

## *Why you should register your unregistered land after 12 October 2013 and how we can help now*

England and Wales currently have two systems of how land is held: registered land and unregistered land. If your land is registered, the title to your land is held electronically at the Land Registry. If your land is unregistered, the title to your land will be in deeds dating back several years.

The Land Registry is in the process of ensuring all land in England and Wales is registered. When a trigger event occurs (e.g. a sale) then the land must be compulsorily registered.

You can voluntarily register your property at any time. There are many advantages to this including:

- Security for you as registered title is guaranteed by the state. There is also no need to worry about deeds being lost.
- Any defects or issues with your deeds will be brought to light on first registration and can be dealt with now. This is much better than trying to deal with them during a sale.
- The extent of your property will be shown clearly on a plan.
- It is much simpler to prove your title as you can download it electronically from the Land Registry.
- Registered land offers more protection against squatters as it is harder to claim adverse possession against registered land than unregistered land.

- The conveyancing transaction can take longer if unregistered land is involved. Many buyers solicitors now request first registration by a seller prior to exchange of contracts.

Changes in the law regarding chancel repair liability (a liability on some property owners to fund church repairs) mean that it is advisable to send the first registration application to the Land Registry after 12 October 2013. Once the first registration has occurred, this will ensure that a notice cannot be put on your title regarding chancel repair liability. We can prepare all the documentation now and then hold it in readiness to send to the Land Registry after 12 October 2013.

If you wish to speak to someone regarding registering land then please call either 01730 268211 (Petersfield) or 01730 816711 (Midhurst) and ask to speak to a member of the conveyancing team

BRIEFING NOTE