

# Homeownership Policy

Right to Buy  
&  
Leasehold Administration



## Document Information

<b>Issue Date</b>	TBC	
<b>Version/Issue Number</b>	B	
<b>Document Status</b>	Draft	
<b>Effective From Date</b>	TBC	
<b>Scope of Document</b>	To define the Blackpool Coastal Housing policy for the effective administration of the Right to Buy process and Leasehold administration	
<b>Objective</b>	To ensure the Blackpool Coastal Housing service meets all the statutory targets and standards set by Government legislation. That our service meets the Blackpool Coastal Housing service standards.	
<b>Who needs to know?</b>	Blackpool Coastal Housing SMT, Blackpool Borough Council Client Management, Customers	
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## Amendment Record

Date	Issue No.	Section/Page	Details of Change	Authorised By:

### Amendment Notes

- Documents at draft status are to use letter designations to denote issue status: a, b, c etc.
- Documents at full issue status are to use number designations to denote issue status after full revision: 1.0, 2.0, 3.0, etc.
- For an amendment to a full issue document you are to use number designation to denote issue status: 1.1, 1.2, 2.1, etc.
- On full issue the draft amendment record should be deleted from the above table.
- Notification of the amendment must be sent to the person maintaining the Central Register.

## Contents

1	Purpose.....	4
2	Background Information .....	4
2.1	Right to Buy.....	4
2.2	Leasehold.....	4
3	Legislation.....	4
3.1	Right to Buy.....	4
3.2	Leasehold.....	5
4	Principles .....	5
5	Supporting Policy .....	6
6	Responsibilities .....	6
7	Monitoring and Review .....	7

## **1 Purpose**

This policy document sets out how Blackpool Coastal Housing will administer the Right to Buy scheme from initial enquiry through to acceptance of a Right to Buy offer, and the subsequent Leasehold administration of flats and maisonettes. The policy will aid the monitoring of the service and aid in the evaluation and review of the service to ensure our service standards and best practice is implemented.

This policy is to be made available to Tenants, Leaseholders and prospective Leaseholders, Blackpool Borough Council Client Team and to the wider Blackpool Coastal Housing service.

## **2 Background Information**

Blackpool Coastal Housing is an Arms Length Management Organisation who manages council stock on behalf of Blackpool Borough Council who is the freeholder of the properties.

The Homeownership service sits within the Business Services Team of the Finance & Resources Directorate.

### **2.1 Right to Buy**

The Right to Buy scheme was introduced in 1980 and allows eligible secure tenants to buy their home at a discount to the full market value. There are certain properties which are exempt from Right to Buy and not all tenants will have the Right to Buy.

### **2.2 Leasehold**

If the property is a flat or maisonette the Lease will be assigned/transferred (sold), Blackpool Borough Council retain the freehold and remain the Landlord. The purchaser will become a tenant with a long lease, known as a Leaseholder. The Lease can be assigned/transferred (sold) privately and the new purchaser will then become the Leaseholder. The Lease contains the rights and obligations of the Lessee and the Landlord.

## **3 Legislation**

In managing and providing Right to Buy and Leasehold services, Blackpool Coastal Housing will comply with all relevant legislation including the following.:

### **3.1 Right to Buy**

- The Housing Act 1980 introduced the Right to Buy and subsequent amendments.
- The Housing Act 1985
- The Housing and Regeneration Act 2008
  
- There is also legislation which concerns The Preserved Right to Buy (PRTB) and The Right to Acquire (RTA), however Blackpool Coastal Housing does not manage any properties which are affected by these pieces of legislation.

The Legislation from Government sets out:

- The eligibility rules and discount
- The timescales for Landlords to respond to applications and the issuing of a Right to Buy offer and timescales for completion of sales.
- The tenant's right to appeal against the valuation.
- The timescales for Tenants to accept the Right to Buy offer and to complete a sale.
- The information to be supplied when the property is a flat or maisonette.
- The information regarding repayment of discount and offering the property back to the Landlord.

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- The review of the offer price and review of a District Valuers determination of value.
- That a mortgage lender is regulated by the Financial Services Authority.
- That entering into a deferred resale agreement triggers the repayment of discount at the time the agreement was entered into.

