

Occupiers Deed of Consent

The Occupier: _____

The Borrower: _____

The Property: _____

The Society: Loughborough Building Society, 6 High Street, Loughborough, Leicestershire. LE11 2QB

The Society proposes to make (in stages if applicable) an advance (and/or such further advances as we decide) to the Borrower secured by a legal mortgage over the Property.

By signing this Deed of Consent, you (The Occupier) confirm to, and agree:

- a) to the making of an Advance and any further advances by the Society.
- b) to the borrower creating (and registering) the mortgage over The Property to secure the advance and any further advance(s).
- c) that the amount secured by the mortgage can vary from time to time and will include the advance(s), interest and all other sums payable to the Society in connection with the loan(s).
- d) your additional consent will not be required for any further advances.
- e) any rights or interest that the Occupier may have over the Property or its proceeds of sale (Including any charge arising in respect of any matrimonial or civil partnership home rights by virtue of section 31 of the family Law Act 1996) now or in the future are postponed and will be subject to the rights and interest of the Society under its mortgage.
- f) you charge all (if any) of your estate, interest and rights in the Property or the proceeds of sale of the property to the Society as a continuing security for the payment of all money and liabilities secured by the mortgage.
- g) not to assert or rely on any such estate, interest or rights in a manner which may obstruct, delay or hinder the orderly realisation of the Society's security over the Property.
- h) the Society may enforce the mortgage by seeking a court order for possession of the Property, by selling the Property and/or by appointing a receiver to manage the Property.
- i) if the Society or any receiver obtains a court order for possession of the property, you will leave the Property.
- j) the Society may at any time transfer, charge or otherwise dispose of the mortgage.

Signed as a deed by

Occupiers Signature: _____ Date: _____

In the presence of

Witness Signature: _____ Date: _____

Print Witness name: _____

Witness Address: _____

Witness Occupation: _____

The Witness confirms by signing that they are aged 18 years or over and are not: (a) a spouse, civil partner, cohabitee of, or otherwise related to the borrower or the occupier or (b) a solicitor or other adviser of the borrower.

Please also sign one of the sections overleaf in front of the same witness

This is an important document.

It means the society's mortgage will take priority over any rights you have in the property.

Sign it only if you want to be legally bound by its contents.

We strongly recommend you take independent legal advice before signing.

Option A – if you decide, as we recommend, to take independent legal advice:

At a meeting **NOT ATTENDED BY THE BORROWER OR THE SOCIETY**, the solicitor I have engaged has:

1. Given me independent legal advice, including explaining the contents, nature, legal and practical effects of signing the Deed of Consent.
2. Advised me (using a copy of the mortgage offer and mortgage conditions) of the purpose and amount of the mortgage advance, the term of the advance and the payment details and that Further Advances may be made in future.
3. Warned me of the risks involved in signing this Deed of Consent.
4. Received my confirmation that I wish to sign the /Deed of Consent: and
5. Confirmed they were satisfied I understood the nature and extent of the obligations under the Deed of Consent and the impact and risks of signing it.
6. Provided me with a copy of Loughborough Building Society's Privacy Notice (<https://www.theloughborough.co.uk/privacy-and-cookies>) which I have read.

Occupiers Signature: _____ Date: _____

In the presence of
Print name of Solicitor: _____

Signature of Solicitor: _____ Date: _____

Name of Legal Firm: _____

Address of legal firm: _____

Option B – if you decide, against our strong recommendation, not to take independent legal advice:

I confirm I have been strongly recommended by the Society to take independent legal advice before signing the Deed of Consent. As well as reading the Deed of Consent, I have been provided with and read Loughborough Building Society's Privacy Notice (<https://www.theloughborough.co.uk/privacy-and-cookies>). I have decided not to take independent legal advice because I fully understand the consequences of signing and wish to proceed of my own free will.

Occupiers Signature: _____ Date: _____

In the presence of

Witness Signature: _____ Date: _____

Print Witness name: _____

Witness Address: _____

Witness Occupation: _____

The Witness confirms by signing that they are aged 18 years or over and are not: (a) a spouse, civil partner, cohabitee of, or otherwise related to the borrower or the occupier or (b) a solicitor or other adviser of the borrower.