Ancillary Conveyancing Services

Conveyancing · https://help.law.com.sg/faq/ancillary-conveyancing-services/

We act in the full range of **ancillary conveyancing services** in Singapore. These are the one-off applications that relate to a property you already own. We lodge most of them with the Singapore Land Authority (SLA). They correct the register, update it, change how you hold the property, or deal with the property after a death. This guide explains each application, the documents we need, and how you can obtain a fee estimate.

What are ancillary conveyancing services?

Ancillary conveyancing services cover the applications and filings that fall outside a sale, purchase or financing transaction. In most cases nobody buys or sells a beneficial interest. Even so, a solicitor still has real work to do. We prepare the statutory instrument and verify the title position. Your bank or the CPF Board may also need to consent, and we obtain that consent. Finally, we lodge the instrument for registration. The Land Titles Rules prescribe an approved form for most of these applications.

Does your matter involve a sale, purchase, mortgage, refinancing or redemption instead? Please see Conveyancing Fees and How to Engage Us.

Has your land been subdivided, or have two of your lots been amalgamated? Those applications have their own guide. Please see Subdivision and Amalgamation of Land in Singapore: New Certificates of Title, which also covers the vesting of a street reserve in the State.

Ancillary conveyancing services at a glance

Application	Form or authority	When you need it
Replacement of a lost title deed	SLA Form 13A	You cannot produce the original title deed

Application	Form or authority	When you need it
Change of name in the title	SLA Form 65	The proprietor lawfully changed his or her name
Severance of joint tenancy	SLA Form 16, 17 or 18	Owners want to end the right of survivorship
Tenancy in common to joint tenancy	Application to the Registrar	Equal-share co-owners want survivorship
Statement of satisfaction of a company charge	ACRA filing	The company discharged the secured loan

Ancillary conveyancing services after a death

Application	Form or authority	When you need it
Notice of Death	SLA Form 48	A joint tenant died
Transmission Application on Death (TAD)	SLA Form 46	The sole proprietor or a tenant in common died
Transfer to the beneficiaries of an estate	SLA Form 19, or Form 71	Personal representatives pass the property on
Direct transfer without transmission	Section 108, Land Titles Act 1993	The grant allows a direct transfer

Replacement of a lost title deed

Has your original Certificate of Title, Subsidiary Certificate of Title or Subsidiary Strata Certificate of Title gone missing? You cannot deal with the property until you replace it. We apply to the SLA in Form 13A. First we prepare a statutory declaration. It sets out how you came to lose the title and what searches and enquiries you made. We also conduct a title search. Then we lodge the application.

Who decides whether you need a newspaper advertisement?

The Registrar of Titles at SLA decides this point, not you and not us. The decision turns on how well your statutory declaration accounts for the title. A declaration that simply says the title cannot be found will usually attract the requirement. The Registrar then asks for a notice in The Straits Times.

Evidence that helps you avoid an advertisement

Can you identify the last person who held the title deed, and support that with documents? If so, you can often avoid the advertisement. The SLA usually looks for the letter from the conveyancing solicitors who forwarded the title to the owner after completion. Your written acknowledgement of receipt also helps. Where the owner has since died, the declaration should say clearly that the deceased last held the title deed. So please search your old completion correspondence first. That effort often saves both the advertisement cost and several weeks of delay.

Not every property still has a paper title. Many titles are now suppressed or digital, and you need no replacement in those cases. Please read Property Title Deeds in Singapore: Suppressed Titles and Digital Titles before you assume that your title is lost.

Application to note a change of name in the title

This application is one of the simpler ancillary conveyancing services, and owners often overlook it.

Have you lawfully changed your name by Deed Poll, on marriage or otherwise? Then your title should match the name on your identification. We apply to note the change in Form 65. A current title also avoids requisitions and delay when you later sell, mortgage or refinance.

What we do next depends on where the title sits. Do you hold the original title, and does the property carry no encumbrance? Then the application is straightforward. Does your mortgagee bank or the CPF Board hold the title instead? Then we must obtain it from them and meet their requirements too. For the detail, see How do I update my name in the title deeds of my property?

Notice of Death: a common ancillary conveyancing service after a death

Two or more people may hold a property as joint tenants. When one of them dies, the right of survivorship passes that interest to the survivors automatically. We update the register by lodging a Notice of Death in Form 48 with the death certificate. You need no grant of representation. The CPF Board also need not consent, although we may still liaise with the Board.

A Notice of Death suits a joint tenancy only. Did the owners hold the property as tenants in common? Then the deceased's share falls into the estate. You must deal with it through a Transmission Application and a transfer to the beneficiaries instead.

Transmission Application on the death of a registered proprietor

Estate matters make up a large share of the ancillary conveyancing services that we handle.

A sole proprietor or a tenant in common may die. Before anyone can sell or transfer the property, the executors or administrators must first become the registered proprietors. We achieve that through a Transmission Application on Death of Proprietor in Form 46, often called a TAD. An extracted Grant of Probate or Letters of Administration must support the application, together with the death certificate.

A TAD registers the personal representatives in their representative capacity only. It does not pass the property to the beneficiaries. That step comes next.

Transfer of property to the beneficiaries of an estate

Estate transfers sit at the heavier end of our ancillary conveyancing services, because tax and financing both matter.

Once the personal representatives hold the registered title, they can pass the property to the beneficiaries entitled under the will. Where the deceased left no will, the rules of intestate succession decide who takes. We make the transfer in Form 19. Where a personal representative is also the sole beneficiary, we may instead use a Statement by Personal Representative that He is Absolute Proprietor in Form 71.

