



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 the 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 Grove Cottage

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

- (a) Identify the type of official search carried out in relation to the title to Grove Cottage (as referred to in Document 1), and explain how it could have been applied for and what information would have been provided by the search result.

(4 marks)

- (b) List, and explain the purpose of, the additional documents required to prove your client's title as Executor to Grove Cottage, which you would need to send to the buyer's lawyers as part of the pre-contract package.

(5 marks)

- (c) Identify which Law Society Formula you would use on exchange of contracts for the sale of Grove Cottage, and explain why you would use that particular Formula.

(2 marks)

- (d) In relation to the Law of Property (Miscellaneous Provisions) Act 1994:

- (i) identify which type of title guarantee you would advise your client to give in relation to his sale of Grove Cottage, and explain why you would do so;

(2 marks)

- (ii) list the implied covenants for title which would be given under that type of title guarantee.

(4 marks)

(Total: 17 marks)

Question 2

In relation to the purchase of 18 Weston Road

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

(a) Identify the additional pre-contract enquiry on title which you would raise with the seller's lawyers in relation to 18 Weston Road (title number PB118529); explain why you would do this and what action you would require them to take.

(7 marks)

(b) Describe **two** types of search you would carry out before exchanging contracts on your clients' purchase of 18 Weston Road and give **one** example of the information that each search will provide.

(4 marks)

(c) Identify the different types of survey upon which your clients could rely in their purchase of 18 Weston Road, and state **one** advantage of them commissioning their own survey.

(5 marks)

(d) Explain what advice you would give your clients about:

(i) the best option for their future co-ownership of 18 Weston Road;

(4 marks)

(ii) any additional document they should complete in relation to their co-ownership and what details it should contain.

(4 marks)

(Total: 24 marks)

Turn over

Question 3

In relation to post-exchange of contracts, completion and post-completion matters relating to the purchase of 18 Weston Road

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

Attachment: **Document A** – Certificate of Title

- (a) Complete boxes 1 to 3 of the Certificate of Title, attached as **Document A**, which you would send to the Pan Euro Bank in relation to your clients' purchase.

Important: Write your candidate number on Document A and attach it securely to the inside of your answer booklet.

(3 marks)

- (b) Explain the purpose of the redemption statement, which the seller's lawyers will need to obtain from Cattle town Building Society in relation to 18 Weston Road prior to completion.

(5 marks)

- (c) In relation to the procedures for completion of your clients' purchase of 18 Weston Road on the completion date, explain:

(i) what amount of money you would need to send to the seller's lawyers, by what time, and how you would do this;

(3 marks)

(ii) what you would need the seller's lawyers to confirm to you on that date as a result of payment of this money.

(3 marks)

- (d) Explain the importance of applying to the Land Registry for registration of your clients' purchase of 18 Weston Road. State when you should do this and the consequences of failure to do so.

(5 marks)

(Total: 19 marks)

CML Report on Certificate of Title to be used with Question 3(a):



Law Society and Council of Mortgage Lenders Approved Certificate of Title - Short form

As an alternative to printing the [Approved Certificate of Title](#) for each transaction, it is acceptable for a lender to use this short form.

Details box

Details not required should be shaded out or stated not to be required.

| | |
|---|---|
| TO: (Lender) | |
| Lender's Reference or Account No: | |
| The Borrower: | Jane Lewis and Sultana Uddin |
| Property: | 18 Weston Road Pebblebridge PB5 2AB |
| Title Number: | [Box 1] |
| Mortgage Advance: | [Box 2] |
| Price stated in transfer: | [Box 3] |
| Completion Date: | |
| Conveyancer's Name & Address: | |
| Conveyancer's Reference: | |
| Conveyancer's bank, sort code and account number: | |
| Date of instructions: | |

WE THE CONVEYANCERS NAMED ABOVE, give the Certificate of Title referred to in IB (3.7) of the SRA Code of Conduct 2011, published by the Law Society, as if the same were set out in full, subject to the limitations contained in it.

Administrative details, such as a request for cheque, may follow here.

End of Examination Paper

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