

# The Licensed Conveyancer

DECEMBER 2008

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## The Society's Board of Management

John C Clay (Chairman)  
Nicola M Brown (Director)  
Lyn E Lyons (Company Secretary)  
Beth de Montjoie Rudolf (CEO)  
Michael J Wey (Director)

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Tricia L Money  
(Administrative Secretary)

## Message from the Chairman - John Clay

### New Appointments

As reported in our October bulletin, Mrs Lyn Lyons, a Practising Member, stood for election to the Board of Management at this year's AGM. We now welcome Mrs Lyons to the Board. Many of you know Lyn from various AGMs she has attended and will know how enthusiastic she is that the Society provides support and advice to Licensed Conveyancers, and in these trying times, the Society's help is in demand more than ever. Lyn has also kindly agreed to take on the role of Company Secretary. I am sure you will all join me in welcoming her to the challenge!

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We also welcome back to the Board, Bethany de Montjoie Rudolf but this time as our new Chief Executive Officer. For those who do not know her, Beth served for 6 months on the Board in 2007 so already has vital inside knowledge of the Society and is ideally placed to take up the reins.

Familiar to the lobbying process, Beth has contributed to the original HIPs consultation and the Beardsall Review as well as speaking at the Conservative Home Buy Review and attending Chain Matrix focus groups at HM Land Registry. A regular contributor to the industry press and experienced radio presenter, she is ideally placed to take forward the aims of the Society. Having worked in the offices of both a sole practitioner and a volume conveyancer during the last recession, she knows full well the difficulties everyone is experiencing in the current climate and her first duty as CEO is to improve the member benefits to assist our membership in surviving the market plummet ('downturn' just doesn't seem to cover it anymore!).

## New appointments cont'd ...

Beth is already in talks with search companies and insurance providers as well as 'lifestyle' companies to ensure that not only can you get your searches at similar rates to the larger companies but also get discounted hotel rooms and theatre tickets when you finally get a moment to relax ... watch this space for updates on membership benefits over the coming weeks.

If you have any queries or ideas as to what would help you and your practice then please do get in contact with Beth at [mail@conveyancers.org.uk](mailto:mail@conveyancers.org.uk) but in the meantime she will be trying to contact as many as possible of you to introduce herself and obtain your views.

## DX SUCCESS

I was delighted to hear that several Practising Members had successfully renegotiated a price reduction on their DX bills following my e-news letter to members of 5<sup>th</sup> September - as much as 66% for one of our members. My thanks to you for passing on the good news! If any other members have been successful in any similar negotiations, please let me know so that we can pass your tips on to our membership. Thank you.

## News from the Land Registry

You will recall in the last edition that I reminded you of the impending change to the Land Registry forms; well having finally published the forms only days before implementation, it would appear that the Land Registry have been somewhat taken aback by the problems the new ID provisions have created. They were so overwhelmed with the errors and incomplete forms that they implemented a 'transitional period' *after* the event, to give the industry a chance to adjust.

Our CEO, recently attended a meeting with Pascal Lalande who is the Registration Change Group Leader for the Land Registry.

At the meeting Beth was able to establish that within your application for registration you will need to either:-

- a) Confirm that you represent the party; or
- b) Confirm the name, address and reference of the Conveyancer who does represent the party; or
- c) Completed form ID1 or ID2; or
- d) Complete the certificate at panel 13(2) of the Form AP1 to confirm that you can certify that sufficient steps have been taken to verify the identity of the party. This though will only work for Transferors, Lessors and Chargees but beware if there is an Attorney involved.

Pascal advised that 'The statement does not work for attorneys. In such cases I suggest it is adjusted to say "*I am satisfied that sufficient steps have been taken to verify the identity of ....., the attorney of .....*". This may mean giving this statement in a covering letter, or where an AP1 is completed online, panel 13 can be expanded to allow the additional statement to be added'. Pascal confirmed that he would be sending notification to the local Land Registries confirming that they should accept such a statement.

It's not often that such circumstances arise but if they do it is helpful to know what is expected.

