

Guidance Notes for Solicitors and Frequently Asked Questions

As we are a new lender in Scotland, we thought it would be helpful to provide a list of frequently asked questions, which in conjunction with part 2 of the UK Finance, forms the basis of our instructions to you.

Information about Darlington Building Society

Darlington Building Society is a UK building society, which has its head office in Darlington, County Durham, England. It 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.

Security Documentation

We enclose the following security documentation for completion:

- Mortgage Offer;
- Standard Security;
- Matrimonial Homes Declaration; and
- Certificate of Title.

If you do not receive any of these documents, if you need any additional documents or if you have any questions, please contact us. These Instructions and documents replace any earlier Instructions and documents we may have provided with any previous Mortgage Offer to the borrower(s).

What we need you to do

The mortgage must be secured on the property by a first ranking standard security. If we will not have a first ranking security, then you must advise us immediately as this may affect our decision to lend. Please email us at mortgage@darlington.co.uk.

Valuations

The home report for the property offered as security will have been approved by a firm of valuers prior to the Mortgage Offer being issued to you. However, you should still review the content of the home report and report any issue which the reasonably prudent solicitor would refer to us. Additionally, you should not conclude missives until we have provided our instructions on any issue referred to us. Failure to do so may result in your panel membership being revoked.

Frequently Asked Questions

How many days' notice do you need for request for funds?

We will release the funds on the day we expect the funds to draw down provided that you have given us three business days' notice. We charge interest to the borrower(s) from the date that the money is released.

Who can sign the Certificate of Title?

The Certificate of Title must be signed by the individual solicitor or other person authorised by us to sign Certificates of Title named as requesting the funds or a partner or member of your firm. Certificates of Title signed in the firm/company name will not be acceptable.

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What documentation do I need before I can request funds?

You must only submit the Certificate of Title, request funds if:

- the title to the property is satisfactory;
- the borrowers, or their solicitors on the borrower's behalf, have confirmed to you that they are happy to accept the terms of the Mortgage Offer;
- you hold the Standard Security duly executed by the borrower(s) and hold any other document required;
- at settlement you will hold an Advance Notice for the registration of the Standard Security in the application record of the Land Register of Scotland (the Advance Notice) and ensure that there is no competing Advance Notice;
- at settlement any prior security over the property will be discharged and that the appropriate discharges will be received;
- any special condition contained in the Mortgage Offer have been complied with.

Do you need to know the solicitor details who is acting for the seller?

Yes, you must provide us with the details of the Seller's Solicitors at the earliest opportunity via email and must inform us of any subsequent change in their details.

Do you require sight of the building insurance?

No, you are required on our behalf to check that the borrower has arranged a policy of buildings insurance for the property for the reinstatement amount.

How long can we hold funds if settlement is delayed?

If settlement is delayed beyond the date stated in the Certificate of Title, you must take the following action. If you expect settlement to occur within 7 Business Days of the date on which we issued the mortgage funds to you (the Advance Period), you may retain the funds and hold it to our order until the earlier of (a) Settlement or (b) the expiry of the Advance Period. If Settlement has not taken place within the Advance Period or if at any time during the Advance Period you do not reasonably expect settlement to occur within the Advance Period, you must return the funds to us immediately by electronic funds transfer. The borrower(s) will be responsible for any bank charges or other costs for returning the funds and you must advise them accordingly.

After settlement, what documents do you require?

After settlement you must send to us:

- Certified copy of the Standard Security;
- Certified copy of the Disposition;
- Updated title sheet showing our first ranking security;
- Alteration documentation; and
- NHBC/ new build home cover.

If you have any questions, please contact us on 01325 741043 or email us at mortgage@darlington.co.uk.

Yours faithfully,