

**LENDER'S SCHEDULE OF REQUIREMENTS**

**THE DOCUMENTS AND INFORMATION WE REQUIRE IN ORDER TO REPORT ON TITLE TO THE LENDER**

NB: You must provide a comprehensive response to each requirement. If there are any blanks or if you fail to refer us to a specific deed and clause we will have to return this schedule to you.

We reserve the right to charge you an additional fee for our wasted time in dealing with poor quality responses.

DILIGENCE REQUIRED		SOLICITOR RESPONSE	SIGN OFF
<b>1. TITLE</b>			
1.1	<b>OCE</b>		<input type="checkbox"/>
1.2	<b>Title Plan</b>		<input type="checkbox"/>
1.3	<b>Copy documents referred to in OCE</b>		<input type="checkbox"/>
<b>1.4 FREEHOLD TITLE</b>			
	1.4.1	Your confirmation that all restrictions and other covenants, stipulations and agreements affecting the Property have been complied with.	<input type="checkbox"/>
	1.4.2	If there are any breaches, please provide a draft indemnity policy for approval.	<input type="checkbox"/>
<b>1.5 LEASEHOLD TITLE</b>			
	1.5.1	Copy of superior titles, title plans and leases.	<input type="checkbox"/>
	1.5.2	Your confirmation that there have been no breaches of lease, if there are any breaches, please provide a draft indemnity policy for approval.	<input type="checkbox"/>
DILIGENCE REQUIRED		SOLICITOR RESPONSE	SIGN OFF
<b>1.6 Escalation of rent (residential only)</b>			
	1.6.1	Does the ground rent exceed £1,000 p.a. or will it exceed £1,000 p.a. at any future rent review?	<input type="checkbox"/>
	1.6.2	If so, the lease is/will qualify as an AST. Please provide (a) a deed of variation; or (b) an adequate indemnity insurance policy to mitigate the risk.	<input type="checkbox"/>
<b>1.7 ACCESS TO THE PROPERTY</b>			
	1.7.1	Does the Property abut an adopted highway?	<input type="checkbox"/>

	1.7.2	If not, please show how access is obtained by reference to a plan.		<input type="checkbox"/>
<b>2 SEARCHES</b>				
2.1	<b>Local Authority search (&lt; 3 months old)</b>			<input type="checkbox"/>
	2.1.1	If built within the last 10 years, a copy of the NHBC (or equivalent) certificate.		<input type="checkbox"/>
	2.1.2	Copy of all revealed entries.		<input type="checkbox"/>
	2.1.3	Copies of all planning permissions and building regulations consents for the construction and any subsequent alteration of the Property.		<input type="checkbox"/>
	2.1.4	Your confirmation that all conditions have been complied with.		<input type="checkbox"/>
	2.1.5	Copies of all s106 planning agreements.		<input type="checkbox"/>
	2.1.6	Your confirmation that all obligations have been satisfied.		<input type="checkbox"/>

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2.2	<b>Commons Registration Search</b>  NB: Required for all new buildings and any property which may be near to common land		<input type="checkbox"/>
2.3	<b>Highways Search.</b>		<input type="checkbox"/>
2.4	<b>Water and Drainage Search.</b>		<input type="checkbox"/>
2.5	<b>Desktop Environmental Search.</b>		<input type="checkbox"/>
2.6	<b>Flood Risk Report.</b>		<input type="checkbox"/>
2.7	<b>An Index Map Search (including access area) &amp; search plan.</b>		<input type="checkbox"/>
	2.7.1	Index Map Search (including area from nearest adopted road to the property boundary).	<input type="checkbox"/>
	2.7.2	All titles revealed by the Index Map Search.	<input type="checkbox"/>
2.8	<b>Chancel Check.</b>		<input type="checkbox"/>
2.9	<b>Where a potential liability is revealed, Chancel Indemnity insurance policy in favour of the Lender and</b>		<input type="checkbox"/>

	their assignees covering the loan amount as a minimum sum.		
2.10	Mining Search (<1 month old) or evidence it is not required.		<input type="checkbox"/>
2.11	Any other relevant searches e.g. Crossrail.		<input type="checkbox"/>
3	ENQUIRIES		
3.1	<b>Residential Property: replies to TA6.</b> NB: This is required for purchases AND refinances.		<input type="checkbox"/>
3.2	<b>Commercial Property: replies to CPSE.</b> NB: This is required for purchases AND refinances.		<input type="checkbox"/>

