



**Land Registration Act 2002**  
**Scope of this guide**

This guide is aimed at members of the public and provides guidance on action you can take to protect yourself against property fraud.

**Contact details**

Please tell us if you would like:

- help understanding this guide
- this information in a different format, such as audiocassette, or large print.

You can obtain copies of this and all our guides free from any Land Registry office, and view or download them from our website in English or Welsh.

This publication can be made available in alternative formats on request. If you require an alternative format please contact Customer Service at Land Registry Head Office.

If you have any questions about this guide, please contact your local Land Registry office. You can find details of phone numbers and opening times on our website. Phone numbers are also listed under 'Land Registry' in the Phone Book.

[www.landregistry.gov.uk](http://www.landregistry.gov.uk)

## How to safeguard against property fraud

**Update** — This edition of the guide replaces the December 2007 edition. Section 3.1 has been amended to clarify our practice.

### 1 Introduction

Land and buildings are usually the most valuable assets people own. They can be sold and mortgaged to raise money and can therefore be attractive targets for fraudsters.

Land Registry, professional conveyancers and mortgage lenders all have safeguards to minimise the risk of a fraud being successful. However it is important that property owners do what they can to help prevent fraud and to protect their ownership in the same way that they protect other things they own.

### 2 Examples of situations where property fraud can arise

Anyone owning an interest in property can be the victim of property fraud, but there are some situations where this is more likely, such as:

- where a relationship breaks down
- where a property is empty or is bought to let
- where the owner is abroad or absent
- where the owner is infirm or in a home.

If you are in any of these situations, or you are otherwise concerned that you may become the victim of property

fraud, seek advice from a professional conveyancer such as a solicitor or a Citizens Advice Bureau and consider taking the action mentioned in this guide.

### 3 What can you do to help prevent fraud?

There are a number of things you can do to help prevent fraud or forgery with respect to your property interests.

#### 3.1 Register your title

If your property is not registered, consider applying for voluntary first registration.

Registering title provides an up-to-date official record of who owns land in England and Wales. Any person dealing with registered property would have to check the register of title maintained by Land Registry to confirm who the owner is. They would also be able to see if there were entries on the register that required them to obtain information or evidence to enable their transaction to be registered.

State-backed registration gives you greater security of title<sup>1</sup> and, depending on the situation, if you suffered loss as a result of a fraud you

may be able to get compensation from Land Registry. Please note though that no compensation is payable for any loss suffered by an owner wholly or partly as a result of:

- his or her own fraud, or
- except where there has been a disposition for valuable consideration, eg a transfer, which has been registered or otherwise protected by an entry in the register, the fraud of a person through whom he or she claims title.

The amount of compensation paid may also be reduced where loss is suffered by an owner as a result of:

- any lack of proper care on his or her part, or
- except where there has been a disposition for valuable consideration, such as a transfer, which has been registered or otherwise protected by an entry in the register, lack of proper care on the part of a person through whom he or she claims his or her title.

Land Registry will seek the return of any compensation paid from anyone responsible for the fraud, or against whom the customer would otherwise have had right of legal action in relation to the fraud.

In the case of criminal offences relating to fraud and suppression of information or dishonestly inducing changes to the register of title, Land Registry will encourage the police to pursue those responsible.

Land Registry also carries out checks and our procedures also provide safeguards against fraudulent transactions being registered.

### *3.1.1. How do I apply for first registration?*

For more information about applying for voluntary first registration please see:

- Land Registry Public Guide *8 – Registering title to land – the characteristics and advantages* that explains the benefits of registering your land
- Land Registry Public Guide *13 – Applications for first registration made by the owner in person* that contains full details on how to apply for registration.

You should seek professional advice if you are not sure what to do.

## **3.2 Keep your name and address on the register up to date**

If you own a property registered with Land Registry you have to provide an 'address for service'. This is an address to which we will send letters and notices if we need to contact you, such as where we have received an application concerning your property.

You also have to provide an address for service where you are named in the register as the owner of a mortgage (that is, you are the lender) and for certain other types of property rights. Your conveyancer will advise you when an address is required.

You can have up to three addresses for service on the register. One of these must be a postal address, but this does not have to be in the UK.

The other two addresses can include:

- a UK or overseas postal address
- an email address
- a DX address, as long as we already have an arrangement with the DX service provider. (DX stands for document exchange, a service provided by several firms in the UK who collect and deliver mail.) Private individuals do not normally have DX addresses.

It is important that Land Registry has your correct name and address. An incorrect name or address may mean that you do not receive letters or notices that we send to you. You should therefore always keep your name and address on the register up to date.

### *3.2.1 How do I change my name on the register?*

If you change your name you should apply by letter to the relevant Land Registry office, asking for the register to be altered. You should supply proof of any change of name (for example, a copy of a marriage or civil partnership certificate or a deed poll).

You can look on our website [www.landregistry.gov.uk](http://www.landregistry.gov.uk) or telephone any Land Registry office to find out which office to write to.

No fee is payable to change your name on the register.

Land Registry has procedures and may carry out additional checks to help prevent someone applying to change a registered owner's name fraudulently.

<sup>1</sup> This does not cover matters that affect the property that are not referred to in the register (overriding interests) such as public rights of way or compulsory purchase orders. If somebody suffers a financial loss because of a mistake in the register, compensation is usually available.

### 3.2.2 How do I change my address for service?

If you change your address you should apply by letter to the relevant Land Registry office, asking for the register to be altered.

People who have an email address often change this because they change service provider. Please make sure you let us know whenever this happens so that we can change our records.

No fee is payable to change your address on the register.

Land Registry has procedures to help prevent someone applying to change a registered owner's address fraudulently.

