

Coutts

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Part 1: England and Wales

Last modified: 01/07/2017

Part 2: Coutts

Last modified: 03/06/2025

☐

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Part 2 only

1.7 Contact point to see if the lender will lend when borrower and mortgagor are not one and the same.

Address and telephone number as stated in the Letter of Instruction quoting our reference. If you use a PC, fax or e-mail, you should keep a paper copy.

Last updated: 03/06/2025

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1.11aContact point for standard documents.

Address and telephone number as stated in the Letter of Instruction quoting our reference. If you use a PC, fax or e-mail, you should keep a paper copy.

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1.11bContact point if standard documents are inappropriate.

Address and telephone number as stated in the Letter of Instruction quoting our reference. If you use a PC, fax or e-mail, you should keep a paper copy.

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1.14 May your firm act if the person dealing with the transaction or a member of his immediate family is the seller?

Your firm may act if a separate partner within the firm acts for us in the circumstances specified in Part 1.

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1.15 May your firm act if the person dealing with the transaction or a member of his immediate family is the borrower?

Your firm may act if a separate partner within the firm acts for us in the circumstances specified in Part 1.

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3.1.3 Does the lender require notification of the name and address of the solicitors firm or licensed conveyancers firm acting for the seller?

Only if we specifically request you to do so.

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3.1.4 If different from 1.11, contact details if the lender needs to be notified when the seller does not have legal representation.

You need to notify us (at the details set out at 1.11) so that we can make a decision whether or not to proceed.

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3.1.5 What other documents are acceptable for verifying identity?

List A - None

List B - None

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3.2.3 Does the lender require notification of the name and address of the solicitors firm or licensed conveyancers firm acting for the seller?

Only if we specifically request you to do so.

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3.2.4 If different from 1.11, contact details if the lender needs to be notified when the seller does not have legal representation.

You need to notify us (at the details set out at 1.11) so that we can make a decision whether or not to proceed.

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4.1 Is there a valuation report and if so, does the lender provide it?

Yes, we provide it

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4.3 If different from 1.11, contact point if assumptions stated by the valuer are incorrect.

See 1.11

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4.5a If different from 1.11, contact point if re-inspection required.

See 1.11

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4.5b Where should the certificate of title be sent?

See 1.11

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5.1.1 If different from 1.11, the contact point if the seller has owned the property for less than 6 months:

See 1.11

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5.2.1 If different from 1.11, the contact point if the seller is not the owner or registered proprietor and is not listed in the exceptions above: [View all answers to this question](#)

5.4.4 Does the lender want to receive environmental or contaminated land reports?

No

Nor do we require copies of any ancillary reports that you have requested for the borrower. The reports must be provided to the borrower who must make full disclosure of any risks to the insurer prior to completion. They must obtain insurance under normal terms.

HS2: You do not need to make us aware of proposed proximity of the property to HS2 unless this is less than 300 meters.

Mining entry: You do not need to make us aware of a mining interpretive report.

If the entry is less than 20 metres the customer must be able to obtain insurance on a normal basis.

If you or the clients have any concerns, please refer to the originator of the report. We are happy to proceed if the clients are aware of the implications and you can submit a clear, unqualified Certificate of Title.

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5.4.5 Does the lender accept personal searches and, if yes, what are the lender's requirements?

Yes, provided they are undertaken by a reputable search agent who has adequate professional indemnity insurance and you can still give a clear Certificate of Title.

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5.4.6 Does the lender accept search insurance and, if yes, what are the lender's specific requirements?

No

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5.5.3a If different from 1.11, contact point for reporting if evidence of breach and all outstanding conditions will not be satisfied by completion:

See 1.11

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5.5.3b Does the lender require an original/copy of the planning permission?

Yes, after completion.

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5.5.3c Does the lender require an original/copy of the building regulation consents?

Yes, after completion.

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5.5.3d Does the lender require certificates of lawful use or development/established use certificate?

Yes, after completion.

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5.5.4 If different from 1.11, contact point if the property is subject to restrictions which may affect its value or marketability.

See 1.11

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5.7.1a Does the lender lend on flying freeholds?

Accepted, subject to our prior written approval. See 1.11. Indemnity insurance may be required.

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5.7.1b Does the lender lend on freehold flats?

