

 HM Land Registry

How to avoid requests for information (requisitions)

A day in the life of a caseworker activity

Presenter: Joe Douglass

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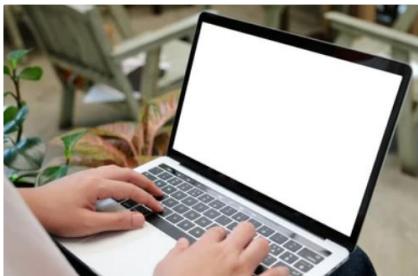
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HM Land Registry

Spot the requisition points



HM Land Registry



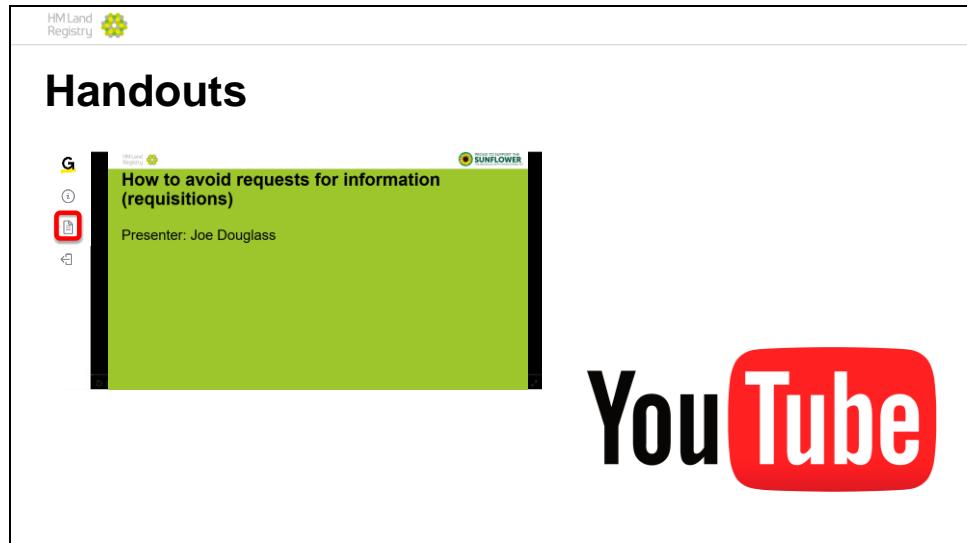
We understand that when you lodge an application with HM Land Registry, it is the end of a long and often complicated process. We know this often means that what may seem like obvious errors to our caseworkers are not apparent to you by the time you get to this stage.

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.



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](#).

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Spot the requisition points



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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.



