

Land Registry

Statement of truth in support of an application based upon adverse possession of a rentcharge

ST2

If you need more room than is provided for in a panel, and your software allows, you can expand any panel in the form. Alternatively use continuation sheet CS and attach it to this form.

If a joint statement is made by two or more persons, consequential amendments can be made to the text in the panels (for example, 'I' can be changed to 'we').

Land Registry is unable to give legal advice but our website www.landregistry.gov.uk provides guidance on Land Registry applications. This includes public guides and practice guides (aimed at conveyancers) that can also be obtained from any Land Registry office.

Insert full name.

Insert full address.

Place 'X' in one box only.

This is for cases where the squatter is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the squatter.

Insert reasons and describe the relationship of the person making the statement to the person on whose behalf it is made. Enclose any relevant documentation (for example, office copy grant of probate).

Place 'X' in the appropriate box and complete the relevant statement.

Insert address including postcode (if any) or other description of the property out of which the rentcharge issues, for example 'land adjoining 2 Acacia Avenue'.

Insert title number(s).

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| | <p>1 I: of: make this statement in support of an application to Land Registry based upon adverse possession of a rentcharge</p> |
| | <p>2 Status</p> <p>I am</p> <p><input type="checkbox"/> the person currently in adverse possession of the rentcharge</p> <p><input type="checkbox"/> a person who was previously in adverse possession of the rentcharge</p> <p><input type="checkbox"/> making this statement on behalf of: who is currently or was previously in adverse possession but who cannot make this statement for the following reasons:</p> |
| | <p>3 Details of the rentcharge</p> <p><input type="checkbox"/> The rentcharge is registered under title number(s):</p> <p><input type="checkbox"/> The rentcharge is not registered</p> |

Place 'X' in one of the two boxes.

Insert details of any formal apportionment and enclose relevant documentation.

Insert the dates the adverse possession started and finished. Any 'gaps' must be specified if the period is not continuous. Only include the period of adverse possession by the person making this statement or on whose behalf it is made.

Insert details of the acts relied on. Unless non-payment is being claimed, give details of all the payments of the rent to you or the person on whose behalf this statement is made (including amounts and dates), and details of the rent paid to anyone else.

Place 'X' in the appropriate box(es) and complete the statement if appropriate.

Insert details, including the date of expiry or determination.

Insert details.

Insert name and address of any known owner of the rentcharge or person thought to be the owner and/or mortgagees. If not known, please state this by inserting 'not known'. If the rentcharge is unregistered, copies of any title deeds or other relevant documentation should be lodged, if available.

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| 4 | Apportionment |
| <input type="checkbox"/> The rentcharge does not affect other property <input type="checkbox"/> The rentcharge was formally apportioned by: | |
| 5 | Period of adverse possession of the rentcharge: |
| 6 | Acts of adverse possession of the rentcharge: |
| 7 | <p>Permission to possess the rentcharge</p> <p>The possession of the rentcharge has been</p> <input type="checkbox"/> without the consent, licence or permission of anybody at any time |
| <input type="checkbox"/> by virtue of the following consent, licence or permission which has expired or determined: | |
| <input type="checkbox"/> by virtue of the following consent, licence or permission: | |
| 8 | Details of any known owner of the rentcharge or person thought to be the owner and related persons: |

Insert details of any past or present contact with the owner of the rentcharge or person thought to be the owner and/or mortgagees of that person, including dates. If none, please state this by inserting 'none'. If there has been any dispute concerning the adverse possession, insert details, including dates. Attach copies of all available correspondence or other documents relating to the contact or dispute.

Insert other relevant details, (if any).

Place 'X' in the box against each of the statements being made, and complete the final statement if it is being made. You must make the first four statements, otherwise your application may be cancelled.

Insert details of the facts.

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| 9 | Contact with owner of the rentcharge and related persons |
| 10 | Other relevant details |
| 11 | <p>If the application is under paragraph 1 of Schedule 6 to the Land Registration Act 2002 (as applied to rentcharges by rule 191 of, and Schedule 8 to, the Land Registration Rules 2003) AND you are the applicant</p> <ul style="list-style-type: none"><input type="checkbox"/> Paragraph 1(2) of Schedule 6 to the Land Registration Act 2002 does not apply<input type="checkbox"/> I confirm that that the proprietor of the registered rentcharge has not re-entered the land out of which the rentcharge issues<input type="checkbox"/> I confirm that to the best of my knowledge the restriction on applications in paragraph 8 of Schedule 6 to the Land Registration Act 2002 does not apply<input type="checkbox"/> I confirm that to the best of my knowledge the rentcharge is not, and has not been during any of the period of claimed adverse possession, subject to a trust (other than one where the interest of each of the beneficiaries is an interest in possession)<input type="checkbox"/> Should a person given notice under paragraph 2 of Schedule 6 to the Land Registration Act 2002 require the application to be dealt with under paragraph 5 of that Schedule, the facts supporting my reliance on one or both of the conditions set out in that paragraph are as follows: |

Place 'X' in the box against each of the statements being made, and complete the final statement if it is being made. You must make the first four statements, otherwise your application may be cancelled.

Place 'X' in the box against each of the statements being made, and complete the final statement. You must make all these statements, and complete the final statement, otherwise your application may be cancelled.

Insert full details.

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

Where the application is being made under Schedule 6 and the person making this statement, or on whose behalf it is made, is the applicant, the statement must be made not more than one month before the date of the application.

WARNING

If the application proceeds, notice of the application (accompanied by a copy of this statement of truth) may be sent by the registrar to the owner of the land or any person thought to be the owner and/or any other person upon whom the registrar considers it necessary or desirable to serve notice.

If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Failure to complete this form with proper care may result in a loss of protection under the Land Registration Act 2002 if, as a result, a mistake is made in the register.

Under section 66 of the Land Registration Act 2002 most documents (including this form) kept by the registrar relating to an application to the registrar or referred to in the register are open to public inspection and copying. If you believe a document contains prejudicial information, you may apply for that part of the document to be made exempt using Form EX1, under rule 136 of the Land Registration Rules 2003.

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| 12 | <p>If the application is under paragraph 6 of Schedule 6 to the Land Registration Act 2002 (as applied to rentcharges by rule 191 of, and Schedule 8 to, the Land Registration Rules 2003) AND you are the applicant</p> <p><input type="checkbox"/> Paragraph 6(2) of Schedule 6 to the Land Registration Act 2002 does not apply</p> <p><input type="checkbox"/> I confirm that to the best of my knowledge the restriction on applications in paragraph 8 of Schedule 6 to the Land Registration Act 2002 does not apply</p> <p><input type="checkbox"/> I confirm that to the best of my knowledge the rentcharge is not, and has not been during any of the period of claimed adverse possession, subject to a trust (other than one where the interest of each of the beneficiaries is an interest in possession)</p> <p><input type="checkbox"/> I confirm that that the proprietor of the registered rentcharge has not re-entered the land out of which the rentcharge issues</p> <p><input type="checkbox"/> The full details of the rejected application are as follows:</p> |
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| 13 | <p>I believe that the facts and matters contained in this statement are true</p> <p>Signature (of person making this statement):</p> <p>Print full name:</p> <p>Date:</p> |
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