

**Certificate of  
Title<sup>(1)</sup> on disposal  
of Housing Land  
or Buildings**

(1) See note 1 below

**Land Registry**

**Housing Act 1985  
(as amended)  
Housing Act 1988 and  
Local Government and  
Housing Act 1989**

**PSD17**

**IMPORTANT:** Please read the notes on pages 5, 6 and 7 before completing this form.

The Authority, namely,

\_\_\_\_\_

hereby certifies as follows:-

(2) See note 2 below

1. The disposal deed to which the certificate relates is made under: *[please tick any appropriate box]* <sup>(2)</sup>

- the preserved right to buy provisions
- the voluntary sale provisions
- the housing action trust provisions
- the new town corporation provisions

(3) See notes 2 and 3 below

and all the statements required by the applicable legislation <sup>(3)</sup> have been made in the disposal deed and are correct.

(4) See note 4 below

2. The title disposed of by the authority is: *[please tick one only of the following boxes]* <sup>(4)</sup>

- freehold
- existing leasehold
- new leasehold
- new underlease [You must also complete paragraph 6 ]

3. The disposal deed is:-

*[please complete (a) to (c) in all cases and (d) if a lease is involved]*

(a) dated \_\_\_\_\_ 20 \_\_\_\_\_

(b) made between (1) The Authority

( ) The purchaser \_\_\_\_\_

( ) \_\_\_\_\_

(5) See note 5 below

(c) of land/buildings known as \_\_\_\_\_

which is/are shown [edged] [coloured] \_\_\_\_\_ on  
plan(s) of sufficient scale<sup>(5)</sup> which is/are annexed thereto.

(d) for [the residue of] a term of \_\_\_\_\_ years from \_\_\_\_\_

at a [rent of £ \_\_\_\_\_ ] [variable rent]

4. The Authority is entitled to make the disposal and to grant any appurtenant rights therein and there are no registered titles of which the Authority is the proprietor over which the disposal deed grants rights

(6) See note 6 below  
(7) See note 7 below

5. The disposal is free from any [under] lease, charge, rentcharge, easement, restrictive covenant<sup>(6)</sup>, preserved right to buy<sup>(7)</sup> or other incumbrance or adverse right or interest except as stated in the disposal deed or summarised in Part A of the Schedule hereto.

6. [to be completed only where the disposal deed is a new underlease] The details in Part B of the Schedule are correct and:- [please tick one box and complete as appropriate]

- The Authority did not investigate the title of the lessor to grant the lease under which it holds the land in the disposal.
- The Authority did investigate the title of the lessor and of all superior titles including the freehold in the usual way and the Authority holds the land in the disposal under a validly demised lease free from any adverse rights or incumbrances (including restrictive covenants), except as stated in Part C of the Schedule hereto.
- The superior title(s) to the lease under which the Authority holds the land in the disposal is/are registered under the following title number(s) \_\_\_\_\_

*(In all lease cases)* the original or a certified copy of the authority's lease has been given to the purchaser for production to the Chief Land Registrar.

Date \_\_\_\_\_ 20 \_\_\_\_\_

Signature \_\_\_\_\_

Status \_\_\_\_\_

## SCHEDULE

### Part A

Adverse rights and incumbrances (including restrictive covenants) affecting the freehold and any intermediate leasehold interests

Part B

Particulars of Lease under which the Authority holds the property

Date	Parties	Years	Term	From
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Part C

Incumbrances affecting the Authority's leasehold interest

## NOTES

(1) This Certificate of Title is the form approved by the Chief Land Registrar for the purposes of the following legislation:-

the preserved right to buy provisions	- Housing Act 1985 Schedule 9A paragraph 2 as it applies by virtue of the Housing (Preservation of Right to Buy) Regulations 1993 (Forms PSD 13, 14 or 15 as applicable must be used where a qualifying person exercises the preserved right to buy)
the voluntary sale provisions	- Housing Act 1988 section 133(8)
the housing action trust provisions	- Housing Act 1988 section 81(9)
the new town corporation provisions	- Local Government and Housing Act 1989 section 173(8)

This certificate is the responsibility of the Authority and an inaccurate or incomplete certificate may give rise to a claim for indemnity. It must be signed by the solicitor to the Authority, by its Chief Executive Officer or some other officer approved by the Chief Land Registrar.