Before the transfer, we consider stamp duty, the beneficiaries' own financing, and any subsisting mortgage or CPF charge. Did the deceased die intestate? Then please read What are the rules for distribution of an intestate estate in Singapore?

Direct transfer to beneficiaries without transmission

This route can shorten an ancillary conveyancing matter by one whole application.

You do not always need a transmission application. Under section 108 of the Land Titles Act 1993, the Registrar may register a transfer by the personal representative straight to the person entitled. The personal representative simply produces the grant of probate or the letters of administration. Practitioners call this a dealing without transmission. Where it works, it saves a step, a lodgment fee and some time.

When section 108 applies

Section 108 applies where the personal representative makes the transfer:

- under a devise in the will;
- in exercise of a power of appropriation of the deceased's assets;
- under an appointment of new trustees;
- by way of distribution on intestacy; or
- under a contract that the deceased entered into in his or her lifetime.

The same section also covers a discharge of a mortgage or charge, or a surrender of a lease, that the deceased held.

Documents we need for a section 108 transfer

For a death matter of this kind we need the grant, the schedule of assets, the will, the death certificate and the title deeds. The right route depends on the terms of the grant and on the basis of the transfer. So please send us these documents and we will advise you.

Mortgages and CPF charges on a section 108 transfer

Does a mortgage or a CPF charge affect the property? Then additional charges apply, because we must obtain the consent of the mortgagee or the CPF Board and produce the title. Please also note one practical point. We take up mortgage matters more slowly, because we must liaise with the mortgagee’s solicitors and we do not control their timing.

Severance of joint tenancy

Severance ranks among the ancillary conveyancing services that owners ask us about most often when they plan their estates.

Joint tenants may no longer want the right of survivorship to apply. They can sever the joint tenancy and hold as tenants in common in equal shares instead. After severance, each owner’s share falls into his or her estate on death, so a will can give it away.

All the joint tenants may act together in Form 16. Alternatively, one or some of them may act unilaterally in Form 17 or Form 18. A unilateral severance also needs a notice of severance on the other joint tenants, so it takes longer than a severance by consent. Severance often forms part of an estate plan, and the resulting shares deserve careful thought.

Tenancy in common to joint tenancy

Couples ask us for this ancillary conveyancing application when they want a clean succession.

Tenants in common may instead want the right of survivorship, so that the property passes automatically to the survivor. This route works only where they hold equal shares. Where the shares differ, we must use a transfer instead, and stamp duty may apply.

Statement of satisfaction of a company charge

This filing is the one ancillary conveyancing service that involves ACRA rather than the SLA.

A company may grant security to a lender, and ACRA registers the charge. Once the borrower discharges or otherwise satisfies the loan, someone should file a statement of satisfaction with ACRA. The public register then shows that the security no longer subsists. We make this filing for the borrower. The security may be a mortgage over property, a charge over a fixed deposit, a debenture

or another form of charge.

We need the signed discharge and satisfaction documents before we file. A satisfied charge that stays on the register can cause trouble in a later financing or in a due diligence exercise, so please attend to it promptly.

What do ancillary conveyancing services cost?

Our fees depend on three things. First, the application itself. Second, the type of property. Third, whether a bank mortgage or a CPF charge affects the property, because consents and the production of the title add work. Each application also attracts SLA lodgment fees and title searches, and sometimes advertisement costs. You pay those disbursements in addition to our fees.

We prefer to quote on your particulars rather than publish a single figure. So please use our Ancillary Conveyancing Services Quote form, and we will email you an estimate. All estimates exclude disbursements. They also remain subject to correction and change without prior notice. Finally, they depend on our confirmation of engagement and on our know-your-client checks.

How do I engage you for ancillary conveyancing services?

First, obtain an estimate through the Ancillary Conveyancing Services Quote form. Next, email us your documents. Alternatively, book an appointment at book.law.com.sg/conveyancing/ and meet our conveyancing lawyer. New clients also complete our conveyancing know-your-client form.

Frequently asked questions on ancillary conveyancing services

Do I need a grant of probate for a Notice of Death?

No. A Notice of Death rests on the right of survivorship, so you need only the death certificate.

Can I avoid a newspaper advertisement for a lost title deed?

Often, yes. Identify the last person who held the title and support that with documents. The Registrar of Titles then usually accepts the declaration without an advertisement.

What is the difference between a TAD and a transfer to beneficiaries?

A TAD registers the personal representatives. A transfer then passes the property to the beneficiaries. They are two separate applications.

How long does a severance of joint tenancy take?

A severance by consent moves faster. A unilateral severance takes longer, because we must serve a notice of severance on the other joint tenants.

Which properties do your ancillary conveyancing services cover?

Our estimates cover private residential, commercial and industrial property. Please speak to us about an HDB flat, because HDB and CPF requirements differ.

Do you provide ancillary conveyancing services to clients outside Singapore?

Yes. We act for overseas owners and for overseas personal representatives of Singapore property. We can also arrange remote signing where the law allows it.

Ancillary conveyancing services in Singapore: speak to our property lawyer

Loh Eben Ong LLP acts in ancillary conveyancing services throughout Singapore. Our office sits at 135 Middle Road, #05-11 Bylands Building, Singapore 188975. Please call us at +65 6338 1810, or start with a quote.

Related guide: For a full purchase transaction, please refer to our main guide on how to buy property in Singapore.