



Land registration in the Isle of Man

In the current economic climate it makes sense for those looking to sell their current home to minimise the risk of potential difficulties when it comes to conveyancing, cutting out the stress of problems with the Title being found and causing the transaction to fail. If you've owned your house for several years and are thinking of putting it up for sale in the near future it is worthwhile considering having the property's Title registered.

All properties are now subject to compulsory Registration when they are sold. Registration is the modern form of land holding which replaces the familiar Deeds of the past. Instead a Registered Property provides proof of ownership in a single document issued by the Isle of Man Land Registry. At this stage the majority of the Island's properties remain unregistered. However it is possible to apply for voluntary Registration whilst you are still in ownership. This would allow you to have Registered Title documentation (called an 'Office Copy') on hand when you are ready to sell.

What are the advantages to the home owner of having a Registered Title?

- i. Each Office Copy has a Filed Plan of your property attached. This is based on the IOM Land Registry "CLARE" mapping system. In some cases it is necessary to have a survey of the land in question to provide a greater degree of certainty as to the extent of the land. The red edging itself does not guarantee the boundaries, but this plan may provide a far better guide to the extent of your property than previously existed. Some abstracts of title contain only very old plans or even none at all!
- ii. The clarity that the Office Copy provides not only in respect of the plan but also where rights of way and other things which may affect your property are concerned avoids complications when the property is sold, allowing the sale process to run smoothly and efficiently. If you think you have a right of way about which there is some uncertainty, Land Registration will prove the matter and you will no longer have to rely on old documents.
- iii. As the Title is proved by a single slim document you no longer have to retain a bundle of all the old Deeds – all the information a purchaser needs to know about the Title to the property is in one definitive document and is easily and cheaply replaced if it is lost.

How is an application for Voluntary Registration made?

You will need to instruct an Advocate and provide them with the Deeds you currently hold. If you instruct us we will search and examine the Title and prepare an application. This will then be submitted to the Land Registry on your behalf. Your new Office Copy will be then issued in due course once the

Corlett Bolton & Co.

Douglas: 4 Finch Road, Douglas, Isle of Man IM1 2PT **Peel:** 32 Market Street, Peel, Isle of Man IM5 1AE
Tel: (01624) 676868 **Email:** mail@corlettbolton.com

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Directors: SM Bolton, NJ Merritt Consultant: J Karran



application has been verified by the Land Registration Officers. A fee of £75 is currently payable to IOM Government with each submission. Advocates fees will also be payable but in most cases will be in the region of £600.00.

Therefore if you are thinking of selling or simply want to get your property affairs in good order and avoid passing on any potentially contentious issues to the next generation now is the time to consider voluntary Land Registration.

For further information on land registration or any other land matters, please contact us on (01624) 676868 or e-mail james.kennaugh@corlettbolton.com

This publication is intended only to provide a brief guide. It does not purport to be comprehensive or to provide legal advice.

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