No, but may be accepted with our prior written approval. Please refer individual cases. See 1.11

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5.7.1c If the lender is prepared to accept a title falling within 5.7 and the property is a freehold flat or flying freehold, to which contact point must this be reported?

See 1.11

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5.8.1 Does the lender accept security which comprises a building converted into not more than four flats where the borrower occupies one of those flats and the borrower or another flat owner also owns the freehold of the building and the other flats are subject to long leases?

Yes

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5.8.5 Does the lender accept security which comprises one of two leasehold flats in a building where the borrower also owns the freehold reversion of the other flat and the other leaseholder owns the freehold reversion in the borrower's flat? If so, are there any specific requirements?

Yes

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5.9.1 Does the lender lend on commonhold?

Only in certain circumstances. Please refer individual cases. See 1.11

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5.10.1 If different from 1.11, contact point if there is a restriction on use.

See 1.11 but see also our 'Separate Instructions'.

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5.13.1 If different from 1.11, contact point if borrower is not providing balance of purchase price from funds/proposing to give second charge.

See 1.11

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5.14.1 What minimum unexpired lease term does the lender accept?

At least 30 years (calculated from the date stipulated for the repayment of the loan) unless we advise you otherwise in writing.

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5.14.9 If different from 1.11, contact point for matters connected with the lease:

See 1.11

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5.14.10 If different from 1.11, contact for service charge matters:

See 1.11

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5.14.11 Does the lender accept indemnity insurance where the terms of the lease are unsatisfactory?

Report in writing to us quoting our reference. See 1.11

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5.14.12 Does the lender require a clear ground rent/service charge receipt to be sent to you?

Yes. Please send us a clear receipt for all payments due under the lease after completion.

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5.14.13 Does the lender require a receipted copy of notice or evidence of service to be sent to you?

Yes, after completion and see also our 'Separate Instructions'

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5.14.15a If different from 1.11, contact point if there is an absentee/insolvent landlord:

See 1.11

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5.14.15b Does the lender accept indemnity insurance if the landlord is absent or insolvent?

No, but may be accepted with our prior written approval. Please refer individual cases. See 1.11

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5.14.17a Does the lender want any documentation sent to them?

No subject to 5.14.7(b)

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5.14.17b Does the lender have any specific instructions about building safety?

This section can be disregarded where:

- the building is less than 11m in height,
- the block of flats/apartments has less than 5 storeys or do not require any action in relation to the Building Safety Act 2022;
- there are no cladding or fire safety issues present and/or

- where either an EWS1 form is not required, or a satisfactory EWS1 form is held.

You must tell us if you believe the valuer's assumptions regarding any remediation works under the Building Safety Act 2022 are incorrect based on your enquiries or you believe from your enquiries that the security property has been identified as being in need of remediation.

You must tell us before completion if the current owner of the property is a non - qualifying leaseholder and confirmation of costs known or anticipated which may be payable by leaseholders (or our customer) for remediation works.

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5.14.17c Does the lender have any specific instructions relating to remortgages?

No

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5.15.2a If different from 1.11, contact point if there are apparent problems with the management company:

See 1.11

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5.15.2b Does the lender need to be sent the management company share certificate?

Yes, after completion.

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5.15.2c Does the lender need to be sent the signed blank stock transfer form?

Yes, after completion. It must be undated.

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5.15.2d Does the lender need to be sent the management company's memorandum and articles of association?

Yes, after completion.

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5.16.2 If different from 1.11, contact point if unable to certify search entry does not relate:

See 1.11

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5.17.5a Does the lender need to be sent the power of attorney?

Yes, after completion, duly certified in accordance with Section 3 of the Powers of Attorney Act 1971.

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5.17.5b Does the lender need to be sent the statutory declaration of non-revocation of power of attorney?

Yes, after completion.

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5.19.1 If different from 1.11, contact point for lending on affordable housing, shared equity and shared ownership and where relevant your requirements:

See 1.11

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5.20.1 Does the lender require me to report to them where the lease does not meet the UK Finance minimum requirements for leases of roof space for solar PV panels? [View all answers to this question](#)

5.20.3 Does the lender have additional requirements relating to leases of roof space for solar PV panels, and if so, what are they? [View all answers to this question](#)

5.20.4 Does the lender require you to disclose the details of any existing Green Deal Plan(s) on a property?

Yes.