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

Slide 6

HM Land Registry

Points that must be resolved

Requisition point	Issue	Solution									
1 Name variations	<ul style="list-style-type: none"> i) Paul Jonathan Phillips (AP1) / Paul Jonathon Philips (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) 	<ul style="list-style-type: none"> 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		TR1 Form									
<table border="1"> <tr> <td>Name of transferor, landlord, transferee, tenant, borrower or lender Barbara Brown Transferor</td> <td>Conveyancer's name, address and reference <input checked="" type="checkbox"/> P&Q Solicitors LLP 10 High Street Brighton BN9 9BF Reference: F17607BB</td> </tr> <tr> <td>Paul Jonathan Phillips and Mary Anne Jones Transferees</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>XYZ Bank</td> <td><input checked="" type="checkbox"/></td> </tr> </table>	Name of transferor, landlord, transferee, tenant, borrower or lender Barbara Brown Transferor	Conveyancer's name, address and reference <input checked="" type="checkbox"/> P&Q Solicitors LLP 10 High Street Brighton BN9 9BF Reference: F17607BB	Paul Jonathan Phillips and Mary Anne Jones Transferees	<input checked="" type="checkbox"/>	XYZ Bank	<input checked="" type="checkbox"/>	<table border="1"> <tr> <td>4 Transferor: Barbara Brown</td> </tr> <tr> <td>For UK incorporated companies/LLPs Registered number of company or limited liability partnership including any prefix: <input checked="" type="checkbox"/> (a) Territory of incorporation: (b) Registered number in the United Kingdom including any prefix:</td> </tr> <tr> <td>5 Transferee details in the register: Paul Jonathan Phillips Mary Ann Jones</td> </tr> </table>	4 Transferor: Barbara Brown	For UK incorporated companies/LLPs Registered number of company or limited liability partnership including any prefix: <input checked="" type="checkbox"/> (a) Territory of incorporation: (b) Registered number in the United Kingdom including any prefix:	5 Transferee details in the register: Paul Jonathan Phillips Mary Ann Jones	Probate
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For UK incorporated companies/LLPs Registered number of company or limited liability partnership including any prefix: <input checked="" type="checkbox"/> (a) Territory of incorporation: (b) Registered number in the United Kingdom including any prefix:											
5 Transferee details in the register: Paul Jonathan Phillips Mary Ann Jones											
			<p>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</p> <p>Barbara Louise Brown of 22 Hallcraig, East Woldshall B1 2HH United Kingdom</p>								
			Mortgage deed								
			<table border="1"> <tr> <td>Reference Number: 33568745</td> <td>Date: 10/06/2022</td> </tr> <tr> <td colspan="2">Lender: XYZ Bank PLC (Incorporated in England and Wales with registered number 01222456) of 75 New Road, Coventry CV1 3BH</td> </tr> </table>	Reference Number: 33568745	Date: 10/06/2022	Lender: XYZ Bank PLC (Incorporated in England and Wales with registered number 01222456) of 75 New Road, Coventry CV1 3BH					
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*If a document is amended, make sure you confirm WHO made the amendment and that they had the authority to do so.

Slide 7

 HM Land Registry

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 (P)	Fees paid (E)
Transfer	£495,500	150
Charge	£320,000	-
Discharge		-
	Total fees (E)	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

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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: No disposition 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 13 February 2021 in favour of ABC (Gloucester) Limited referred to in the Charges Register.

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

Documents lodged with this form:	
Transfer	Probate
Charge	Evidence
Discharge	Evidence

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Slide 9

<h3>Points that <u>must</u> be resolved</h3>		
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.

Slide 10

Points that must be resolved		
Requisition point	Issue	Solution
5 Certificate to comply with restriction at BS	i) Status of the signatory is not given (rule 91B(5) of the Land Registration Rules 2003)	<p>New certificate required making the signatory's name and status in the firm clear.*</p> <p>ABCD Company Secretaries Limited</p> <p>COUNTY/DISTRICT West Midlands TITLE NUMBER CS1234 PROPERTY 1 Squeak Avenue, Mousehole, Stilton ST14 3JP APPLICANT Paul Jonathan Philips and Mary Ann Jones DISPOSITION Transfer dated 10 June 2022</p> <p>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.</p> <p></p> <p>Joseph Smith ABCD Company Secretaries Limited</p> <p>Date 13 June 2022</p> <p>S (CS 03 2021) RESTRICTION: No disposition of the registered estate by the proprietor of the registered lease to be registered without a certificate signed by a named company (Co Regn. No. 09876543) that the provisions of clause 22 of the Fourth Schedule of the registered Lease have been complied with.</p>

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Slide 11

Points that <u>must</u> be resolved			
	Requisition point	Issue	Solution
6	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 
Signature
Name (in BLOCK CAPITALS) Lee Major
Address 1 Seaton Court, 2 William Prance Road, Plymouth

Borrower 
W.M. Jones

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.

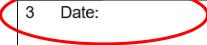
 HM Land Registry

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: 