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3.3	Identity of all occupiers of the Property post completion (ages 17+).		<input type="checkbox"/>
WHERE THE PROPERTY IS TENANTED			
3.4	Schedule of tenancies.		<input type="checkbox"/>
3.5	Certified copies of all tenancies/licenses to occupy.		<input type="checkbox"/>
3.6	All ancillary documents (licences, rent deposit, side letters).		<input type="checkbox"/>
3.7	Your confirmation that no tenants are in arrears of rent or service charge.		<input type="checkbox"/>
3.8	Name & address of the borrower's letting agent.		<input type="checkbox"/>
3.9	Your confirmation that the AST includes reference to mandatory grounds and deposit scheme and refer to these clauses.		<input type="checkbox"/>
3.10	If the tenancy includes a break option, please refer to the relevant clause or confirm there are none.		<input type="checkbox"/>
3.11	In the case of residential Property copies of all Fair Rent Assessments under the Rent Act 1977 or regulated rents under the Housing Act 1988.		<input type="checkbox"/>
3.12	Your confirmation that the Property is compliant with current gas safety, electrical & HMO requirements.		<input type="checkbox"/>
3.13	Your confirmation that "right to rent" checks on the tenant have been satisfied.		<input type="checkbox"/>

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<b>WHERE THE PROPERTY IS OCCUPIED WITHOUT A TENANCY</b>			
3.14	<p><b>Please confirm name, address and age of each occupier (including any who occupy on an occasional basis).</b></p> <p>NB Each occupier (aged 17+) must sign a waiver and receive independent legal advice by an English qualified lawyer before doing so.</p>		<input type="checkbox"/>
<b>ADDITIONAL ENQUIRIES - PURCHASE</b>			
3.15	<b>Certified copy contract.</b>		<input type="checkbox"/>
3.16	<b>Approved draft transfer/lease and plan.</b>		<input type="checkbox"/>
3.17	<b>Details of any incentives, allowance or retention (including, where new build, disclosure of incentive scheme and CML Certificate).</b>		<input type="checkbox"/>
3.18	<b>Your confirmation that the purchase does not form part of a sub-sale transaction.</b>		<input type="checkbox"/>
<b>LEASEHOLD AND MANAGEMENT SCHEME ENQUIRIES</b>			
3.19	<b>Name and address of current landlord.</b>		<input type="checkbox"/>
3.20	<b>Name and address of current management company.</b>		<input type="checkbox"/>
3.21	<b>LPE1 &amp; any ancillary information (&lt;3 months old).</b>		<input type="checkbox"/>
3.22	<b>How much is the annual service charge/maintenance charge?</b>		<input type="checkbox"/>
3.23	<b>How much is the annual contribution to any reserve fund?</b>		<input type="checkbox"/>
3.24	<b>How much has been accumulated in the reserve fund?</b>		<input type="checkbox"/>
3.25	<b>Your confirmation of any other financial payments the borrower is responsible for.</b>		<input type="checkbox"/>
DILIGENCE REQUIRED		SOLICITOR RESPONSE	SIGN OFF
3.26	<b>Which clause grants the tenant access over the remainder of the building for maintenance of the Property?</b>		<input type="checkbox"/>
3.27	<b>Which clause grants the tenant access over the remainder of the building for maintenance of the Property?</b>		<input type="checkbox"/>

3.28	Your confirmation that the lease does not provide for determination if on destruction or damage the Property is not reinstated within a specific timeframe.		<input type="checkbox"/>
3.29	Up-to-date clear rent and service charge/maintenance charge receipt.		<input type="checkbox"/>
3.30	Copies of the share certificates and share transfer forms signed by the Borrower (if applicable).		<input type="checkbox"/>
<b>GENERAL INFORMATION</b>			
3.31	Your confirmation that there is no further borrowing or other proposed charges over the Property or within the structure the Borrower forms part of.		<input type="checkbox"/>
3.32	Your confirmation that there are no outstanding or anticipated disputes in relation to the Property.		<input type="checkbox"/>
3.33	Your confirmation that the Property complies with all requirements of the Fire Risk Assessment.		<input type="checkbox"/>
3.34	In case of apartment buildings we require a copy of EWS (External Wall System) Form completed by a competent fire safety professional.		<input type="checkbox"/>
3.35	Details of environmental investigations or confirmation there have not been any.		<input type="checkbox"/>
3.36	Copy assessment carried out in relation to the Equality Act 2010.		<input type="checkbox"/>
<b>DILIGENCE REQUIRED</b>		<b>SOLICITOR RESPONSE</b>	<b>SIGN OFF</b>
3.37	Copies of any assessments carried out in relation to the Control of Asbestos at Work Regulations 2012.		<input type="checkbox"/>
<b>4 THE BORROWER</b>			
4.1	Your confirmation you have satisfied your firm's Customer Due Diligence requirements in accordance with AML legislation and that you are satisfied that your client is or is entitled to be the registered proprietor.		<input type="checkbox"/>
4.2	Name and address of the borrower's service agent (if the borrower is resident outside of the UK).		<input type="checkbox"/>
4.3	Identity of signatories to legal charge.		<input type="checkbox"/>
4.4	Where and when will the Borrower sign the charge?		<input type="checkbox"/>
4.5	If the Borrower is to hold as a trustee, full details of the trust arrangements by virtue of which the Borrower is to hold the Property and details of the proposed beneficial owners of the Property.		<input type="checkbox"/>

