



Kathryn Shaw

Associate

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Kathryn Shaw has worked in law since 2009 and worked as a Paralegal in her previous firm's Private Client team.

She became a Conveyancing Executive in Coodes' Residential Property team in 2014, and at the time was a Graduate of CILEX.

Kathryn qualified as a CILEX Fellow in 2016 and was promoted to Associate in 2022.

Expertise

Residential Property

Kathryn deals with more extensive and complex caseloads, representing individuals and businesses across a broad spectrum of work.

She regularly handles auction matters, both on sales and purchases.

Kathryn is on the specialist Buy to Let team and helps guide new landlords through their responsibilities and obligations including the importance of having a correctly drafted tenancy agreement in place and ensuring the property is safe to let. This law around letting property is ever changing and it is vital that we keep landlords up to date.

Another specialist area which Kathryn deals with on a regular basis is leasehold properties. She handles these complex sales and purchases, often involving having to deal with the management companies and freeholders to ensure the property is properly maintained.

Kathryn is extremely experienced in new build conveyancing and has a particular interest in the additional complexities surrounding the type of transaction.

Notable Residential Property cases

Leasehold - Sale

Handling the sale of a leasehold property at £2.8 million in Mayfair, involving a complex landlord/management structure. Kathryn communicated with legal representatives for the landlord, management company, and seller. She guided the client through the various legal requirements of each party to bring the sale to

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a successful conclusion.

Deed of Variation

Managing the purchase and deed of variation for a leasehold property with unfavourable ground rent provisions. The level of ground rent meant that the lease could be classed as an Assured Shorthold Tenancy (AST) which is detrimental to clients and unpalatable to many mortgage lenders. This is due to provisions under the Housing Act 1988 which allow landlords to take possession in the event of rent arrears or non-payment.

Kathryn negotiated with the seller via their solicitor and advised them to enter into a deed of variation with the landlord before the completion of the purchase. This decision made the terms of the lease more favourable to Kathryn's client, acceptable to mortgage lenders and made the property more saleable in the future.

Freehold - Sales & Purchases

Handling the purchase of a house by way of transfer of part of a title from a Social Housing Company selling off stock. Kathryn carried out searches, reviewed the contract papers, and raised relevant enquiries. She also liaised with the seller's solicitor to request amendments to the draft contract and transfer where terms were incorrect or unfairly detrimental to her client.

Kathryn reported information to the client regarding the title documents, search results, as well as key terms of the contract and transfer. She dealt with the exchange and completion, submission of the Stamp Duty return, and arranged the registration of the purchase at the HM Land Registry.

New Build

Managing the purchase of a new build from a large developer, Kathryn reviewed the terms of the contract and transfer of part, ensuring planning permission, building control, and build warranty were all in order. She ordered searches and reported on the same.

Kathryn checked whether appropriate legal agreements were in place for the adoption of roads and sewers. The developer had very particular requirements in terms of timescales between instruction and exchange, so Kathryn ensured that the matter progressed in line with their requirements. She also provided regular updates to the client and the developer's sales office.

Transfer of Equity

Dealing with the transfer of equity from the husband's sole name into a joint name with his wife. As well as drafting the transfer document, the title to the property was unregistered and the transfer triggered compulsory registration. Kathryn reviewed the original deeds supplied by the client to compile Epitome ready for submission to HM Land Registry.

Assent & Transfer of Equity

Kathryn acted for an executor of a deceased's will and she had left the property to the executor and another beneficiary. They initially wanted to assent the property into their names and Kathryn reviewed the will and Grant of Probate to ensure: a) the executor had authority to act and give instructions b) he and the other beneficiary were the persons legally entitled to the property under the terms of the deceased's will.

Kathryn reviewed the title documents and prepared the Land Registry forms accordingly. The beneficiaries then decided that, following the assent to them, they wished to transfer all of the property to another family member. Kathryn ascertained the reasons for this wish and established from the proposed transferee that she was happy to accept the transfer. Kathryn then drafted the transfer and submitted all the documentation to HM Land Registry to effect the parties' wishes.

Buy to Let

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Handling the purchase of a converted former retail unit comprising of three flats. Two of the flats were purchased as buy to lets, with the existing tenants to remain in situ. The remaining flat was to be used as a main residence by the purchaser. Kathryn's work involved reviewing contract papers, searches and raising enquiries. She checked the planning permission to ensure permission had properly been obtained in respect of the change of use.

Due to the tenancy element, Kathryn also carried out an in-depth review of the tenancy document which revealed various issues in relation to the letting of the flats. She advised her client of his obligations as a future landlord and the implications of deficiencies with the existing arrangements if not rectified.

Reconstitution of Title / Application for Possessory Title

Kathryn acted for the executor under his authority by Grant of Probate. Part of the deceased's estate included an unregistered garage and parking area. Although the executor had been through the late owner's papers, he had been unable to find a copy of the original deeds evidencing the deceased's legal ownership of the garage and land.

The executor was able to supply detailed information as to what he believed had happened to the original deeds and why they could not be found and could testify from his own knowledge that the deceased had owned the garage and land for many years, and it had been owned by the family for years before it passed to the deceased.

He was also able to locate and supply various photocopy deeds which supported his statement. Kathryn drafted an application for possessory title based on lost deeds and a statement in support for the executor to sign. She then dealt with submission of the application to HM Land Registry so the property could be registered, sold and the proceeds distributed to the late owner's beneficiaries.

Qualifications & Accreditations

- Chartered Legal Executive (2016)

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