

A professional approach



An introduction to nara and
property receivership

The facts

The appointment of a fixed charge receiver enables a lender to recover money from a borrower who has failed to meet its obligations under the terms of the loan secured on a property or other fixed assets – usually known as a mortgage. In appropriate circumstances, the process of receivership benefits from being a quicker, simpler and usually much more cost-efficient way of securing recovery that the alternative of appointing an administrator.

The process of receivership is governed by the Law of Property Act 1925 (and in Ireland by the Conveyancing Act 1881). The process is therefore often referred to as 'LPA Receivership'.

nara is the only professional association for property & fixed charge receivers. It was established in 1995 with the aims of

- ▶ fostering relationships between property and fixed charge receivers and the lenders who appoint them
- ▶ liaising between its members and the providers of Registered Property Receivership (RPR) licences
- ▶ providing education and training to maintain the highest standards in the profession

nara members are therefore highly qualified and experienced professionals who deliver focused consultancy services before, during and after receivership.

The Benefits of appointing a **nara** member

A Fellow of **nara** will be able to:-

- ▶ advise a lender on policy and the most effective handling of a case prior to appointment and may avoid the need for a formal receivership appointment
- ▶ resolve a difficult case while seeking to maintain a positive relationship with the lender's customer
- ▶ protect the brand name of the lender
- ▶ minimise tensions between the lender and borrower
- ▶ manage, secure, insure and, if necessary, run the property
- ▶ achieve a financial settlement that satisfies the lender's requirements and
- ▶ achieve all of this with the minimum of bureaucracy and fuss
- ▶ advise on exit as appropriate

nara members are also able to assess a property at the time of the lender's valuation, prior to the loan being made, to identify issues and opportunities which may arise in the future and forecast what they would have to do if called on to sell the property either as an LPA receiver or acting for the Administrator.

“Whatever the future holds, membership of **nara** is increasingly becoming essential as a criterion by which appointments are made”

“There is much that the **nara** member can do prior to an appointment” – Axel Palmer, Lloyds-TSB

nara Members

Fellows

Fellows of **nara** operate throughout England and Wales. **nara** is also encouraging membership in Ireland.

Fellows must be Registered Property Receivers (RPRs). As such they must have successfully completed approved training and demonstrated that they have sufficient experience to take appointments. They are regulated by the Joint Registration Committee representing interests and professional standards of the

- ▶ Royal Institution of Chartered Surveyors
- ▶ Insolvency Practitioners' Association

Each Fellow abides by a written Code of Practice and is required to undertake regular Continuing Professional Development (CPD) in the area of property receivership. **nara** runs training courses annually for members to satisfy the CPD requirement. RPRs are subject to regular monitoring to ensure maintenance and consistency of professional standards.

Associates

Receivership appointments invariably require the services of a lawyer and/or an accountant, so Associate membership is available to those specialist professionals who work in the area of receivership but might not take appointments directly. Some Associates take receivership appointments but may not have completed the professional training required to become an RPR and **nara** Fellow.

Affiliates

nara affiliate members are appointors of RPR receivers who will usually be employed by banks or other lending institutions.

Trainees

Trainees are usually in the process of undertaking RPR examinations with the aim of becoming **nara** Fellows. They are often already highly experienced professionals who have chosen to specialise in receivership work.

Trainee members of **nara** are kept up to date with changes in receivership case law and have access to specifically designed training courses.

Benefits of becoming a member of **nara**

All Fellows, Associates, Affiliates and Trainee members of nara receive the following benefits:-

- ▶ Access to exclusive **nara** Guidance Notes Library covering all aspects of LPA Receivership
 - ▶ Notification, where possible, of relevant changes in legislation and other items of interest to members
 - ▶ Listings in the **nara** directory – the only definitive directory of fixed charge receivers which is mailed to appointors, media, linked organisations and Government agencies (excludes entries for Trainees)
 - ▶ Details entered onto the 'Find a Practitioner' search facility on **nara**'s website (excludes entries for Trainees and Affiliates)
 - ▶ Access to helplines for professional support and guidance
 - ▶ Entitlement to attend **nara** training days at Membership rates
 - ▶ Entitlement to attend functions arranged by **nara** at Members' rates, such as networking opportunities and the Annual Spring Conference
- ▶ Regular quarterly e-newsletter **nara** News and bi-annual printed magazine **NARATOR** which provide news about **nara**, practical comment and professional advice

Further information

Further information on the work of **nara** is available from the website (www.nara.org.uk) and greater detail on fixed charge receivership may be found in the **nara** "Guide to Fixed Charge Receivership"

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