4.6	Certified copy memorandum, articles of association and certificate of incorporation.		<input type="checkbox"/>
4.7	Certified copy of the resolution accepting the loan and agreeing to grant the legal charge and any other security documents.		<input type="checkbox"/>
4.8	List of directors names and addresses and name of secretary.		<input type="checkbox"/>
4.9	Details of the shareholders and their shareholdings.		<input type="checkbox"/>
4.10	Statement of outstanding security interests whether fixed or floating and any negative pledges.		<input type="checkbox"/>

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4.11	Any consents necessary to the creation of our client's security.		<input type="checkbox"/>
4.12	If the Borrower is an overseas company, confirmation that it does not have a branch or established place of business in the UK.		<input type="checkbox"/>
4.13	Have the Borrower and/or Guarantor created any debentures floating or general charges over their Property or assets? If so please supply copies.		<input type="checkbox"/>
4.14	If so, a letter of non-crystallisation dated the day prior to completion.		<input type="checkbox"/>
4.15	In the case of a general fixed as opposed to a general floating charge a release by deed of the Property will be required.		<input type="checkbox"/>
<b>5 VAT</b>			
5.1	A receipted notice of election by HMRC; or		<input type="checkbox"/>
5.2	Your confirmation that the Borrower have not elected to waive exemption;		<input type="checkbox"/>
5.3	Your confirmation from HMRC that the purchase is/is not the transfer of a going concern.		<input type="checkbox"/>
<b>SUBJECT TO ALL CPS BEING SATISFIED, OUR PRACTICE IS TO SEND THE NET MORTGAGE ADVANCE TO YOUR CLIENT ACCOUNT ON THE DAY OF COMPLETION BY TT.</b>			
<b>6 PRE COMPLETION</b>			
6.1	Buildings insurance schedule & policy with bank's interest noted and for at least the reinstatement value shown in the valuation.		<input type="checkbox"/>

6.2	Please highlight where in the building insurance documentation the Bank's interest is noted (either specifically or generally).		<input type="checkbox"/>
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6.3	<b>Unconditional and irrevocable undertaking</b> including bank details (in the form provided).  NB Borrower's lawyer to register security documents at Companies House & HMLR.		<input type="checkbox"/>
6.4	<b>Redemption statement to completion date.</b>		<input type="checkbox"/>
6.5	<b>DS1</b>		
6.5.1	Any existing mortgage must be discharged on completion. The Form DS1 must be released to us on completion.		<input type="checkbox"/>
6.5.2	Otherwise you must confirm in writing that you will comply with the Law Society's Code for Completion by Post 1998 (your firm defined as the Sellers Solicitors and our firm defined as the Buyers Solicitor) together with confirmation that you are acting for the existing bank(s).		<input type="checkbox"/>
6.5.3	If the outgoing lender is not a member of CML your confirmation that you will hold the signed DS1 at completion.		<input type="checkbox"/>
6.6	<b>Clear Priority Search</b> in favour of the Lender.		<input type="checkbox"/>
6.7	<b>Clear Land Charges Search</b> against the Borrower and the Guarantor.		<input type="checkbox"/>
6.8	<b>Occupier's Consent</b> including a solicitor's certificate confirming they have been independently advised.		<input type="checkbox"/>
6.9	<b>Completion Statement.</b>		<input type="checkbox"/>
6.10	<b>If a purchase, replies to pre-completion requisitions</b> completed by the seller.		<input type="checkbox"/>
6.11	<b>If a refinance, a copy of the redemption statement from all existing lenders.</b>		<input type="checkbox"/>

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.12	<b>If leasehold, a clear up to date rent and service charge receipt</b> (if payment was due between that provided previously and drawdown).		<input type="checkbox"/>
6.13	<b>Principal Title Deeds.</b>		<input type="checkbox"/>
6.14	<b>Draft AP1, RX1 (using standard restriction P).</b>  NB: Please mark Ferbrache & Farrell as third party to be notified on registration.		<input type="checkbox"/>
6.15	<b>The original share certificate for any shares in the freehold/management company together with a signed, undated stock.</b>		<input type="checkbox"/>

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