

Leaseholder Handbook

Houses

Bolton
at **Home**

This handbook has been created to explain the rights and responsibilities of our leaseholders.

By becoming a leaseholder, you have entered into certain obligations, such as paying your ground rent and service charges on time. In addition to this you are trusted to abide by the terms and conditions of your lease agreement.

Whilst we have tried to include as much information as possible, we are not able to cover everything that may arise and you may well have queries that are not answered here. If so, please contact us and we will do our best to help in whatever way possible.

This is just a guide and doesn't replace your lease.

Get in touch

Call: 01204 328000

Email: leasehold@boltonathome.org.uk

Write to: Leasehold Management
98 Waters Meeting Road
Bolton
BL1 8SW

www.boltonathome.org.uk/leaseholders

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What is a leasehold?

A leasehold is a long tenancy. It gives you the right to use and live in your home for a fixed number of years.

However, we own and are responsible for the land your house sits on. If you live in a flat we own the structure and any shared parts of the block.

What is a lease?

When you buy your home you become bound by the conditions of the lease. Your solicitor should have given you a copy of your lease when you bought the property and explained your rights and responsibilities, as well as our rights and responsibilities.

Your lease is an important legal contract so please take time to read it and keep it in a safe place. It is important that you keep to the conditions of your lease

If there is anything in your lease that you don't understand, you should get independent legal advice.

The Law

There are several laws and Acts of Parliament protecting your rights as a leaseholder. If you are not sure of your rights, a solicitor can advise you or you can contact the Citizens Advice Bureau.

The main Acts of Parliament covering leasehold tenancies are:

- Housing Act 1985.
- Landlord and Tenant Acts 1985 and 1987.
- Housing and Planning Act 1986.
- Leasehold Reform, Housing and Urban Development Act 1993.
- Housing Act 1996.
- Commonhold and Leasehold Reform Act 2002.

You can see copies of these Acts on-line at www.legislation.gov.uk.

Leaseholder's responsibilities

Your responsibilities will include to keep the property in a good state of repair and ensure all safety checks are completed on an annual basis.

Please refer to your lease for your exact responsibilities.

Gas safety

Every year, thousands of people across the UK are diagnosed with carbon monoxide (CO) poisoning, caused by unsafe central heating systems, gas cookers and gas fires. Keep safe in your home with these gas safety tips:

- Make sure only a Gas Safe registered engineer works on your gas appliances. Illegal gas fitters can put your life at risk.
- Always check the engineer's Gas Safe Register ID card.
- Make sure gas appliances have a regular service and a gas safety check every 12 months.
- Know the signs and symptoms of carbon monoxide poisoning – headaches, dizziness, breathlessness, nausea, collapse and loss of consciousness.

- Install a carbon monoxide alarm.
- If you smell gas, call the gas emergency number **0800 111 999**.

As a leaseholder, you are responsible for the maintenance of all gas appliances in your home.

They should be checked every 12 months by a GAS SAFE registered engineer. Bolton at Home may contact you to provide proof of maintenance.

Subletting your home – important gas safety implications

If you sub-let your home, you are responsible for the landlord's duties arising under the Gas Safety (installation and use) Regulations 1998. This means that you are legally responsible for making sure your gas appliances, pipe work and flues are safe and well maintained. You must also arrange for an annual gas safety check by a Gas Safe registered engineer and ensure that your sub-tenant is given a copy of the annual gas safety check record (CP12). You must provide a copy of the CP12 to new sub tenants before they move in to the property.

Failure to meet these requirements can lead to criminal prosecution, resulting in a large fine or possibly even imprisonment.

For more information on gas safety you can contact the Health and Safety Executive's information hotline on **0800 300363** or visit www.hse.gov.uk/gas.

Alternatively you can contact Gas Safe Register on **0800 408 5500** or visit www.gassaferegister.co.uk.

Flammable substances

You must not keep any contained gas ie. liquid petroleum gas, Calor gas (BBQ gas) etc or explosive substances in your home or communal area (including storage rooms/cupboards, balcony, garage, garden shed).

Estate charges and ground rent

Ground rent

Ground rent is specified in your lease and is a rental paid to us every year. You will receive a separate invoice for your ground rent.

Estate charges

An estate charge is a payment you make towards the costs of providing and maintaining services for the estate you live on. These charges are payable by all leaseholders annually.

