

LMS Conveyancing

Separate Representation - Scotland



▶ What is Separate Representation

A customer may ask to use a law firm that they have chosen to act for them in the purchase or remortgage of a property. This may be a law firm of their own choice or one recommended to them by another third party. If that law firm is not on the approval panel of law firms for the lender then the lender may request a separate approved law firm acts for them in the transaction, this is called Separate Representation.

The purpose of separate representation is to ensure that the lender, who is providing a mortgage to the customer, is protected at all times. Please note that the lenders law firm does not act for the customer and cannot speak to the customer directly.

In this instance the customer is responsible for their own law firm costs as well as those for the lenders law firm, detailed below.

▶ The process



▶ Remortgage

Loan amount	Remortgage Legal Fee All fees are subject to VAT
Up to £500,000	£169
£500,001 to £2,500,000	£269

Additional legal fees –where applicable All fees are subject to VAT	
Telegraphic Transfer	£30

▶ Purchase

Property Price	Purchase Legal Fee All fees are subject to VAT
Up to £500,000	£295
£500,001 to £2,500,000	£395

Additional legal fees –where applicable All fees are subject to VAT	
Telegraphic Transfer	£30

▶ Disbursements

As well as the customer paying the above fees they will also have to pay legal fees and disbursements to their own law firm. The customers chosen law firm should provide a full breakdown of their fees and disbursements to the customer, attached is a guide to some of the typical disbursements that may apply.

▶ Remortgage Disbursements

Typical disbursements for a Remortgage:

Disbursement	Description	Fee	
Land Register*	The fee payable to the Land Register to register any change affecting the property including a change of ownership.	Paper Fee	ARTL Fee
	Discharge of the existing Standard Security (per discharge)	£60	£50
	Registration of the Standard Security	£60	£50
Property Enquiry Certificate, Title Search and Personal Search	A search that includes a Property Enquiry Certificate provides essential information about the status of a property and informs of any adverse entries which may affect the property and a Title Search from the Registers of Scotland	£90	
Advance Notice	This search is a final check made by the law firm to ensure no changes have been made or are pending to the property's title.	£10	

* If your property is currently registered at the Sasine Register it will have to be registered at Land Register of Scotland on completion, additional fees and disbursements may apply.

▶ Purchase Disbursements

Typical disbursements for a Purchase:

Disbursement	Description	Fee	
Land Register*	The fee payable to the Land Register to register any change affecting the property including a change of ownership.	Purchase Price	Fee
		£0 - £50,000	£60
		£50,001 - £100,000	£120
		£100,001 - £150,000	£240
		£150,001 - £200,000	£360
		£200,001 - £300,000	£480
		£300,001 - £500,000	£600
		£500,001 - £700,000	£720
		£700,001 - £1,000,000	£840
		£1,000,001 - £2,000,000	£1000
		£2,000,001 - £3,000,000	£3000
		£3,000,001 - £5,000,000	£5000
£5,000,001+	£7500		
	Registration of the Standard Security	£60	
Land and Buildings Transactions Tax (LBTT)	This is a tax levied on the purchase of a property. It is calculated depending on the portion of the purchase price that falls in to each rate band. For example a £200,000 property would have tax of £1100 payable (2% of the £55,000 above £145,000). An extra 3% LBTT will be payable if any one of the purchasers owns an interest in any other property and will keep an interest in that property following completion of this purchase. Your conveyancer will confirm applicable fees.	Purchase Price	Fee
		Up to £145,000	0%
		£145,001 to £250,000	2%
		£250,001 to £325,000	5%
		£325,001 to £750,000	10%
Over £750,000	12%		
Advance Notice	This search is a final check made by the law firm to ensure no changes have been made or are pending to the property's title.	£10	

* If your property is currently registered at the Sasine Register it will have to be registered at Land Register of Scotland on completion, additional fees and disbursements may apply.