

How to avoid requests for information (requisitions)

A day in the life of a caseworker activity

Presenter: Joe Douglass


© Crown Copyright: HM Land Registry, 2023

The information and material provided in these workshops is licensed under the Non-Commercial Government Licence for public sector information. To view this licence, visit <https://www.nationalarchives.gov.uk/doc/non-commercial-government-licence/version/2/>.


The Information is licensed 'as is' and the Information Provider excludes all representations, warranties, obligations and liabilities in relation to the Information to the maximum extent permitted by law.


The Information Provider is not liable for any errors or omissions in the Information and shall not be liable for any loss, injury or damage of any kind caused by its use. The Information Provider does not guarantee the continued supply of the Information.

The information and material provided in this training workshops is correct at the date of publication, June 2023.

HM Land Registry 

Spot the requisition points



HM Land Registry 

We understand that when you lodge an application with HM Land Registry, it is the end of a long and often complicated process. We know this often means that what may seem like obvious errors to our caseworkers are not apparent to you by the time you get to this stage.

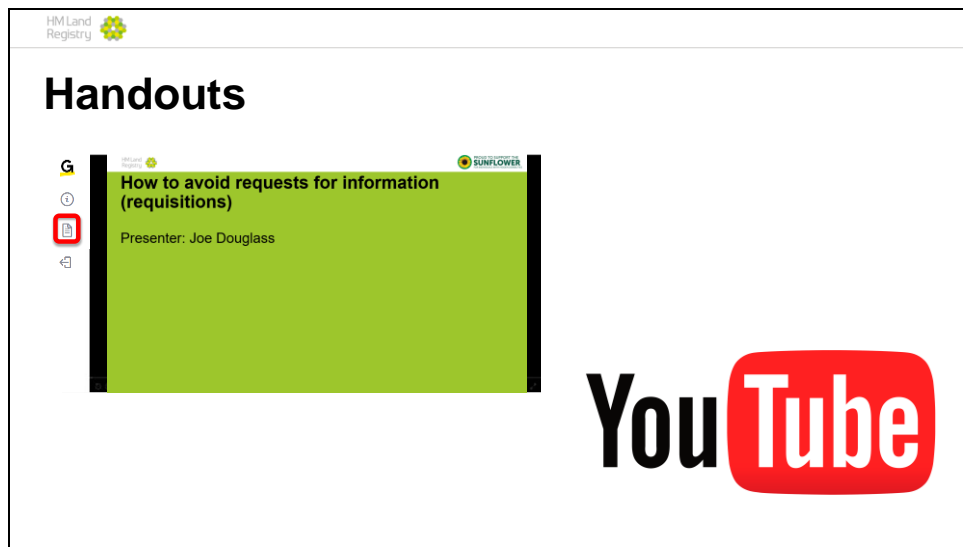
So, we've designed an activity which asks you to consider an application from the point of view of an HM Land Registry caseworker looking at an application.

You have a number of documents which together make up an application. The register and documents are, of course, fictitious, but they do represent many of the most common avoidable requisition points.

Your task is to work through the application and identify points which require further information. Note down all the points that require further information or clarification.

Once you think you've spotted everything, move through the slides that follow. These explain both the points that must be resolved for the application to proceed and the points which would not prevent registration.


Slide 3




You will shortly need to access the handouts icon to complete this activity as well as to download the webinar slides and speaker notes after the session.


You can access the handouts from our [HM Land Registry GoToStage](#) by clicking on the icon highlighted with the red box on screen.

YouTube watchers can click the link in the description below the [video](#).