Where we have been advised by our solicitors that the property to be purchased benefits from a Green Deal. Green Deal is a government initiative designed to help business and home owners to employ more green technologies in their properties. Green technology is installed into the property with no up front costs. The costs are paid back through the energy bill over a period of time.

When the owner moves then the remaining costs stays with the property and the new owner.

Please consider the solicitors comments to assess if this information is material and needs to be advised to the Credit Approver.

Please advise me if no action is necessary or when any additional Approval is obtained.

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6.1.3 If different from 1.11, contact point if borrower is not taking up the mortgage offer:

See 1.11

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6.2.1 If different from 1.11, contact if any discrepancies in property's description:

See 1.11

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6.3.1 If different from 1.11, contact point for any issues relating to purchase price:

See 1.11

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6.4.4 Does the lender require me to report incentives?

Yes

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6.4.5 If different from 1.11, contact point if we will not have control over the payment of all the purchase money:

See 1.11

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6.5.1 If different from 1.11, contact point if vacant possession is not being given:

See 1.11. See also our 'Separate Instructions'.

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6.6.1 If different from 1.11, contact point if property is let/to be let and to check you lend on buy-to-let:

See 1.11. See also our 'Separate Instructions'.

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6.6.2 If different from 1.11, contact point when you do not have details of current letting or letting to take place at completion:

See 1.11

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6.6.3 Does the lender require counterpart/certified copy tenancy agreement to be sent to you?

No, not required for properties let under a standard Assured Shorthold Tenancy.

For non-assured tenancies, we will require a copy of the agreement to be sent to us.

In such cases you must confirm that the tenancy agreement meets the following requirements:

1. The tenant must not use the property for business or create any business tenancy.
2. There must be no security of tenure afforded to the occupier or tenant.
3. The agreement recognises the existence of a mortgage and the potential for the mortgagee's right to repossess.
4. The tenancy is no more than 3 years in duration and includes a break clause allowing the lender to end the tenancy agreement early, in the event of repossession.
5. The agreement must contain no other provisions which adversely affect the lender's security or its right to enforce its remedies under the mortgage deed executed by the borrower.

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6.6.4 Does the lender lend where the property comes within the definition of a house in multiple occupation? If yes, what are your requirements?

No

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6.7.1 What new home warranty schemes are acceptable to the lender?

The following 10 year Structural Warranties are acceptable for New Builds/Self Builds/ Renovations (NOTE: Structural Warranties issued retrospectively are not acceptable to the Bank):

- ABC +
- Aedis Group Homeproof Structural Warranties.
- Advantage Warranties.
- Ark Residential New Build Latent Defects Insurance.
- Build Assure (New Home Structural Defects Insurance).
- Buildcare.
- Building Lifeplans Limited (BLP, Allianz Guarantee and TMSC, Aviva).
- Build Zone.
- Castle 10 (Checkmate).
- Global Home Warranties.
- International Construction Warranties (ICW).
- LABC (New Home Warranty and self build).
- NHBC.
- One Guarantee
- Premier Guarantee.
- Protek New Home Warranty.
- The Q Policy.
- Trenwick International.
- Ward Cole (12 year structural warranty).
- Zurich Municipal (no longer available from August 2009)
- CADIS.
- CIR.
- Self-Build Zone.
- Protek Self Build Warranty (Custom Build Warranty Excluded)

Please note the level of cover available under the warranty will need to be sufficient to meet the full, reasonable costs of repairing any defects covered under the warranty.

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6.7.2 What new home warranty documentation should be sent to the lender?

Original or certified copy of policy or guarantee document and other relevant documents.

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6.7.3 Should any assignments of building standards indemnity schemes be sent to us?

Yes, after completion.

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6.7.4 Will the lender proceed if the property does not have the benefit of a new home warranty scheme?

Refer to us in writing. See 1.11

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6.7.6 Does the lender need to be sent the professional consultant's certificate?

Yes, after completion.

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6.8.1 If different from 1.11, contact point if no agreement and bond for an unadopted road or sewer:

See 1.11, lack of agreement / bond may be acceptable with our prior written consent.

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6.9.1 If different from 1.11, contact point if necessary easements are absent:

Refer to us in writing quoting our reference. See 1.11

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6.10.2 Who will the lender release any retentions (or instalments of the advance) to?

