**LONG TERM LEASING SCHEME**

**Legal Requirements of South Dublin County Council**

1. **Title**

* Registered title.
* Title must be registered in the name of the proposed Lessor.

1. **Copy Title**

**All cases**

1. Certified copy Folio and Filed Plan must be up to date, in colour and map must be attached to same.
2. Copy Lease if leasehold title.
3. All Planning Permission documentation and BCMS documentation (if applicable).
4. Architects Opinions on Compliance with Planning Permission and Building Regulations.
5. Architects Opinion on Compliance re any alterations or extensions (if applicable).
6. Evidence of compliance with financial contributions (if applicable).
7. Letter re Roads and Services.
8. Inventory of Contents.
9. BER Certificate and Advisory Report.
10. LPT Receipt for all years 2013-2018 showing nil balance.
11. NPPR COD / COE for the years 2009-2013 inclusive.
12. Tax Clearance Certificates of the vendor and vendor’s Solicitors, in line with Department of Finance directions.
13. Certificate of Incorporation of the proposed Lessor (if incorporated).
14. Memorandum and Articles of Association of the proposed Lessor (if incorporated).
15. If there is a mortgage registered against the title to the property, prior consent will have to be furnished from the Mortgagee to the letting of the property.

The Law Department must receive the following copy title for a property located within a managed development:-

1. Head Lease.
2. Deed of Transfer and Lease of Easements (if applicable).
3. Fire Safety Certificate(s) / Disability Access Certificates.
4. Certificate as required in relation to electricals, warranties, installations, service in relation to emergency fire detectors, smoke alarms, commercial lighting (if any).
5. MUD Act Replies.
6. Certified copy Folio and Filed Plan of the common areas showing the Management Company as owner.
7. Agreement to Transfer the Common Areas and/or Transfer of the Common Areas.
8. House/Estate Rules.
9. Letter re Roads and Services/Indemnity re Roads and Services.
10. If the title is leasehold and Management Company consent is required in order for the Lessor to enter into the Lease, the Lessor must also furnish written consent of the Management Company.
11. Management Company details to include the Agreement, House Rules and contact details
12. Proof of payment of Management fees annually and proof on an annual basis that the Block Insurance Policy to cover buildings/structure and public and employer liability for all communal areas is in existence**.**
13. Certificate of Incorporation of Management Company.
14. Memorandum and Articles of Association of Management Company.

**3. Pre Lease enquiries and Requisitions on Title**

There must be appropriate, full and satisfactory replies to all Pre Lease enquiries and Requisitions on Title.

**4. Closing Requirements**

On closing, the Law Department must receive the following closing documentation. You might note that this is not an exhaustive list.

**All cases**

|  |  |
| --- | --- |
|  | Sealed Lease in duplicate in accordance with template. |
|  | Family Home Declaration. |
|  | Section 72 Declaration. |
|  | Declaration re Observance of Covenants and Conditions in the Head Lease (if applicable). |
|  | Meter readings for electrical, gas , water (if applicable)  Name and contact details of current utility providers. Top up card for pre-pay meters (if applicable ) |
| 6. | Satisfactory replies to closing searches. |
| 7. | Keys ( to include post box, bin shed keys if applicable), parking fobs/permits, alarm code and security codes, bin shed code (if applicable). |

The Law Department must receive the following copy title for a property located within a managed development:-

|  |  |
| --- | --- |
|  | Indemnity re Roads and Services duly assigned. |
|  | Evidence of proposed Lessor’s interest noted on Block Policy. |
|  | Lease of Easements duly assigned. |