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

Slide 13

Points which <u>must</u> 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.										
<table border="1"> <tr> <td style="width: 30%;"> <p>The transferor must execute this transfer as a deed only if the space opposite is not used for another transfer or a transfer by a registered proprietor under section 10(1) of the Land Registration Act 2002. If this is the case, the transferor must sign the transfer as a deed or contains an application to the transferor to sign the transfer as a deed.</p> <p>If there are two or more transfers and none of them has been completed, each transfer must be signed as a deed under section 10(1) of the Law of Property Act 1925. If there are two or more transfers and one has been completed, sign the transfer as a deed and sign the other transfers as a transfer by a registered proprietor under section 10(1) of the Land Registration Act 2002.</p> <p>Remember to date this deed in panel 5.</p> <p>WARNING: If you deliberately enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to affect the title of any land, you may be guilty of an offence of perjury under section 1 of the Perjury Act 2006. The maximum penalty for which is 10 years' imprisonment or an unlimited fine.</p> </td> <td style="width: 30%;"> <p>12 Execution Signed as a deed by Barbara Brown as Executor for Clara Taylor  In the presence of Signature of witness</p> <p>Full Name (in BLOCK CAPITALS) ... BERTHA COLLINS Address ... 18 Low Lane, Mousehole</p> </td> <td style="width: 30%;"> <p>12 Execution Signed as a deed by Paul Jonathan Phillips  In the presence of Signature of witness</p> <p>Full Name (in BLOCK CAPITALS) ... Lee Major Address 1 Seaton Court, 2 William Prince Road, Plymouth</p> </td> </tr> <tr> <td colspan="3"> <p>Continuation sheet for use with application and disposition forms</p> <p>CS</p> <p>Any parts of the form that are not typed should be completed in black ink and in block capitals.</p> <p>For information on how HM Land Registry processes your personal information, see our Personal Information Statement.</p> <table border="1"> <tr> <td>1 Continued from Form: Title number(s):</td> <td>2</td> </tr> <tr> <td colspan="2">Before each continuation, date panel 12 continued, for example 'Panel 12 continued'</td> </tr> </table> </td> </tr> </table>			<p>The transferor must execute this transfer as a deed only if the space opposite is not used for another transfer or a transfer by a registered proprietor under section 10(1) of the Land Registration Act 2002. If this is the case, the transferor must sign the transfer as a deed or contains an application to the transferor to sign the transfer as a deed.</p> <p>If there are two or more transfers and none of them has been completed, each transfer must be signed as a deed under section 10(1) of the Law of Property Act 1925. If there are two or more transfers and one has been completed, sign the transfer as a deed and sign the other transfers as a transfer by a registered proprietor under section 10(1) of the Land Registration Act 2002.</p> <p>Remember to date this deed in panel 5.</p> <p>WARNING: If you deliberately enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to affect the title of any land, you may be guilty of an offence of perjury under section 1 of the Perjury Act 2006. The maximum penalty for which is 10 years' imprisonment or an unlimited fine.</p>	<p>12 Execution Signed as a deed by Barbara Brown as Executor for Clara Taylor  In the presence of Signature of witness</p> <p>Full Name (in BLOCK CAPITALS) ... BERTHA COLLINS Address ... 18 Low Lane, Mousehole</p>	<p>12 Execution Signed as a deed by Paul Jonathan Phillips  In the presence of Signature of witness</p> <p>Full Name (in BLOCK CAPITALS) ... Lee Major Address 1 Seaton Court, 2 William Prince Road, Plymouth</p>	<p>Continuation sheet for use with application and disposition forms</p> <p>CS</p> <p>Any parts of the form that are not typed should be completed in black ink and in block capitals.</p> <p>For information on how HM Land Registry processes your personal information, see our Personal Information Statement.</p> <table border="1"> <tr> <td>1 Continued from Form: Title number(s):</td> <td>2</td> </tr> <tr> <td colspan="2">Before each continuation, date panel 12 continued, for example 'Panel 12 continued'</td> </tr> </table>			1 Continued from Form: Title number(s):	2	Before each continuation, date panel 12 continued, for example 'Panel 12 continued'	
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*If a document is amended, make sure you confirm WHO made the amendment **and** that they had the authority to do so.

Slide 14

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

Points which would <u>not</u> prevent registration		
	Requisition point	Issue
2	Panel 10 of AP1 not completed	<p>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.</p> <p>10 Name and address(es) for service of the proprietor of any new charge to be entered in the register:</p> <p>For UK incorporated companies/LLPs Registered number of company or limited liability partnership including any prefix:</p> <p>For overseas companies (a) Territory of incorporation: (b) Registered number in the United Kingdom including any prefix:</p>

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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.