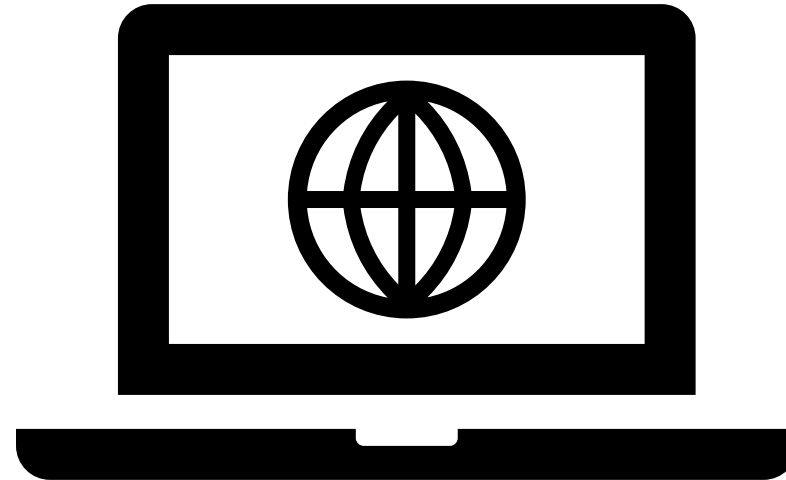




Ten Good Habits for Commercial Property Lawyers

Useful Websites

- The Property Litigation Association
- Property Protocols
- City of London Law Society
- Modelcommerciallease.co.uk
- British Property Federation
- Leasing Business Premises
- Property Law UK



General Issues

- Client objective
- Our retainer
- Explaining due diligence
- Identifying the acquisition or disposal team and their roles
- Client inspection

General issues

- Dealing with due diligence
- Advising on management issues in multi-let buildings
- Who are we reporting to?
- Effective communication
- Our role

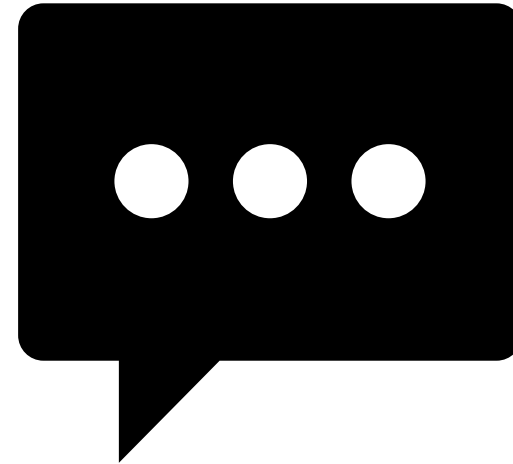


Scoping the Retainer

- Spire v Withers [2022] EWCA Civ 970
- Which issues should be dealt with?
- Do not forget the basics – Griffiths v Evans [1953]
- What is the position where work is done beyond the retainer?

Commercial Enquiries Before Contract

- Who deals with replies?
- What is the extent of their knowledge?
- Distributing risk
- Beware of legalistic replies
- Additional enquiries



Commercial Enquiries Before Contract

- The role of the lawyer
- Advising the buyer
- Defective replies
- Buyer inspection
- Connect replies to due diligence

Searches

- Avoiding problems
- Search limitations
- Adverse entries
- Further investigation
- The Report on Title



Searches

- Usual searches
- Essential searches
- Link searches to objective
- Planning
- SIM searches

Searches

- Enquiries of local authority
- Additional enquiries of local authority
- Data Layers Search
- Climate Change Search

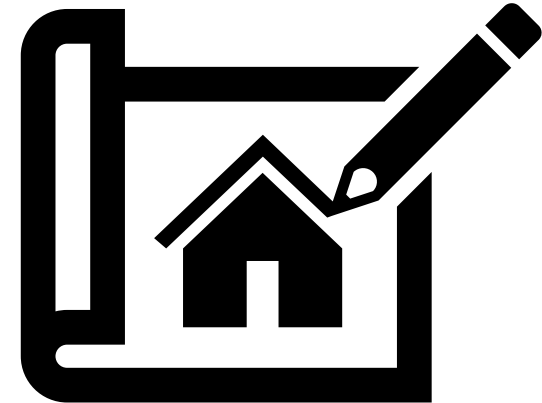


Client Inspection

- Before Exchange
- At exchange
- Before completion
- At completion

The Provision of Advice

- Commercial wisdom
- The role of the conveyancer
- Ensure advice is connected to the client's objective



Advising on Restrictive Covenants

- Client objective
- Which covenants are evident?
- Do they impact on objective?
- Are they enforceable?

Advising on Restrictive Covenants

- When is defective title insurance?
- When should enforceability be explored?
- How should it be explored?
- Provide an explanation that covenants can be bought out or application made under S.84 LPA 1925

Advising on Restrictive Covenants

- Advising on covenants that benefit the land
- Not set in stone
- Action is required if there is evidence of a breach or potential breach



Reporting on Title

- Purpose
- Connect to objective
- Information, explanation and advice
- Addressees
- Using an executive summary

Reports on Title and CPSe's

- Context
- Disclaimers, exclusions and limitations
- Highlight replies that impact on objective or that warrant further investigation

Learn More

Do you have any questions?

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Thank you

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