Turn over***

\* 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. You are assisting conveyancing partner Susan Shah in two **unrelated** conveyancing transactions.

The two transactions are for different clients:

- (a) a sale of Grove Cottage, Holly Lane, Cattletown by the Executor of the late Diane Knowles;
- (b) a joint purchase of 18 Weston Road, Pebblebridge by Jane Lewis and Sultana Uddin.

More information about the two transactions is contained in the two file notes prepared by Susan Shah (see **Document 1**).

- Document 1** Two file notes prepared by Susan Shah
- Document 2** Estate Agent's Particulars of Sale for Grove Cottage, Holly Lane, Cattletown
- Document 3** Land Registry Official Copies of the register entries for Grove Cottage, Holly Lane, Cattletown
- Document 4** Estate Agent's Particulars of Sale for 18 Weston Road, Pebblebridge
- Document 5** Land Registry Official Copies of the register entries for 18 Weston Road, Pebblebridge

Land Registry Title Plans are not provided and will **not** be required for the assessment.

## DOCUMENT 1

### **File Note – Sale of Grove Cottage, Holly Lane, Cattletown**

We are acting in the sale of Grove Cottage for Peter Knowles, who is the Executor of the estate of his late mother, Diane Knowles. Peter tells me that his late father, William Knowles, died on 24 May 2010 and that his mother, Diane, died on 7 September 2016. The property, which is free of any mortgage, is currently unoccupied.

The Executor has not been able to locate any title documents relating to the property. However, I have carried out the appropriate official search in relation to the title, which has enabled me to obtain official copy register entries for Grove Cottage.

I have opened a new file for this matter, which currently contains only the estate agent's particulars (**Document 2**) and Land Registry official copy register entries (**Document 3**). The Executor would like the sale to be completed reasonably quickly.

### **File Note – Purchase of 18 Weston Road, Pebblebridge**

We are acting for two friends, Jane Lewis and Sultana Uddin, in their joint purchase of 18 Weston Road, Pebblebridge. They are currently living together in rented accommodation, which they will vacate on completion of their purchase. They are two single women who have known each other since starting university together. They are both now working. Having shared rented accommodation together for a while, they would now like to get onto the property ladder by buying a house jointly. They each have some savings to put towards the joint purchase and hope that, in another few years, they will each have saved enough money to buy a house of their own.

Jane and Sultana will each contribute £25,000 from their own savings towards the joint purchase (total joint contribution £50,000). They have also jointly applied to Pan Euro Bank plc for a £100,000 mortgage advance to assist them in their purchase. Their intention is that they will own the property equally and will contribute equally towards future mortgage repayments and household expenses.

They asked about the need for a survey of the property. I advised them of the various options for this, and they will have a discussion between themselves as to which option they want to go for.

These are new instructions, and all I currently have on the file are the estate agent's particulars (**Document 4**) and Land Registry official copy register entries (**Document 5**). Our clients are keen to move out of their rented accommodation and would therefore like an early completion of their purchase. The seller is also keen to complete quickly as he and his wife are splitting up, although they currently both still live at the property. The seller's lawyers have confirmed that they, like our own firm, will be adopting the Law Society's Conveyancing Protocol.

**Turn over**

**DOCUMENT 2**

WADE AND GRAYSON  
Estate Agents

Tel: 01873 845000  
Fax: 01873 845001

30 High Street  
Cattletown  
CT5 0JS

**Estate Agent's Particulars of Sale**

<b>Property:</b>	Grove Cottage, Holly Lane, Cattletown, CT2 1JL
<b>Seller:</b>	Mr Peter Knowles, 5 School Avenue, Bayford, B28 4BD (as Executor)
<b>Buyer:</b>	Mr Carl Meyzor, 3 High Street, Pebblebridge, PB4 5AE
<b>Tenure:</b>	Freehold with vacant possession
<b>Price:</b>	£290,000
<b>Commission:</b>	2% (plus VAT) payable on completion
<b>Seller's lawyers:</b>	Kempstons Solicitors, Kempston Manor, Kempston, MK42 7AB (ref: Ms S. Shah)
<b>Buyer's lawyers:</b>	Bains Montague, 3 Exchange Street, Cattletown, CT1 4DD (ref: Mr A. Bains)
<b>Additional Information:</b>	This is a sale by an Executor. Sale subject to contract and to buyer's mortgage offer and survey. Buyer has no dependant sale.

DOCUMENT 3

**OFFICIAL COPY OF REGISTER ENTRIES**

This official copy shows the entries subsisting on the register on **4 January 2017 at 10:17:00**

**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 4 January 2017

Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.