You must pay your share of the costs of managing and maintaining your estate. This is a legal duty set out in your lease.

Estate charges are a key consideration in taking on a lease and are part and parcel of becoming a leaseholder.

We will always be fair about charges. We will explain how they are calculated, and you can challenge any charges you do not agree with. If you have financial problems, we may be able to make other arrangements to help you pay.

The estate charge will vary depending on where you live and covers services such as:

- Paths belonging to us.
- Grounds maintenance.
- Management fee.

What if I don't think my bill is correct?

Should you wish to dispute or query the whole or part of your service charge please contact us on **01204 328000**.

Making sure you get a good service

Do not forget that the cost services will normally be shared between you, us and other leaseholders.

If the job is not done properly please let us know by contacting us on **01204 328000**.

Finding it hard to pay

If you are struggling to pay your estate charges or ground rent please contact us straight away. We can help you by:

- Find the right payment method.
- Setting up affordable repayment plans to pay arrears.
- Check you are claiming all the benefits you are entitled to (even if you are working).
- Reduce your other household bills, gas, electric and water.

- Manage your finances and deal with any debts you may have.
- Supporting you back into training or employment.

Please contact us if you wish to access this service.

What will happen if you don't pay?

If you don't pay your service charges or ground rent, we will contact you to ask why. If non-payment continues we can consider the following options:

- Referral to a collection agency.
- Contacting your mortgage lender.
- First Tier Tribunal (Property Chamber).
- Applying for forfeiture or repossession.
- Alternative Dispute Resolution (ADR) including mediation and arbitration.

Grounds maintenance

Our estates are made up of land owned by us but they also include highways and footpaths owned by Bolton Council. In addition, there may be land in private ownership.

If you're unsure of who's responsible for the land, please contact our Neighbourhood Services Team on **01204 328000** or email **bh_neighbourhoodservices@boltonathome.org.uk**.

Maintenance of our land includes:

- Communal grass to be cut up to 18 times per year (March – November).
- Grass cuttings to be removed from paths.
- Shrubs to be litter picked and weeded eight times a year.
- Hedges to be visited twice a year.
- Leaves on grassed areas will be cut when the grass is mowed and left in position on the grass.
- Heavy leaf fall on our footpaths will be removed on a reactive basis.
- Our footpaths and communal areas will be weed sprayed three times a year.

Home improvements

Under the terms of the lease the leaseholder will require our permission to carry out any alterations and improvements affecting:

- The exterior of the building.
- The structure of the building.

Leaseholders wishing to carry out alterations or improvement works to their home must apply for our consent as required by the lease and provide details of the proposed works. Consent may be granted subject to conditions, such as obtaining planning permission and/or appropriate buildings regulations consent, where this is required.

We do not need to know about minor work such as decorating.

How do I get permission?

Call: **01204 328000**

Email: **owneroccupierpermission@boltonathome.org.uk**

You will need to say exactly what you want to do and in most cases provide a drawing or plan.

A building surveyor may need to visit your home to see what you intend to do, before we can make a decision.

If they refuse permission it will be for a good reason. If you go ahead with work after we have refused permission you will be breaking the terms/conditions of your lease. If you do something without permission we have the right to put things back as they were and charge you for it.

There is a fee payable for permissions. This will be payable in advance.

Changes to your lease

Leasehold extensions

To apply to extend the lease on your property you must have owned your property for two years. Before you proceed we would advise you to obtain the services of a solicitor.

Typical costs required to extend a lease (all payable by the applicant and all subject to change):

- Administration fee - £90 is required in advance.
- Independent valuation fee – between £630 and £700.
- Cost of the lease extension – determined by the valuation. This could range between £800 and £6000.
- Our legal fee – You would be expected to pay any legal fees we incur.
- If applicable, retrospective building work permission fee - £150 (for building work such as extensions that did not have written consent). Any work completed 10 years ago or more will be exempt.

If you want further information about extending your lease, you should contact us on **01204 328000** or email **freeandleaseholderenquiries@boltonathome.org.uk**.

Once you are sure you wish to proceed with the leasehold extension, please instruct your legal representative to contact us.

Sub-letting (renting out) your home

As a responsible landlord, we wish to know who is residing within our buildings, if you choose to sub-let your property please:

- Provide the tenants contact details and the contact details of any management company appointed to manage the letting of the leasehold property.
- Ensure that their tenant complies with all provisions contained within the lease. Essentially you as leaseholder will be responsible for how the tenant conducts their tenancy.
- Ensure that all costs due to us under the terms of the lease continue to be paid.