HM Land Registry 

Spot the requisition points

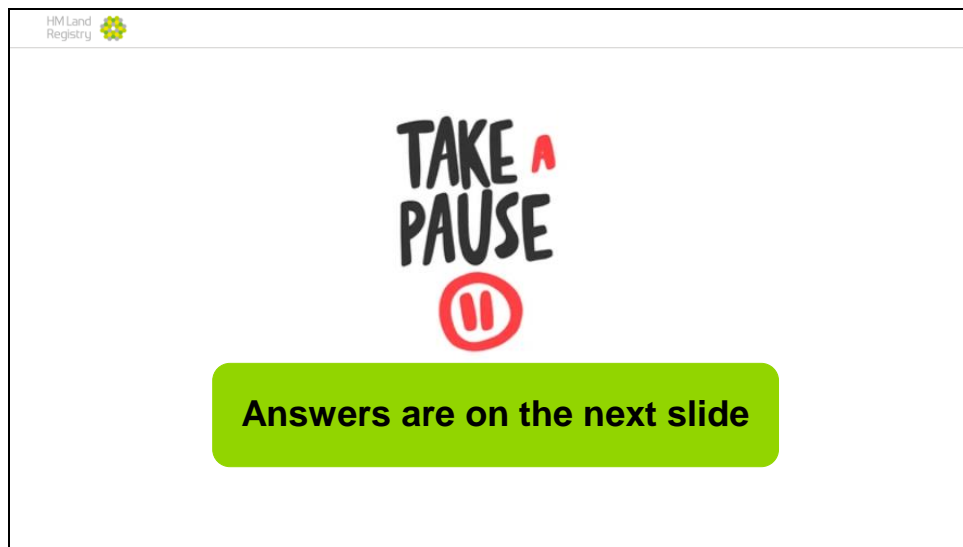


HM Land Registry 

The next few slides are the answers to the activity. You may want to pause the video as required. Take your time to read through them, as they highlight all the issues with the application and how they could be resolved.


While this example application is perhaps a bit extreme, it's important to note that the vast majority of the points covered in this presentation could be avoided with a few careful checks before lodging an application.

Slide 5



Please pause the webinar now to take time to work through the activity, the answers will follow next.

Slide 6



Points that must be resolved

Requisition point	Issue	Solution
1	Name variations i) Paul Jonathan Phillips (AP1) / Paul Jonathon Phillips (TR1, Charge & Certificate) ii) Mary Anne Jones (AP1) / Mary Ann Jones (TR1, Charge & Certificate) iii) Barbara Brown (AP1 & TR1) / Barbara Louise Brown (Probate) iv) XYZ Bank (AP1) / XYZ Bank PLC (Charge)	i) & ii) You act for the transferees - confirm the correct names, amend documents accordingly. * iii) Confirm the correct name of the transferor - either provide evidence or tell us what evidence you have seen. Amend documents accordingly.* iv) Confirm the correct name of the lender / amend documents accordingly.*

AP1 Form


Name of transferor, landlord, transferee, tenant, borrower or lender Barbara Brown Transferor Paul Jonathan Phillips and Mary Anne Jones Transferees XYZ Bank	Conveyancer's name, address and reference P&Q Solicitors LLP 10 High Street Brighton BN1 9BF Reference: FT/807BB Reference: Reference:
--	--

TR1 Form

4 - Transferor: Barbara Brown For UK incorporated companies, LLPs Registered number of company or limited liability partnership including any prefix: For overseas companies (a) Territory of incorporation: (b) Registered number in the United Kingdom including any prefix: 5 - Transferee for entry in the register: Paul Jonathan Phillips and Mary Ann Jones	The Last Will and Testament of Clara Taylor (An official copy of which is available from the Court) was proved and registered before the High Court of Justice. The Administration of Clara Taylor's estate is granted by this court to the following Executor Barbara Louise Brown 22 Halkrags, East Woldshall B1 2HH United Kingdom <div style="background-color: #a6a6a6; padding: 2px; text-align: center; margin-top: 5px;">Mortgage deed</div> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> Mortgage Deed Reference Number: 335666745 Date: 10/06/2022 Lender: XYZ Bank PLC (Incorporated in England and Wales with registered number 01222454) of 75 The Road, Coventry CV4 9JH </div>
--	--

*If a document is amended, make sure you confirm WHO made the amendment and that they had the authority to do so.

Slide 7



Points that must be resolved

	Requisition point	Issue	Solution
2	Consideration	AP1 - £495,500 TR1 - £490,500	Amend incorrect document*

4 Application, priority and fees

Applications in priority order	Price paid/Value (£)	Fees paid (£)
Transfer	£495,500	150
Charge	£320,000	-
Discharge		-
Total fees (£)		150

Fee payment method
☒ cheque made payable to 'Land Registry'
☐ direct debit, under an agreement with Land Registry

8 Consideration


☒ The transferor has received from the transferee for the property the following sum (in words and figures):
£490,500 (Four hundred and ninety thousand and five hundred pounds)

☐ The transfer is not for money or anything that has a monetary value

☐ Insert other receipt as appropriate:

*If a document is amended, make sure you confirm WHO made the amendment **and** that they had the authority to do so.