## **3.2 Leasehold**

- Commonhold & Leasehold Reform Act 2002 and subsequent amendments
- The Landlord & Tenant Acts 1985 & 1987
- The Leasehold Reform, Housing & Urban Development Act 1993
- The Housing Act 1996

The Legislation from Government in the Commonhold & Leasehold Reform Act 2002 sets out how Landlords should:

- Set Service Charges – Improvements and Major Works
- Undertake Leasehold Consultation – Section 20 for long term contracts and qualifying works
- Provide Leaseholders with information. – Ground Rent Notice – Rights & Obligations
- Account for Leaseholders money (legislation yet to be implemented).

The Legislation also introduced:

- Extended jurisdiction of Leasehold Valuation Tribunals
- Protection against forfeiture
- Collective Enfranchisement

BCH will also adhere to the terms, clauses, and conditions of it's leases and any rulings from the Leasehold Valuation Tribunal.

## **4 Principles**

BCH will manage and provide Leasehold and Right to Buy services within the context of it's Service Level Agreements with Blackpool Borough Council.

In managing and providing Leasehold and Right to Buy services BCH will work closely with:

- Blackpool Borough Council, Client Team
- Blackpool Borough Council Legal & Democratic Services,
- Blackpool Borough Council Customer First
- Blackpool Borough Council Estate Services
- Other Council departments as necessary.
- External Homeownership specialists and groups

### **4.1 Right to Buy**

- We will ensure that tenants are fully informed of the current statutory information regarding the Right to Buy and have equal access to our Right to Buy service.
- We will monitor the Right to Buy service to ensure that it meets or betters the standards and targets set by Government.
- We will ensure that our performance is subject to scrutiny by the Homeownership Service Improvement Panel.
- We will review our operational processes regularly.

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## **4.2 Leasehold**

- We will ensure that Leaseholders receive a service equal to tenants.
- We will ensure Leaseholders needs and opportunities to participate in the delivery of a service that serves the whole community are met.
- We will ensure that legal requirements are met and applied fairly and equally.
- We will ensure that Service Charges are fair and reasonable and that all legal rights and obligations are met.
- We will ensure that our performance is subject to scrutiny by the Homeownership Service Improvement Panel.
- We will review our operational processes regularly.

## **5 Supporting Policy**

Homeowners are covered by policies which are common to Tenants including:

- Customer Care & Access to Services
- Equality & Diversity
- Data Protection & Confidentiality
- Zero Tolerance
- Estate services
- Property Repairs and Maintenance

## **6 Responsibilities**

The management and provision of Homeownership and Right To Buy services will be undertaken by the Homeownership Team comprising

- Homeownership Manager
- Homeownership Accounts Officer
- Business Services Manager (BSM)

The Homeownership Manager and Homeownership Accounts Officer are responsible for:

- The day to day administration of the Homeownership service,
- Ensuring that operational procedures and processes are in place and are followed
- The correct and timely application of legislation.
- Delivering a service that is fair and equal to all and meets the BCH Customer Service Standards.
- Ensuring financial and legal obligations are met.
- Monitoring service standards and delivering service improvements.

The Business Services Manager (BSM) will oversee the services provided by Homeownership and offer support and guidance on wider BCH business in particular:

- Estate Services
- ASB
- Property & Planned Maintenance & Improvements

## **7 Monitoring and Review**

Monitoring of Homeownership and Right to Buy services will be undertaken quarterly via the organisation's Balanced Scorecard. Targets and performance will be the subject of scrutiny by the Homeownership Service Improvement Panel which meets 4 times a year.

Right to Buy statistics will be provided as necessary to central Government.

A Satisfaction Survey will be undertaken after completion of a Right to Buy

A Satisfaction Survey of all Leaseholders will be undertaken based on status at least once every 3 years.

The results of performance and surveys will be discussed and analysed by the Homeownership Service Improvement Panel and at operational level and actions identified, subject to Value for Money, will be fed into the Homeownership Team Plan.

BCH Homeownership will maintain links with the Northwest Leasehold Specialist Service Group and through them and Housemark will benchmark performance to support service improvement and develop best practice.

This Homeownership Policy will be reviewed every two years to ensure it remains up to date. Any major changes or proposed improvements to the service will be subject to an Equality Impact Assessment.