

Guidelines 4 - Depositing Title Deeds

Deposit Your Title Deeds - And Help Preserve Our Archival Heritage

You are probably reading this leaflet because someone - perhaps your solicitor, mortgage lender or the Land Registry - considers that the deeds of your property may be of historical value.

What are title deeds?

Before the introduction of land registration, ownership of property was established by producing documentary evidence that the owner and, where necessary, previous owners, had held the land for a prescribed period of time. This means that there is usually a series of conveyances and associated documents, e.g. mortgages and wills, for each property known as 'title deed' that show the history of ownership, and often cover a longer period than is needed to prove title.

Why should they be preserved?

Once title to the property in question is registered at the Land Registry, the old title documents - the so-called 'pre-registration deed' - are usually no longer necessary to prove title. But this does not mean that they have no historical or indeed legal value. Title deeds often contain a mass of information about land ownership and family history and are of particular interest to local historians and genealogists. They are as much part of our heritage as our historic buildings and landscapes.

Why should I consider depositing my title deeds?

By giving or placing on loan the pre-registration deeds with your local record office or other appropriate archive, you will help preserve an important part of our archival heritage. You will also ensure that, in the unlikely event of a query arising with regard to the registered title to your property, the deposited documents are available for inspection.

How do I go about it?

If you would like your pre-registration deeds to be considered for deposit with the appropriate record office, please complete one of the agreement forms attached and send it to your local record office with the deeds. Alternatively, the deeds can simply be taken along to your local authority record office or archives services. You should obtain advice from your solicitor or licensed conveyancer before depositing the deeds to ensure they have no continuing legal value, and in completing the form. Guidance can also be found in the related *Guidelines 5: Preservation of pre-registration title deeds - a guide for professionals*, which is also published on the Association's website.

As you can see from the two alternative forms, you need to choose between making a gift of the deeds or placing them on loan. Record offices prefer to receive deeds by outright gift and will sometimes insist on this procedure. Placing them on loan is an appropriate course where you may need to withdraw them at some later time. As the form makes clear, if you make a gift of the deeds, you will normally be expected to consent to the destruction of those deeds which the record office considers to be without historical value.

If you need advice in identifying the record office to which the deeds should be sent, or have any other query, you can contact the British Records Association. (See details below.) The National Archives, Historical Manuscripts Commission has published on its ARCHON (Archives On Line) website a complete list of local authority record offices and archive services and their addresses.

Form for Permanent Loan of documents - can be found at:
http://www.britishrecordsassociation.org.uk/forms/perm_loan.htm

Form for Outright Gift of documents – can be found at:
http://www.britishrecordsassociation.org.uk/forms/outright_gift.htm

What happens after I sign the consent form?

The record office receiving your deeds will appraise them carefully and, in order to save valuable storage space, may want to dispose of any documents within the deeds bundle considered to be without research value. The method of disposal will depend on which consent form you have

used. If you have placed the deeds on loan, the record office will return to you the documents it does not wish to retain. If you have made an outright gift of the deeds, those documents will be destroyed.

If you would like any title deeds that the record office does not wish to retain to be returned to you, please delete the appropriate part of section 2 of the Agreement.

USEFUL CONTACTS

The British Records Association
c/o Finsbury Library
245 St John Street
London EC1V 4NB
Tel: 020 7833 0428
Fax: 020 7833 0416
E-mail: britrecassoc@hotmail.com
Web Site: www.britishrecordsassociation.org.uk

HM Land Registry
Lincoln's Inn Fields
London WC2A 3PH
Tel: 020 7917 8888
Fax: 020 7955 0110
Web Site: www.landreg.gov.uk

Law Society of England and Wales
The Law Society's Hall
113 Chancery Lane
London WC2A 1PL
Tel: 020 7242 1222
Fax: 020 7831 0344
Web Site: www.lawsociety.org.uk

Society of Archivists
Prioryfield House
20 Canon Street
Taunton
Somerset, TA1 1SW
Tel: 01823 327030
Fax: 01823 271719
Email: offman@archives.org.uk
Web Site: www.archives.org.uk

Copies of this Guideline may be obtained from the British Records Association, c/o Finsbury Library, 245 St John Street, London EC1V 4NB. It is issued free, but donations to help our work are greatly appreciated.