Slide 8



Points that must be resolved

	Requisition point	Issue	Solution
3	Discharge	Applied for in panel 4 and listed in panel 5 of AP1 but not lodged. Restriction at B4 catches the application.	Lodge DS1 or ensure lender lodges electronic discharge.

4 (05.03.2021) RESTRICTION ~~on~~ disposal of the registered estate by the proprietor of the registered estate is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 19 February 2021 in favour of ABC (Gloucester) Limited referred to in the Charges Register.

4 Application, priority and fees

Applications in priority order	Price paid/Value (£)	Fees paid (£)
Transfer	£495,500	150
Charge	£320,000	-
Discharge		-
Total fees (£)		150

Fee payment method
☒ cheque made payable to 'Land Registry'
☐ direct debit, under an agreement with Land Registry

5 Documents lodged with this form:

Transfer	Probate
Charge	Evidence
Discharge	Evidence


*If a document is amended, make sure you confirm WHO made the amendment **and** that they had the authority to do so.

Points that must be resolved

	Requisition point	Issue	Solution
4	Form A Restriction at B3	<p>The presence of a Form A restriction shows that there is a trust involved in the land. It prevents any transaction for value by a sole proprietor.</p> <p>If one of the joint proprietors has passed away, the sole surviving proprietor cannot act alone, even if they are acting by a personal representative.</p> <p>They are still bound by the restriction, which is designed to protect the interests of beneficial owners. The restriction must be overreached for the transaction to take place.</p>	<p>This can be achieved by the sole surviving proprietor appointing a trustee (an additional person) to act with them in the transaction. This additional trustee will need to be specifically appointed in the wording contained in panel 11 of form TR1 and ID evidence provided for them in the application.</p> <p>Alternatively, a Form A restriction can be cancelled by lodging an application in Form RX3, together with a statement of truth or statutory declaration (Form ST5) which clearly states that the trust has come to an end, meaning the restriction is no longer needed.</p> <p>Specific guidance regarding this topic can be found in Practice Guide 6, section 7.</p>

3 (18.08.2021) **RESTRICTION:** No disposition by a sole proprietor of the registered estate (except a trust corporation) under which capital money arises is to be registered unless authorised by an order of the court.

*If a document is amended, make sure you confirm WHO made the amendment **and** that they had the authority to do so.

HM Land Registry 

Points that must be resolved

	Requisition point	Issue	Solution
5	Certificate to comply with restriction at B5	i) Status of the signatory is not given (rule 91B(5) of the Land Registration Rules 2003)	New certificate required making the signatory's name and status in the firm clear.*

5 (05.03.2021) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate is to be registered without a certificate signed by A Named Company PLC (Co Regn. No. 09876543) that the provisions of clause 22 of the Fourth Schedule of the registered Lease have been complied with.

ABCD Company Secretaries Limited

COUNTY/DISTRICT West Midlands


TITLE NUMBER CS1234

PROPERTY 1 Squeak Avenue, Mousehole, Stilton ST14 3JP

APPLICANT Paul Jonathon Phillips and Mary Ann Jones

DISPOSITION Transfer dated 10 June 2022


As secretaries to A Named Company Ltd, we confirm that the provisions of clause 22 of the Fourth Schedule of the registered lease have been complied with.



Joseph Smith
ABCD Company Secretaries Limited

Date 13 June 2022

*If a document is amended, make sure you confirm WHO made the amendment **and** that they had the authority to do so.




Points that must be resolved


6	Requisition point	Issue	Solution
	Charge execution	i) Single witness attestation ii) Postcode of witness address is missing	i) Amend Charge to make it clear that a single witness is attesting to both signatures, OR Lodge a new, re-executed charge. ii) New charge to include witness postcode.*

Signed as a deed by the Borrower in the presence of the witness (Each signature to be separately witnessed)

Borrower




Witness



Name (in BLOCK CAPITALS) Lee Major

Address 1 Seaton Court, 2 William Prance Road, Plymouth

Borrower



Witness


Signature

Name (in BLOCK CAPITALS)

Address

*If a document is amended, make sure you confirm WHO made the amendment **and** that they had the authority to do so.

