

SAMPLE LETTERS TO LENDERS FOR RESOLVING DELAYS IN FURNISHING MATTERS TO SOLICITORS AS AGREED UNDER THE CERTIFICATE OF TITLE SYSTEM FOR RESIDENTIAL MORTGAGE LENDING (2009 EDITION)

The Conveyancing Committee has published a [practice note](#) in the November 2010 issue of the Gazette concerning lenders' failure to honour redemption figures and/or failure to issue vacates and to delays in doing so. The four scenarios where these sample letters may be used are the following breaches of the certificate of title guidelines and Agreement (2009 Edition) –

- delays in issuing vacates
(paragraph 23 (a) – within one month of receipt of payment or the request (for vacate) whichever is later)
- delays in issuing deeds on ATR
(paragraph 4 (a) – within 10 working days where the lender has possession of the deeds, or paragraph 4 (b) – within 10 working days of the deeds coming into the possession of the lender)
- delays in issuing redemption figures
(paragraph 5 (b) – within 10 working days of the solicitor's written request)

or

- delays in releasing solicitors from their undertakings
(paragraph 21(d) – within 10 working days of the solicitor furnishing deeds to the lender).

While the wording in the sample letters on the website was drafted for use in the first scenario above, delays by lenders in furnishing vacated mortgages, they may be adapted and used as necessary where there are other breaches by lenders of their agreed obligations under the Guidelines and Agreement. Ensure the correct paragraph of the Guidelines and Agreement is quoted in each scenario.

The sample letters for the four stages of the process are as follows:

[Sample letter 1 to lender](#) – a reminder:

(Where Vacate Is Not Received Within 1 Month From Redemption Or First Request)

[Sample letter 2 to lender](#) - a warning:

(Where The Vacate Is Not Received Within 10 Working Days From Letter 1)

[Sample letter 3 to lender](#) - a formal customer complaint:

(Where The Vacate Is Not Received Within The Second Period Of 10 Working Days From Letter 2)

[Sample letter 4 to the Financial Services Ombudsman](#) - a formal complaint:

(Where The Lender Has Not Satisfactorily Resolved The Customer Complaint Or Has Not Done So Within The Time Frame Specified In Rule 2.46 Of The Consumer Protection Code Issued By The Financial Regulator)