As the leaseholder you will still be required to maintain the property and pay the service charges.

It is important you tell us if you sub-let your property.

There are important safety checks that are legally required if you sub-let your home. As a landlord, you are responsible for the safety of your tenants. It is a criminal offence for landlords to provide an appliance or furniture that does not comply with the respective safety regulations. (Please see gas safety).

Selling your property

You can sell your home at any time, however leases are subject to a five-year discount repayment period. This means that if you sell your home within five years of buying it, you must pay back a percentage of the discount.

In addition to this, if you sell your home within the first 10 years you must give us the right of first refusal on the property.

Who should I tell when I sell?

Your solicitor must notify us when you have accepted an offer so that we can advise them on what you owe us for day-to-day service charges, major works, building insurance and ground rent.

Please note there are strict timescales within your lease regarding when we should be updated regarding changes to the lease. All information should be provided to us within one calendar month.

Enfranchisement (buying the freehold)

If you wish to buy the freehold of your house the typical costs are:

- Administration fee - £90 is required in advance (all payable by the applicant and all subject to change).
- Independent valuation fee – between £630 and £700.
- Cost of the actual freehold purchase – determined by the valuation. This could range between £800 and £6000.

- Our legal fee – You would be expected to pay any legal fees we incur.
- If applicable, retrospective building work permission fee - £150 (for building work such as extensions that did not have written consent. Any work completed 10 years ago or more will be exempt).
- Ongoing annual estate charge to be paid. This is currently £67.68 per year but is subject to change.

If you are applying to purchase the freehold title, we suggest that you complete a Land Registry check to ensure the Absolute Freehold belongs to us.

Once you are sure you wish to proceed with the purchase of the freehold, please instruct your legal representative to contact us.

Antisocial behaviour

Our Neighbourhood Safety Team can help with antisocial behaviour and hate crime. We are committed to resolving all cases of antisocial behaviour that involve our customers.

We will ensure that:

- All incidents are sensitively investigated.
- Appropriate action is taken against offenders.
- Victims are supported.

How you can report antisocial behaviour or hate crime:

Email us: bhtenancyenforcement@boltonathome.org.uk

Call us on: **01204 328000**.

Write to us: **Bolton at Home, Neighbourhood Safety and Enforcement Team, 98 Waters Meeting Road, Bolton BL1 8SW.**

Please provide your contact name, address and phone number and details of your concern.

How can I report antisocial behaviour if the perpetrator is not a Bolton at Home tenant?

If the person causing the disturbance is not one of our tenants, there are five ways you can get help:

1. Contact your landlord.
2. Call the Police: **101** or **999** in an emergency.
3. Call Bolton Council's ASB Reporting Line: **01204 336500** or email asbreporting@bolton.gov.uk.
4. Call the Citizens Advice Bureau: **0844 8269707**.
5. Visit the Citizens Advice Bureau.

Complaints, compliments and suggestions

We want to improve on what we do by building on our successes and learning from our mistakes.

We will:

- Listen to your feedback, good or bad.
- Deal with complaints efficiently and effectively.
- Keep you up to date with progress.
- Be open and honest about the process.

All compliments we get are passed on to the relevant section or member of staff concerned so that they know that you were pleased with the service. It helps them to know if they are doing things right.

If you want to make a direct complaint, compliment or suggestion you can:

Email us: customer.care@boltonathome.org.uk.

Call us on: **01204 328000**.

Write to us: **Customer Care Team, Bolton at Home, 98 Waters Meeting Road, Bolton BL1 8SW.**

Private message us on Facebook.

To help us assist you we will need to know:

- Your name and address.
- Please note that you are a leaseholder.
- Let us know about your feedback.
- Let us know what you think we should do.
- Your daytime contact number and email address (if you have one).

Leaseholder involvement

As a leaseholder with us we value your comments and suggestions about how we run the service and how we can improve it. If you wish to get involved with the service please contact us to discuss.

Bolton at Home
98 Waters Meeting Road
Bolton BL1 8SW

Call: **01204 328000**
Email: info@boltonathome.org.uk
www.boltonathome.org.uk

If you require this leaflet in any other format, including an alternative language, Braille, audio, large print or translation call 01204 328000.

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