For information about the register of title see Land Registry website [www.landregistry.gov.uk](http://www.landregistry.gov.uk) or Land Registry Public Guide 1: *A guide to the information we keep and how you can obtain it.*

This title is dealt with by **Land Registry Maradon Office.**

**Land Registry**

Title Number: CT310539

Edition Date: 15 November 2004

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**A: Property Register**

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

SUNSHIRE: CATTLETOWN

1. (15.11.2004) The **freehold** land shown edged with red on the plan of the above title filed at the Registry and being Grove Cottage, Holly Lane, Cattletown, CT2 1JL.

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**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. (15.11.2004) PROPRIETOR(S): WILLIAM KNOWLES and DIANE KNOWLES of Grove Cottage, Holly Lane, Cattletown, CT2 1JL.
2. (15.11.2004) The price stated to have been paid on 3 November 2004 was £200,000.

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**C: Charges Register**

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

1. (15.11.2004) A Conveyance of the land in this title dated 2 March 1948 and made between (1) John Marginson and (2) William Brookes contains restrictive covenants.

*NOTE: Copy filed*

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**END OF REGISTER**

**Turn over**

**DOCUMENT 4**

WADE AND GRAYSON  
Estate Agents

Tel: 01873 845000  
Fax: 01873 845001

30 High Street  
Cattletown  
CT5 0JS

**Estate Agent's Particulars of Sale**

<b>Property:</b>	18 Weston Road, Pebblebridge, PB5 2AB
<b>Seller:</b>	Mr Malcolm Reynolds, 18 Weston Road, Pebblebridge, PB5 2AB
<b>Buyers:</b>	Miss Jane Lewis and Miss Sultana Uddin, 12 Langford Road, Cattletown, CT3 4BW
<b>Tenure:</b>	Freehold with vacant possession
<b>Price:</b>	£150,000
<b>Commission:</b>	2% (plus VAT) payable on completion
<b>Seller's lawyers:</b>	Paris Andrei, 65 High Street, Cattletown, CT1 3XY (ref: Mr D. Paton)
<b>Buyers' lawyers:</b>	Kempstons Solicitors, Kempston Manor, Kempston, MK42 7AB (ref: Ms S. Shah)
<b>Additional Information:</b>	Sale subject to contract and to buyers' mortgage offer and survey. Buyers have no dependant sale. Seller is buying another property and so has a dependant purchase.

DOCUMENT 5

**OFFICIAL COPY OF REGISTER ENTRIES**

This official copy shows the entries subsisting on the register on **5 January 2017** at **11:23:00**

**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 5 January 2017

Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.

For information about the register of title see Land Registry website [www.landregistry.gov.uk](http://www.landregistry.gov.uk) or Land Registry Public Guide 1: *A guide to the information we keep and how you can obtain it.*

This title is dealt with by **Land Registry Maradon Office.**

**Land Registry**

Title Number: PB118529

Edition Date: 11 July 2012

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**A: Property Register**

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

SUNSHIRE: PEBBLEBRIDGE

1. (15.04.1998) The **freehold** land shown edged with red on the plan of the above title filed at the Registry and being 18 Weston Road, Pebblebridge, PB5 2AB.
2. (15.04.1998) The land has the benefit of the rights reserved by a Conveyance of adjoining land dated 25 May 1982 and made between (1) John Tudor (Vendor) and (2) Adrian Heath (Purchaser):

'EXCEPT AND RESERVED unto the Vendor for the benefit of the Vendor's retained land all rights of light and air over the land hereby conveyed.'

NOTE: the land in this title falls within the Vendor's retained land referred to above.

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**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. (11.07.2012) PROPRIETOR(S): MALCOLM REYNOLDS of 18 Weston Road, Pebblebridge, PB5 2AB.

**Turn over**

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2. (11.07.2012) The price stated to have been paid on 20 June 2012 was £125,000.
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### **C: Charges Register**

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

1. (11.07.2012) REGISTERED CHARGE dated 20 June 2012.
  2. (11.07.2012) Proprietor: CATTLETOWN BUILDING SOCIETY of 103 High Street, Cattletown, CT5 0JT.
  3. (21.10.2016) NOTICE of home rights under the Family Law Act 1996 in favour of Mary Reynolds of 18 Weston Road, Pebblebridge, PB5 2AB, the spouse or civil partner of Malcolm Reynolds.
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**END OF REGISTER**

**End of Case Study Materials**

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