

Work you have paid for is not completed (Rule 3.3(b))

July 2021

Status

This guidance is to help you understand how we make decisions on applications received for payments out of the SRA Compensation Fund (the Fund).

Who is this guidance for?

This guidance is for all applicants seeking a payment from the Fund and for those assisting applicants with their application.

Purpose of this guidance

To explain when we will pay to finish work on your case which you have already paid for.

Work not completed

If you have paid a regulated person to carry out work for you but they fail to fully complete it, you may be able to make an application to us for the legal costs of finishing the work. We will only pay your legal costs if they are reasonable and if the work was necessary. We are unlikely to pay more than you originally paid the regulated person to carry out the work.

Failure to register property purchase

By far the most common example of us paying these costs is where an applicant has purchased a property and paid the conveyancing costs in full but the regulated person has failed to register the purchase at the Land Registry. As the applicant will need a new solicitor to finish the work, and will therefore pay twice for this element, the applicant can apply to the Fund for those additional costs.

This work is straightforward and routine so we would not expect to pay for this to be done by a partner or to pay for someone spending several hours on the work where this can easily and quickly be done by a junior person.

The table below sets out guidelines rates for what we are willing to pay for unfinished work following a property purchase.

| Work to be completed | Maximum amount we will pay |
|--|-----------------------------|
| Submitting form and payment of SDLT to HMRC and completing registration at the Land Registry | £280 plus VAT |
| The property is leasehold and a deed of covenant is required and notices to landlord / management company need to be served | An additional £140 plus VAT |
| The intervened firm's file or essential documentation is missing, so that the new solicitor is required to fully reconstitute the title to enable registration | An additional £280 plus VAT |

Further guidance

Read more information about our [Compensation Fund](https://media.sra.org.uk/consumers/compensation-fund/) [https://media.sra.org.uk/consumers/compensation-fund/].

Further help

If you require further assistance, please contact our [Contact Centre](https://media.sra.org.uk/contactus/) [https://media.sra.org.uk/contactus/].