

## 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 the 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 ILEX 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 ball point 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 following ILEX qualifications: **LEVEL 3 CERTIFICATE IN LAW AND PRACTICE** and **LEVEL 3 PROFESSIONAL DIPLOMA IN LAW AND PRACTICE**

### Question 1

Reference: Question relates to **Document 1** of the case study materials.

#### In relation to the sale of 17 Telemark Close:

- (a) Explain the procedure you would follow to make a due diligence title check of your clients' existing title to 17 Telemark Close and what matters, in particular, you would look for.
- (7 marks)**
- (b) Following your due diligence title check, draft the contents of an initial letter which you would write to the Buyers' conveyancers. Include in your letter a list of the documents you would enclose. (You must indicate to whom the letter is addressed. Your firm's letter heading is not required).
- (9 marks)**
- (c) Explain the purpose of the Property Information Form in respect of 17 Telemark Close. Give **two** examples of information which your clients would be asked to provide in that form.

**(4 marks)**

**(Total: 20 marks)**

## Question 2

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

### In relation to the purchase of 6 Cranbury Walk:

- (a) In relation to the draft Contract for the Sale of 6 Cranbury Walk (**Document 3**) explain the legal significance of the following draft contractual provisions:
- (i) Full Title Guarantee; **(4 marks)**
  - (ii) A property sold with vacant possession (Special Condition 4); **(2 marks)**
  - (iii) Occupier's consent (Special Condition 6). **(5 marks)**
- (b) Explain why you would obtain a Land Registry Title Plan for title CT785234, what information you would expect it to contain and what due diligence check you would make in respect of it. **(5 marks)**
- (c) Explain why it is important to obtain a written mortgage offer in relation to your clients' proposed purchase of 6 Cranbury Walk. **(2 marks)**
- (d) Explain to whom you would apply for a Drainage and Water Search. What information would be contained in it? **(2 marks)**
- (Total: 20 marks)**

### Question 3

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

#### **General matters relating to contract exchange, completion and post-completion**

(a) Explain the procedure you would follow to achieve a simultaneous exchange of contracts on your clients' sale and purchase.

**(8 marks)**

(b) In relation to the completion of your clients' sale of 17 Telemark Close, explain at what point you would regard it as safe to advise your clients to release the keys to Mr and Mrs Wicks to allow them into occupation of that property.

**(2 marks)**

(c) List and explain the purpose of each document you would lodge with HM Land Registry to register your clients' title to 6 Cranbury Walk.

**(10 marks)**

**(Total: 20 marks)**

**End of Examination Paper**