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**Distance ILA Certification**

Foundation Home Loans requires that where Independent Legal Advice must be provided that advice must be given by a firm separate to that advising the Borrower. The adviser must be a solicitor, and their firm must have a minimum of 3 SRA approved Managers.

1. It has been agreed with Foundation Home Loans that: Another solicitor in the firm acting for the Borrower may advise where the guarantor is one of two connected directors and shareholders, provided you are content that no conflict exists, and you are happy that your advice is not fettered as a result with reference to:

a) the decision in Royal Bank of Scotland plc v Etridge (No 2);

b) the SRA Handbook: Code of Conduct: Chapter 3: Conflicts of interests; and

c) your firm’s professional indemnity insurer’s guidance on the matter.

1. Foundation Home Loans will **not** accept witnessing of **documents** via video conferencing service.

Where the witnessing of the Borrower’s signature cannot be done by the solicitor providing the Distance ILA Certificate, as a concession, the witnessing of the Borrower’s signature to any document will need to be completed by an independent person which may be a family member as long as they are not associated with the transaction.

1. The Certification to be provided by the Solicitor providing the Independent Legal Advice needs to be completed as per the addendum to the ILA certificate shown below:

**Addendum to ILA certificate**

I, ...............................................................................................................................................................

legal advisor to .............................................................................................., confirm that, I was not able to meet ………………………………………..……..in person. Instead, I met and advised ……………………………………. via a video conferencing service.

I hereby confirm (in addition to the confirmations already given in respect of the advice) that prior to providing independent legal advice on the terms of the [NAME DOCUMENT on which advice was given] to …………………………….. I took all reasonable steps to ensure that …………………………………. was alone, and not the subject of undue influence or duress and can confirm that …………………………………was alone.

Adviser signature: .....................................................................................................................

Advisor Name and Firm Name: ..............................................................................................................

Position: ......................................................................................................................

Date: ………………………………………………………………………………………………………………….