

CERTIFICATE OF EXECUTION AND CONFIRMATION OF LEGAL ADVICE - OCCUPIER

To Market Harborough Building Society (the "Society")

Mortgagor(s): (insert full name(s))

Property:(insert full legal description)

I confirm that:

- (a) I am a solicitor, legal executive or licensed conveyancer authorised to sign on behalf of the firm detailed below;
- (b) acting on the instructions of the occupier of the Property, _____ * (the "Occupier"), I explained to the Occupier the nature and effect (including the practical consequences) of, and gave the Occupier independent legal advice on the effect of a mortgage to be granted by the Mortgagor of the Property (the "Mortgage") and the Society's 'Other Occupiers Waiver' form (the "Waiver Form") which is required to be signed by the Occupier.
- (c) I explained that the Occupier is required to sign the Waiver Form and that in signing it s/he confirms in particular that:
 - a. s/he does not have an exclusive right to all or any part of the Property;
 - b. s/he is not a tenant of the Property and have never signed or been given a tenancy of the Property orally or in writing;
 - c. if it is found that s/he has any rights of occupation of the Property, those legal rights are waived by signing the Waiver Form;
 - d. the Society will at all times have a stronger legal right to possession of the Property than the Occupier;
 - e. the Occupier will not claim any right of any sort in respect of the Property against the Society; and
 - f. the Occupier consents to any application the Society may make to the Land Registry to confirm that s/he does not have an overriding interest in the Property.
- (d) I explained to the Occupier the implications and the risks to the Occupier of the granting of the Waiver Form and made it clear that there is no obligation to accept the terms of the Waiver Form or to enter into it;
- (e) I am satisfied that the Occupier has the capacity to grant the Waiver Form, has understood the nature and consequences of entering into the Waiver Form and has willingly entered into it;
- (f) I provided a copy of the Mortgage to the Occupier, the Waiver Form was signed in my presence and I witnessed the Occupier's signature; and
- (g) I have considered whether I have any conflict of interest and I am satisfied that I can act in the Occupier's best interests.

Signature.....

Name.....

Solicitor/Legal Executive/Licensed Conveyancer (*delete as appropriate*)

Name and address of firm.....

.....

.....

Date.....

**insert full name of Occupier*