

Chapmans

Case Study Power of Attorney

Situation

Our client is in his 40s and owns 6 rental properties in Scotland, all managed by Chapmans. He lives and works abroad and is exceptionally hard to get in contact with due to time zones and the nature of his work. Some major repairs were required to one of his properties, and this coincided with his finance package on his portfolio requiring a review and some equity being released to assist in the major repair.

What Chapmans did

When our client engaged Chapmans to manage his portfolio, we urged him to put a Power of Attorney in place. Following our advice, he appointed his father, who he trusted implicitly, as his Continuing Attorney.

Outcome

When the need for the major repairs and refinancing arose, because he had a Power of Attorney in place, our client's father was able to present the Power of Attorney document to his son's bank, was able to broker a refinancing package on his behalf and was able to have the equity released. Chapmans were then able to liaise directly with the landlord's father in relation to all repairs, maintenance etc. This was done seamlessly and expediently without the need to wait for intermittent responses from the landlord. This was especially important during the major repairs as quick decisions were vital to ensure the work was finished quickly and properly but with minimum void.

Brodies LLP's

Expert Commentary:

Due to a busy lifestyle and time delays, it would have been difficult and time consuming for the client to have to deal with these issues himself and in particular, make time to fly back to Scotland to sign refinancing agreements, with all the costs involved. By appointing his father as his attorney, the client was able to leave these issues in the hands of his father. He had peace of mind that essential work could then take place without risking a lengthy void, reduction of income on his investment portfolio and invalidating his insurance policies etc.