Refer to us for details. See 1.11

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6.11.1 If different from 1.11, contact point if property is affected by redevelopment or road proposals:

See 1.11

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6.12.1 If different from 1.11, contact point if pre-emption rights, resale restrictions, options etc will affect the lender's security:

See 1.11

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6.13.1 If different from 1.11, contact point if property is affected by improvement/repair grant which will not be discharged:

See 1.11

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7.3 Does the lender require a consent to mortgage from all occupants aged 17 or over?

Yes. You should also provide details of any other rights in the property. These must be provided prior to completion as we may not wish to proceed.

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7.4 If different from 1.11, contact point if doubts about accuracy of information disclosed:

See 1.11

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8.1 Does the lender allow me to advise any of the specified third parties?

Advice may only be given subject to prior written approval from us.

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9.1 Does the lender need to be sent the indemnity insurance policy?

Yes, after completion.

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9.2 What limit of indemnity insurance does the lender require?

The open market value of the property according to the valuation report.

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10.2a Will the mortgage advance be paid electronically or by cheque?

Electronically

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10.2b What is the minimum number of days notice lenders require?

7 working days

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10.3 What are the standard deductions made from the mortgage advance?

None

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10.7 On a delayed completion, when and how is advance to be returned?

Within 1 working day. Money to be returned by CHAPs.

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10.9 If different from 1.11, contact point if completion is delayed?

See 1.11

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10.10 How long can you hold the mortgage advance before returning it?

1 working day. Money to be returned by CHAPs.

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10.11 What, if any interest does the lender charge if return of the advance is delayed?

Interest is calculated on the daily balance outstanding and will be charged at the interest rate applicable to the mortgage advance from the day the funds are released to the conveyancer until the day the funds are re-credited to the Bank's account.

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12.3.1 If different from 1.11, contact point for release of retentions/mortgage advance instalments:

See 1.11

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14.1.4 Does the lender require me to make a form CH2 application?

No, unless requested under separate instruction.

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14.1.5 Does the lender need to be sent the original mortgage deed and/or any other original title documents?

Yes - after registration at HM Land Registry, the original legal mortgage must be returned to the Bank, with the appropriate Title Information Document. You will need to ensure that your application requests the return of the original legal mortgage for this purpose.

The application for registration of our first ranking legal charge must be received by the Land Registry during the priority

period. In any event, if the application has not been submitted within this time, please ensure that you do so within 2 months of the date of completion. Upon the expiry of this period, please notify us in writing if the application has not been received by the Land Registry within this time with an explanation for the delay

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14.2.1 Where should the title deeds and documents be sent?

See 1.11

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14.2.2 Which documents must I send after completion?

Official copy(ies) of the Register, the original mortgage deed(s) and other relevant title deeds, and those mentioned herein including any guarantee(s) referred to in the valuation / specialist report.

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16.1.1 If different from 1.11, contact point for title documents:

See 1.11

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16.3.1 Does the lender have a standard form of transfer/deed of covenant?

No, to be drafted by you and sent to us for approval.

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16.3.2 If different from 1.11, contact point for finding out the debt amount:

See 1.11

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16.3.4 Does the lender need to be sent the transfer of equity?

Yes, after completion.

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16.3.7a If different from 1.11, contact point for obtaining execution of transfer equity:

See 1.11

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16.3.7b What form of attestation clause does the lender use?

Executed as a Deed by its lawful attorney for and on behalf of Coutts & Co

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16.4.1 If different from 1.11, contact point for application for consent to letting:

See 1.11

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16.4.2 Does the lender need to be sent a copy of the proposed tenancy?

Yes

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16.5.2 If different from 1.11, contact point for confirming proposed deed or agreement will not adversely affect the lender:

See 1.11

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16.5.3a Where should the deed of variation be sent?

See 1.11

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16.5.3b Where should the deed of rectification be sent?

See 1.11

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16.5.3c Where should the deed of easement be sent?

See 1.11

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16.5.3d Where should the option agreements be sent?

See 1.11

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17.1.1 If different from 1.11, contact point for redemption statements:

See 1.11

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17.2.1aWhere do you send the discharge and repayment remittance?

As advised by us in redemption letter. See 1.11

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17.2.1bDoes the lender send the discharge via a DS 1 form or direct with the Land Registry?

Yes, wherever possible we will endeavour to submit an Electronic DS1 to HM Land Registry within a reasonable timescale.

We will not provide written confirmation that a charge has been released. Please obtain this information directly from Land Registry using the property title number.

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