



**T**he Conveyancing Committee understands that to overcome the difficulties which have been encountered in situations where a lessee has obtained a consent to the vesting of the freehold of his property in him and has subsequently decided to sell his house before the Vesting Certificate issues, the following position prevails.

Strictly speaking under regulation 10 of the Landlord and Tenant Ground Rent No.2 Act 1978 Regulations, the Registrar would appear to be entitled to issue Vesting Certificates in the names of new owners. However, certain difficulties arise in doing so. To assist the public in general, in cases where a consent has been lodged or where a case is being dealt with by way of Arbitration, the Land Registry is endeavouring to issue the Vesting Certificates as expeditiously as possible.

In cases where they fail to issue the Vesting Certificates prior to the closing date of a sale it appears that the following is the procedure which is being followed.

They can issue the Vesting Certificate in consent cases in the name of the purchaser on receipt of :-

- (a) The consent of the original applicant
- (b) A fresh application in form (A) signed by the purchaser
- (c) A copy of the Deed of assignment to the purchaser

The Land Registry will presume that the question of purchase monies which will have been paid by the applicant will already have been dealt with by the vendor and the purchaser to their mutual satisfaction.

In Arbitration Cases they will continue the application in the name of the purchaser on the lodgement of:

- (a) The consent of the original applicant
- (b) A fresh application in form (B) signed by the purchaser
- (c) A copy of the Deed of Assignment to the purchaser

They will presume that the issue of the consent will have dealt with the question of the fee and the purchase money which same had been paid or deposited with the registrar. Where no money has been deposited with the Registrar and it is to be so deposited, the Registrar will presume that same is being deposited consequent on the agreement of the parties.

## VESTING CERTIFICATES