It is recommended that you review your preliminary enquiries and requisitions on title to ensure that you obtain the seller's commitment to provide you with sufficient documentation to comply with the new requirements. Making these a document of title will afford you extra comfort.

The Land Registry are applying a 'soft touch' for the next few weeks but after that, if your application is not compliant it will be rejected.

For full details please see the Land Registry's Practice Guide 67 which we understand will be further updated shortly. The Law Society has also produced a Practice Note as at 4<sup>th</sup> December 2008(!) which can be viewed in their products and services section at <http://www.lawsociety.org.uk>.



***Who said Xmas was over commercialised?***

*Beth's son was very confused after his nativity play rehearsal. 'If it is Jesus' birthday why aren't we buying him a Christmas present?'*

*Preparing for a full philosophical debate and drawing on her deep Christian knowledge Beth answered 'No, it's the other way around, Jesus was God's gift to us' To which her 5 year old replied 'I'd rather have a Wii'*

## HOME INFORMATION PACKS

The CLG has finally announced that the 28 days marketing provision is to expire on 5<sup>th</sup> April 2009. This means that from 6<sup>th</sup> April 2009 all properties in England and Wales will need a HIP.

They have also introduced a Property Information Questionnaire which will be required in the HIP from 6<sup>th</sup> April 2009.

For Leasehold properties PIQ will contain a summary of leasehold information. In the meantime, from 1<sup>st</sup> January 2009 a copy of the Lease will be the only additional document required in the HIP until 6<sup>th</sup> April 2009. Finally, the transitional insurance cover provision has also ended.

There is to be an OFT study of the buying and selling process and we hope to represent the Licensed Conveyancer's interests in this process. Full details of the government announcement can be viewed at [www.communities.gov.uk](http://www.communities.gov.uk).

## Successful Student Recruitment Drive

I am delighted to report that our recent student recruitment drive has proved very successful with many students contacting the Society in response to the advertorial page in Edition 56 or the Chronicle. If you have any students in your practice then please pass on the Society's details so that they too can enjoy the benefit which membership of the Society brings.

Student membership is only £30 a year if paid by direct debit but provides priceless advice and support to ensure all our students have every opportunity of success in their studies.

### **Did You Know ...**

*If you pitch low on your DX usage, if you go over your threshold they automatically will move you up to the next payment band but; if you pitch too high they will not automatically move you down a band!*

## Thank you!

The Board of Management wishes to thank Bronwyn Roberts for her continuing efforts to promote the Society to her fellow student colleagues. Bronwyn joined the Society in 2006 and has successfully recruited other students to join us. *Thank you, Bronwyn!*

## Welcome to new Members & Associates

The Society is delighted to welcome its most recent new joiners:

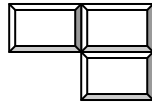
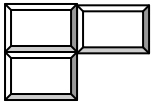
Gemma Howell, Richard Espley, Amy Settle, Nicholas Hawkins, and Deborah Cassapi.

## It's that time of year again!

Finally, just to remind you that membership renewal applications for 2009 will be sent out in the next day or two. The Board of Management recognises that it has been a tough year for many of our members, and the importance to the Society of retaining members. After careful consideration, the Board has significantly reduced the membership subscription rates for 2009.

Please let us have your renewal applications as soon as possible - if received by 31<sup>st</sup> December you will also be entitled to the *prompt payment discount* so don't delay.

Many of our membership prefer an annual direct debit payment for ease of administration but for those wishing to pay in instalments we offer a monthly direct debit facility.



**Polite Reminder ...** Only paid up members of the Society are entitled to use the post nominal letters SocLC and display the Society logo on their letterheads and website! (We do check!!)

**Advertise here ...** if you have a service which you would like to advertise to our membership then contact Tricia Money at [mail@conveyancers.org.uk](mailto:mail@conveyancers.org.uk) for members the rates are discounted to £10 to cover the administrative overhead.

Remember, we welcome feedback from Members and Associates on any of the Newsletter's content, issues of concern, or even suggestions for future issues.

John C Clay  
Chairman



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