

## Additional instructions for solicitors for Joint Borrower Sole Proprietor mortgages

### Joint Borrower Sole Proprietor mortgages

The following instructions and special conditions in the mortgage offer must be complied with prior to sending us the Certificate of Title, ahead of mortgage completion.

### Independent legal advice (ILA)

As this loan will only benefit the Borrower that will be registered as the proprietor of the Property, and will not benefit the Borrower that is not providing security and who will have no interest in the Property, solicitors must also ensure that the Borrower who will not benefit from this loan obtains ILA regarding the nature, risk and terms of the loan; and their liabilities under the loan and the security. Please refer to the mortgage offer identifying the Borrower that will require ILA.

Solicitors must ensure an ILA Certificate (using our standard form, which you'll find on our website [ybs.co.uk](http://ybs.co.uk)) is signed by the relevant Borrower, and their nominated legal advisor. We advise that completion of the mortgage transaction takes place once solicitors have received the ILA Certificate and checked that it has been validly signed by the relevant Borrower and a suitably qualified legal advisor (for example, by way of checking the solicitor is SRA regulated/registered with the Law Society). Solicitors must send the original, or a certified copy of the signed ILA Certificate to us following completion. If a certified copy is provided to us, solicitors must retain and hold the original on their file.

By submitting the Certificate of Title to us the solicitors will be confirming they have taken the appropriate steps to check the ILA Certificate has been signed by a suitably qualified legal advisor.

### Mortgage Deed/Standard Security

Solicitors must use the Society's standard form of Mortgage Deed/Standard Security, which you'll find on our website [ybs.co.uk](http://ybs.co.uk).

Solicitors must ensure that all Borrowers named in the mortgage offer must sign the Mortgage Deed/Standard Security.

Solicitors must ensure that for the Borrower that is receiving ILA, his/her legal advisor has witnessed the Borrower's signature on the Mortgage Deed/Standard Security.

Solicitors must ensure that only the Borrower providing security for the loan will be named on the title to the Property at the Land Registry/Land Register and benefit from ownership rights in the Property.

### Occupier's Declaration/Matrimonial Homes and Civil Partnership Consent

Solicitors must confirm whether the Borrower that will not be the owner of the Property, will be residing in the Property following completion, and if so, must ensure a signed Occupier's Declaration or Matrimonial Homes and Civil Partnership Consent (using our standard form, which you'll find on our website [ybs.co.uk](http://ybs.co.uk)) is obtained from the Non-owner Borrower prior to completion.

### Relationship between the Borrowers

Solicitors must confirm before completion of the loan that the Borrower who will have no interest in the Property is an immediate family member of the Borrower who is to be registered as the proprietor of the Property.

### Scope of Retainer

Unless there is a conflict of interest, solicitors must act for both Borrowers in relation to the transaction, (save for the provision of ILA to the Non-owner Borrower), and hold authority from both Borrowers to be able to complete the mortgage Loan. If solicitors are instructed other than on this basis, you must contact us as soon as possible, on receipt of instructions from the Borrower(s).

Our printed material is available in alternative formats e.g. large print, braille or audio. Please call us on **0345 1200 100**.

Yorkshire Building Society is a member of the Building Societies Association and is authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority. Yorkshire Building Society is entered in the Financial Services Register and its registration number is 106085. All communications with us may be monitored/recorded to improve the quality of our service and for your protection and security. Calls to 03 numbers are charged at the same standard network rate as 01 or 02 landline numbers, even when calling from a mobile.