For more information, please see Public Guide 2 – *Keeping your address for service up to date*.

### 3.3 Have three addresses for service on the register

If you are concerned that you are, or may become, the victim of property fraud, consider having more than one address for service. For example, you might want to have not just the property address, but also the address that you are now living at.

You might also want to consider asking your solicitor if they will act as a 'care of' address. You will need to ensure you do this with their agreement. There should also be some understanding between you as to what they should do if they receive correspondence for you from Land Registry, and where they will be able to contact you in the future.

### 3.4 Put a restriction on your title

#### 3.4.1 If you think you might be the victim of fraud that has not yet taken place

If you or your conveyancer think that you are particularly at risk of an attempted fraudulent transfer, mortgage or discharge of your registered land interest, you might want to consider applying for the entry of a restriction on your title. A restriction is an entry in the register that limits the powers of a registered owner of the land to deal with or dispose of the land.

For example, if you are in any of the groups mentioned in section 2 *Examples of situations where property fraud can arise*, you might want to consider applying for a Form LL restriction. This reads:

### Form LL (Restriction as to evidence of execution)

*No disposition of [the registered estate or the registered charge dated (date) referred to above] by the proprietor [of the registered estate or of that registered charge] is to be registered without a certificate signed by a conveyancer that he is satisfied that the person who executed the document submitted for registration as disponer is the same person as the proprietor.*

Where this restriction has been entered on the register we will not register a dealing with your property, for example a transfer or a mortgage, unless a solicitor or other professional conveyancer has certified that they have checked the identity of the person who has signed the deed. This could help to prevent a fraudster forging a signature on a deed.

You should speak to your solicitor if you wish to apply for this restriction.

#### 3.4.2 If you think that you have already been the victim of property fraud, or someone has changed the register so that you are no longer shown as the owner

Please contact the relevant Land Registry office immediately. See the *Contact details* panel on the front cover of this guide for more information.

In addition, please contact a solicitor or a Citizens Advice Bureau and the police.

You should seek professional advice if you are not sure what to do.

### 3.5 Be careful if you are asked to sign documents

Be careful what you sign. Take professional advice if you are not sure what it is you've been asked to sign or what its legal effect might be.

### 3.6 What other steps should I take if I think I may be, or have been, the victim of property fraud?

Consider contacting a solicitor or a Citizens Advice Bureau and the police.

It is possible that if an attempt is made to defraud you of your property, the property or your details may also be used in other fraudulent activity, such as identify fraud or credit card fraud.

You may want to consider making a protective registration of your credit details at CIFAS. This is a not-for-profit anti-fraud organisation. The details of this service may be obtained from its website [www.cifas.org.uk](http://www.cifas.org.uk) or by telephoning

0870 010 2091.

If you own or are responsible for a company, you may also wish to consider protecting your company from identity fraud by joining the Companies House PROOF scheme – please see details on the Companies House website [www.companieshouse.gov.uk](http://www.companieshouse.gov.uk) or write to Companies House, Crown Way, Maindy, Cardiff, CF14 3UZ, DX 33050, telephone 0870 33 33636, or email [enquiries@companies-house.gov.uk](mailto:enquiries@companies-house.gov.uk).

You may also want to consider taking the other steps recommended on the Home Office identify fraud website [www.identity-theft.org.uk](http://www.identity-theft.org.uk)

## 4 What is Land Registry doing to help prevent fraud?

We have various procedures in place to help us detect possible fraudulent applications but we cannot go into any detail in this guide as that might compromise their effectiveness.

We keep our procedures under continuous review and we may introduce additional checks from time to time to provide more security.

Some of our checks may lead to slight delays in registering some applications.

We are gradually introducing more and more electronic services that will eventually lead to full electronic conveyancing. These services enable professional conveyancers and mortgage lenders to submit applications online, some of which are processed automatically.

These applications are submitted via secure computer networks. They enable us to build in validation and security to ensure applications are from accredited applicants who are obliged to make the appropriate identity checks.

## 5 Enquiries and comments

If you have a particular concern that is not covered by this guide, please contact Land Registry – see the *Contact details* panel on the front cover of this guide.

If you have any comments or suggestions about our guides, please send them to:

Registration Change Group  
Land Registry  
Lincoln's Inn Fields  
London  
WC2A 3PH

(DX 1098 London/Chancery Lane)

# Land Registry advisory policy

We offer advice to our customers through our publications and enquiry services and through the day-to-day handling of applications.

We provide factual information including official copies of registers, title plans and documents, searches and details of our forms and fees.

We provide procedural advice to explain how the land registration system works and how to make applications correctly. This includes:

- advice in advance of an application, where this is requested
- where an application is defective, advice as to the nature of the problem and what options, if any, are available to put it right
- an approval service for estate layout plans and certain other land registration documents.

There are limits to the advice that we will provide. We will not provide legal advice.

This means that:

- we will not approve the evidence to be produced in support of a registration application before we receive the application
- apart from procedural advice, we will not advise on what action to take
- we will not recommend a professional adviser but can explain how to find one.

We provide advice only about real cases, not about theoretical circumstances. We will not express a view on questions where the law is complex or unclear except where the question arises on a live registration application.

In providing this factual information and procedural advice we will:

- be impartial
- recognise that others may be affected by what we say
- avoid any conflict of interest.

## Information in this guide

The information in this publication is for the purpose of providing general guidance about Land Registry's procedures and policies. It is intended only as a guide and does not cover every situation that may arise. It also does not limit Land Registry's ability to use its discretion when appropriate to do so, within the land registration legislation.

Peter Collis  
Chief Land Registrar

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