

## **Leasehold Forum Q & A**

### **When are the major works at Boons Place due to be completed?**

The work is due to be completed around March 2022.

### **Why do PCH conduct works on individual flats and then recharge to the whole block?**

Plymouth Community Homes (PCH) are responsible for the exterior and structure of the block, and Leaseholders are responsible for contributing towards these costs based on their lease. Work completed within an individual flat, if not linked to the structure of the block, would not be recharged to leaseholders. The only exception to this is window repairs as windows are classed as being part of the exterior and structure of the building, and PCH have a responsibility to maintain these.

### **Why can we not find out about any guarantee/warranty on works done?**

For information on warranties and guarantees please contact the leasehold team on 01752 388094 or by email [lease.hold@plymouthcommunityhomes.co.uk](mailto:lease.hold@plymouthcommunityhomes.co.uk) with the address of your property and we can assist with any request for these details.

### **What is the process for charging individuals for damages caused to communal areas?**

Under the terms of the lease, Leaseholders are responsible to contribute towards any repairs to the structure and exterior. PCH would always look to recharge offenders if individuals have purposely caused damage and can be identified. What we require is either a crime number for the incident or alternatively for the issue to be reported to the Housing Officer with evidence of the perpetrator. In these instances, we wouldn't recharge Leaseholders and instead would charge the individual.

### **I have a leasehold flat, but you do not maintain the garden so how would that work?**

The responsibility for the maintenance of gardens or communal areas will be as per the terms of the lease. For blocks, the common areas/gardens are not demised to individuals and would remain the responsibility of PCH to maintain. In half houses, this may be different with the garden included in the demise, which would make maintenance the responsibility of the Leaseholder. Please contact the leasehold team should you want clarity on your lease.

**A social housing tenant has kicked in my shed door whilst being arrested for violence. Whose job is it to ask him about getting it fixed please?**

Our rangers who are on site frequently will generally report issues such as this. If we have not had it reported, please call us on 01752 388094 and we will deal with the issue and report to our repairs team. If the shed door that has been damaged is a Leaseholder's property, it will be for them to fix themselves. However, in cases where it is criminal damage if there is a crime number, please contact the leasehold team on the above number.

**We recently had a flood caused by a rental property above ours. Despite reporting this to the leasehold team and this apparently been passed to the rental, no action appeared to be taken. What is the process and performance measures that cover this type of incident?**

If it is a PCH tenant above, we would contact our repairs team who would isolate the leak and do repairs in the tenanted flat immediately. If there is water damage to a leasehold property, we would give you building insurance details where there is currently a £50 excess for the repairs.

**I have a PCH fitted front door which was fitted before I purchased my property. My neighbours are having things changed on their doors. I have not been asked by anyone from leasehold or had anyone check my door.**

If you live in a half house, you are free to have a door of your choice and can change this at any time. If you live in one of our blocks you will be required to have an FD30s Fire Door. We visit the blocks annually to conduct inspections. If your door does not meet the requirements of an FD30s with working closer, we will of course let you know. Please call 01752 388094 if you wish to discuss your door further.

**I would like to visit the PCH building and speak to the leasehold team please if possible.**

We are available by phone and email between 9am and 4.30pm daily. If you wish to attend the office, please phone on 01752 388094 to make an appointment.

**When we purchased our flat most of the windows had been replaced in the block but not replaced in our flat. We assume that this means that the previous owner opted out.**

**In a recent bill, part of the charge was for window repairs in a specific flat. Why would we be charged for another person's window repair if the previous owner opted out?**

**We have maintained our own windows on several occasions. In the future, would we need to contact PCH to do any repairs, and if we needed to replace the windows, does this mean that we would have to go through PCH to replace them? Would the cost would be shared with the other members in our block?**

PCH have a repair obligation on the structure of the block. This doesn't mean PCH will pay for works but are obligated to carry out the repair. As you would pay a proportion towards all repairs in the block you will also pay towards any other window repairs in the block. In future any window repairs can be made by calling PCH contact centre or the Leasehold team. As you own your flat you are able to replace your windows when you wish at your own cost, PCH would only replace once windows are at the end of their life or parts become obsolete so are unable to be repaired, again you would pay a proportion towards the cost of any repair or replacement that PCH carry out.

### **Can Leaseholders purchase the freehold?**

Leaseholders who own flats can get together to buy the freehold of their building either under the law if they meet certain criteria (formal route), or by asking the freeholder to see whether they are willing to sell the freehold informally (informal route).

#### Formal Route

Under this route the freeholder and leaseholders need to follow a procedure and strict timescales set out in the law. This route offers more protection to leaseholders if they cannot agree the terms and/or the price with the freeholder. Leaseholders can in this case apply to the Tribunal to decide on the issue.

#### Informal route

Under this route, leaseholders can approach the freeholder in the first instance and ask whether they are interested in selling them the freehold. There is no obligation on the freeholder to respond or to agree to sell following this request. If the freeholder agrees then both parties will have to negotiate.

It is worth starting the process informally as it could save time and money. But if negotiations fail, then leaseholders who comply with the criteria, can use the formal route to try and buy the freehold and go to the Tribunal if no agreement on the price or the terms can be reached.

Buying the freehold can be a difficult process. We recommend you get professional help from a solicitor and surveyor with experience in this area.

### **Are there any planned works for Ross Street in the next 5 years?**

Currently there are no planned works due in Ross Street in the next few years, but this can change should issues arise. We do not rely on a 5-year plan due to that very reason.

**Why do people need to pay just to let you know you will be getting new windows?**

There is no charge for consent to replace windows provided you do it in advance. If you went ahead with the works without getting consent, you would be in breach of your lease. In this instance you would need to apply for retrospective consent which there is a charge for. It should be noted that retrospective consent may be refused, and you could be required to remove the alteration.