(2) In the Certificate:-

“applicable legislation”	means the provisions of the Housing Acts 1985 and 1988 or the Local Government and Housing Act 1989 under which the Authority has made the disposal.
“disposal deed”	means (i) in the case of a qualifying disposal to which the preserved right to buy provisions apply, the instrument by which the disposal is effected.  (ii) in the case of an original disposal to which the voluntary sale provisions apply, the instrument by which the disposal is effected  (iii) in the case of a material disposal to which the housing action provisions apply, the instrument by which the disposal is effected  (iv) in the case of an initial transfer under the new town corporation provisions, the instrument by which the transfer is effected.
“Purchaser”	means the person who has acquired an interest in land under the disposal deed.

- (3) The Authority is required by the applicable legislation to ensure that certain statements are inserted in the disposal deed. The form of the statements should be as follows:-

*Where the preserved right to buy provisions apply*

Section 171 A of the Housing Act 1985 applies to the deed so far as it relates to dwellinghouses occupied by secure tenants. The [purchaser] [lessee] hereby applies to the Chief Land Registrar for the entry of the notice and restriction required by paragraph 4 of Schedule 9A to that Act.

*Where the voluntary sale provisions apply*

Section 133 of the Housing Act 1988 applies to [all the land] [the following properties] in this [Conveyance] [Assignment] [Transfer] [Lease]. The [purchaser] [lessee] hereby applies to the Chief Land Registrar for the entry of the restriction required by that section.

*Where the housing action trust provisions apply*

The requirement of section 81 of the Housing Act 1988 as to consent applies to a subsequent disposal by the [purchaser] [lessee] of the land in this [Conveyance] [Assignment] [Transfer] [Lease]. The [purchaser] [lessee] hereby applies to the Chief Land Registrar for the entry of the restriction required by section 81(10) of that Act.

*Where the new town corporation provisions apply*

This [Conveyance] [Transfer] [Assignment] is made under section 172 of the Local Government and Housing Act 1989. *(If the land includes housing occupied by secure tenants add: The requirement of section 173 of that Act as to consent applies to a subsequent disposal of [all the land] [the following properties] in this [Conveyance] [Transfer] [Assignment] and the purchaser hereby applies for the entry of the restriction required by the said section 173.)*

When two sets of provisions apply to the same disposal, both statements will be required.

- (4) Voluntary sale and housing action trust disposals can be of the freehold or by way of assignment of lease or by way of a grant of a new lease (subject to the Secretary of State's consent). Preserved right to buy disposals may only be by way of freehold or grant of new lease or underlease. Sales under the new town corporation provisions may only be by way of freehold or assignment of a lease.
- (5) Under the provisions of the Land Registration Rules 2003, all applications for registration must include sufficient particulars to enable the land to be identified on the Ordnance Survey Map. The disposal deed should incorporate plans of the land which must be based on an extract from the latest large scale Ordnance Survey Map.
- (6) (i) In Part A of the Schedule details of incumbrances must be given if not referred to in the disposal deed. This may be done, for example, by referring to the incumbrance by reference to the part of the deed imposing it e.g. "Restrictive covenants. Conveyance 1. 1. 1920 page 2 Clause 5". In any case where specific easements have been granted or reserved by deed or covenants imposed on the land covered by this certificate full details of the terms of the grants or covenants must be supplied. This should be done by production of duplicate or examined copies of such deeds to the purchaser or his solicitor or licensed conveyancer. It should be remembered that if there have already been disposals under Part V of the Housing Act 1985 (The Right to Buy) or the now repealed Part IV of the Housing Act 1988 (Change of Landlord: Secure Tenants) the land being sold will probably be subject to the statutory easements. Where houses have been sold under Part V of the Housing Act 1985, the houses should be listed by addresses and covered by a general statement:
- "The land is subject to statutory easements granted by the following right to buy disposals."
- Where disposals took place under Part IV of the 1988 Act similar statements should be made. If specific easements were also granted copies of the conveyances etc. must be produced as above. Where there are leases of the land being sold, the counterparts must be produced. Leases of adjacent land which grant rights over the land being sold must also be listed and examined copies produced.
- (ii) Reference should be made to any restrictive covenants or other incumbrances which may not have been binding on the Authority but which will nevertheless become binding on the land in the hands of any successor in title of the Authority.
- (iii) The entire amount (and not merely the informal apportionment) of any rentcharge shall be stated.
- (7) In the case of a disposal where the preserved right to buy provisions or the new town corporation provisions apply the disposal must contain a list, to the best of the Authority's knowledge and belief, of the dwellinghouses to which the disposal relates which are occupied by secure tenants who have the right to buy. The list should be prepared in alphanumeric order e.g. 27 Acacia Gardens should precede 1 Bramble Close. Care should be taken to ensure that it is clear whether all properties are included if several properties are listed e.g. 1 - 21 Acacia Gardens (all) or (odd numbers only).