HM Land Registry



Points that must be resolved

	Requisition point	Issue	Solution
7	TR1 not dated	The deed is invalid if it is not dated.	Lodge new TR1 showing correct date.*

1


Title number(s) of the property: CS1234

2

Property: 1 Squeak Avenue, Mousehole, Stilton ST14 3JP

3

Date:



Points which must be resolved

	Requisition point	Issue	Solution
8	Transfer – execution in separate parts	Transfer appears to be two separate deeds which have been re-assembled to form one deed.	Where deeds have been executed separately, lodge full copies of ALL deeds. Where there is not enough room to complete all execution clauses, use sheet CS.

12 Execution

Signed as a deed by Barbara Brown as Executor for Clara Taylor

[Signature]

In the presence of:

Signature of Witness *[Signature]*

Full Name (in BLOCK CAPITALS) ... BERTHA COLLINS ...

Address ... 10 Low Lane, Macclesfield

12 Execution

Signed as a deed by Paul Jonathan Phillips

[Signature]

In the presence of:

Signature of Witness *[Signature]*

Full Name (in BLOCK CAPITALS) ... Lee Major ...

Address 1 Seaton Court, 2 William France Road, Plymouth

HM Land Registry

Continuation sheet for use with application and disposition forms

CS


Any parts of the form that are not typed should be completed in block ink and in block capitals.

For information on how HM Land Registry processes your personal information, see our [Personal Information Sheet](#).

	Continued from Form	Title number(s)
1		
2		

When using continuation, this page is not numbered. For example, Page 12 continues.

***If a document is amended, make sure you confirm WHO made the amendment **and** that they had the authority to do so.**



Points which would not prevent registration

	Requisition point	Issue	Solution
1	Address for service:	AP1 – Address of property TR1 – 10 Trapper Street, Brighton BR98 9BR We will requisition if the address for service is not clear from the AP1.	Address for service will always be taken from panel 9 of form AP1. Make sure you are certain of the correct address for service before lodging your application.

AP1 Form

9 The address(es) for service for each proprietor of the registered estate(s) to be entered in the register is

☒ the address of the property where this is a single postal address

☐ the address(es) for service from the transfer/assent

☐ (for existing proprietors who are remaining in the register) the current address(es) for service in the register

☐ the following address(es):


TR1 Form

1 Title number(s) of the property: CS1234

2 Property: 1 Squeak Avenue, Mousehole, Stilton ST14 3JP

6 Transferee's intended address(es) for service for entry in the register.
10 Trapper Street, Brighton BR98 9BR

HM Land Registry



Points which would not prevent registration

	Requisition point	Issue	Solution
2	Panel 10 of AP1 not completed	In this case, the Charge is an approved charge (with an MD reference), so all details are confirmed using this. If the Charge is unapproved (no MD reference), we would need panel 10 to be completed to make sure details are entered correctly.	<ul style="list-style-type: none">Always complete panel 10 of form AP1

10

Name and address(es) for service of the proprietor of any new charge to be entered in the register:

For UK incorporated companies/LLPs

Registered number of company or limited liability partnership including any prefix:

For overseas companies

(a) Territory of incorporation:

(b) Registered number in the United Kingdom including any prefix:

HM Land Registry

Points which would not prevent registration

	Requisition point	Issue	Solution
3	Panel 10 of TR1 not completed	There are two proprietors being registered but no information as to how they intend to hold the land. A Form A restriction will be entered by default.	Always make sure panel 10 of the TR1 is completed. If you do not tell us how the land is to be held, we will add a Form A restriction by default.

10 Declaration of trust. The transferee is more than one person and

☒ they are to hold the property on trust for themselves as joint tenants

☒ they are to hold the property on trust for themselves as tenants in common in equal shares

☐ they are to hold the property on trust:

3 (18.08.2021) RESTRICTION: No disposition by a sole proprietor of the registered estate (except a trust corporation) under which capital money arises is to be registered unless authorised by an order of the court.