**Are we able to alter internal and external communal lighting to be motion sensor operated? The Leaseholder is very concerned about the cost of electric and how this will increase their ASC.**

The simple answer is not at this time. The cost of replacing the lights is likely to far exceed the amounts saved in any electricity bill. Also, Leaseholders are responsible for a share of the costs of replacing the lights. So again, any saving is likely to be eaten up by you having to pay towards the light installation. We understand that the team responsible for monitoring our electrical supplies to blocks are monitoring the situation and the prices paid for supply to the communal areas.

**Are Leaseholders able to opt out of proposed works and have it done privately themselves?**

No, however when the Notice of Intention is sent out, Leaseholders have the opportunity to recommend companies to carry out planned works.

**Are we able to do a consultation between leaseholders and PCH with regard to new tenants so there is more chance of harmony between residents?**

No consultation can be done between Leaseholders and PCH about new tenants as there is no legislation which allows this.

Prospective PCH tenants bid for properties via Devon Home Choice who are an external company. The bidding is conducted on a need's basis and PCH have no authority to change this.

In regard to new PCH tenancies, on occasions, PCH do ask that a property is classified as a 'sensitive let' if there has been issues regarding a previous tenancy to ensure the new tenancy is suitable.

**How are programmes of planned work/improvements prioritised? Are charges associated with maintenance/improvements also passed on to PCH social residents living in the properties as well as Leaseholders?**

Our programmes of planned work are set out in advance, but they can change should the need of another block become a priority. Our asset team have planned works in the programme over the next 2 years or so, but these are reviewed from time to time. Our PCH residents also pay towards any works to the blocks as part of their rent payments.

**It would be beneficial for both PCH and Leaseholders to know when works are planned at an earlier stage (pre-plans) rather than after plans have been submitted. This would give Leaseholders more time to pass on constructive comments and would encourage a proactive engagement between PCH and Leaseholders.**

The leasehold team are now working closely with the asset team and the leasehold team will now be involved in all residents' meetings when any major works are planned for a block. Once we will issue section 20 consultation letters, we do have a legal timeframe to adhere to.

**Can we do a newsletter following the forum for those that are not able to attend such as elderly Leaseholders not having internet access and unable to come into the office?**

We will be placing all Q & A on the PCH website. We will also have a page in the InTouch magazine. A copy of the magazine is sent to all residents. If you do not get a copy, please let us know so that we can check our mailing records.

**Can Morley Court lift not automatically go back to ground floor?**

We can ask of this is a possibility, however this is sometimes to do with default programming of lifts.

**Do the leasehold team check if see if repairs are covered on insurance before arranging or billing? These are repairs which in a non-leasehold flat would be covered by insurance.**

The Contact Centre mostly receive reports of repairs. The Contact Centre raise a job and then PCH Repairs Department will make arrangements to either carry out the repair or make an insurance claim based on the work.

Fair wear and tear are not insurable; however, storm damage may be, and PCH do explore this option.

The leasehold team do conduct a regular annual check for repairs and do try to ensure that any insurance jobs are removed before charging to leaseholders.

Leaseholders will only be charged for communal repairs; repairs on internal parts of PCH tenanted properties will not be re-charged to leaseholders.

### **Can we do reduced cost lease extensions?**

There are two routes to obtaining a lease extension. The informal route is cheaper than the formal route and far quicker. We generally advise a lease extension will be in the region of £5,000.00 but generally they come in far cheaper. Please contact the team on 01752 388094 for an idea of costs. The Leasehold Advisory Service have an online calculator which will assist <https://www.lease-advice.org/calculator/>

Please also be aware you are responsible for our legal costs and surveyor fees.

### **How can I ensure that works conducted on my leasehold property are a) required and b) charged at competitive rate?**

We have an obligation to ensure our housing stock is up to current standards. We will only conduct works when necessary following stock condition surveys. Full investigation and surveys are conducted to ascertain work requirements.

Any company wishing to conduct works for PCH must apply and adhere to strict procurement tendering procedures.

### **Interested to know of any work to be conducted at Anthony Gardens?**

Currently we are not aware of any works planned in Anthony Gardens.

### **Can CCTV be installed**

There are no plans to instal CCTV on particular blocks unless a need specifically arises due to anti-social behaviour or other specific reasons. Any resident is able to instal CCTV as long as any cameras do not cover any communal areas. We are happy to provide a copy of our CCTV policy (this can also be found on our website) and assist with where you may wish to put your own cameras.

### **Do you have plans to improve insulation in the properties in Little America such as this block of flats, and would you consider the option of solar panelling properties?**

**There were discussions about barrier across the communal car park of Wyoming close. What are the latest developments? The peripheral areas around the car park are in need of a tidy up there is still run off across the road and where the drainage was recently done. Can this be revisited as water is starting to run into the car parks which is no good in icy weather?**

There are currently no plans to instal solar panelling on properties. With regards to improving home insulation these blocks are not currently in our planned works, but they do get reviewed and these things can change. With regard to a barrier on any

car parks this is not something we generally do but should this change, a consultation will be carried out which all residents will have the opportunity to participate.

The runoff in Little America is a frequent problem and doesn't arise from drain overflow but the runoff from the woods and playing fields above. This problem continues through Little America and Eggbuckland Road.

**Can you help to set up an independent "PCH" Leaseholders Association so that all Leaseholders across the entire PCH estate can join one common organisation and have representation when important decisions are being made about the homes that they live in?**

As per the presentation today we are looking for a co-optee to sit on the board and make decisions from a leasehold perspective. Alternatively, this is down the individual blocks to set up their own groups.