

FAMILY HOME PROTECTION ACT, 1976 / FAMILY LAW ACT, 1981 /
JUDICIAL SEPARATION AND FAMILY LAW REFORM ACT, 1989 /
FAMILY LAW ACT, 1995 / FAMILY LAW (DIVORCE) ACT 1996
CIVIL PARTNERSHIP AND CERTAIN RIGHTS AND OBLIGATIONS OF COHABITANTS
ACT 2010

STATUTORY DECLARATION THAT A PROPERTY IS NOT A FAMILY HOME

I, Joe Carter of Mars Capital Finance Ireland dac of 40 Mespil Road Dublin 4 D04 C2N4 aged 18 years and upwards SOLEMNLY AND SINCERELY DECLARE as follows:-

1. I am an officer of Mars Capital Finance Ireland dac (hereinafter called "the Company"), the Mortgagee in possession of the property hereinafter referred to and I am duly authorised by the Company to make this declaration on its behalf.
2. The property to which this declaration refers is the property known as 5 Maryville Gardens, Courtown, County Wexford being all the property comprised and described in Folio 1820L (hereinafter called "the property").
3. By Deed of Charge dated 16th May 2007, Catherine Lynch, (hereinafter called "the Borrower"), the registered owners of the property, did thereby mortgage the property to secure repayment of all monies due and owing on the execution of the said Mortgage.
4. Subsequently the power of sale reserved in the said Mortgage arose and the Company is selling the property with vacant possession.
4. The property is not a family home within the meaning of that term in the Family Home Protection Act, 1976, as amended by the Family Law Act, 1995. No married couple has ordinarily resided therein since the Company acquired an interest in the property. No Lease, Letting Agreement, Tenancy Agreement, Licence or similar agreement has been made by the Company, which would entitle any person to reside in the property. No officer, director, member, tenant, invitee or licensee of the Company has ever resided therein.
5. None of the provisions of the Family Law Act, 1981 (hereinafter called "the Act of 1981") apply to the property and no proceedings of any kind have been threatened or instituted in relation to the property under any of the provisions of the Act of 1981.
6. None of the provisions of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010 (hereinafter called 'the Act of 2010') apply to the property and no proceedings of any kind have been threatened or instituted in relation to the property under any of the provisions of the Act of 2010.

7. No proceedings of any kind have been instituted or threatened, and no application or order of any kind has been made, in relation to the property, under any of the provisions of the Judicial Separation and Family Law Reform Act, 1989 ("the 1989 Act"), the Family Law Act, 1995 ("the 1995 Act"), or the Family Law (Divorce) Act 1996 ("the 1996 Act") or the Act of 2010 and the assurance of the property to the party or parties mentioned in Paragraph 8 hereof is not a disposal for the purposes of defeating a claim for relief (as defined in Section 35 of the 1995 Act, Section 37 of the 1996 Act and Section 137 of the Act of 2010).
8. The property is not subject to any trust, licence, tenancy or proprietary interest in favour of any person or body corporate arising by virtue of any arrangement, agreement or contract entered into by the Company, or by virtue of any direct or indirect financial or other contribution to the purchase thereof, or by operation of law, or otherwise, and the property is held free from encumbrances.
9. I understand the effect and import of this Declaration, which has been fully explained to me by my Solicitor.
10. I make this Solemn Declaration conscientiously believing it to be true for the satisfaction of _____ and pursuant to the provisions of the Statutory Declarations Act, 1938.

DECLARED before me by Joe Carter
who is personally known to me (or who is
identified to me by _____
who is personally known to me) at

in the County of _____ this
day of _____ 2025

DECLARANT

PRACTISING SOLICITOR

