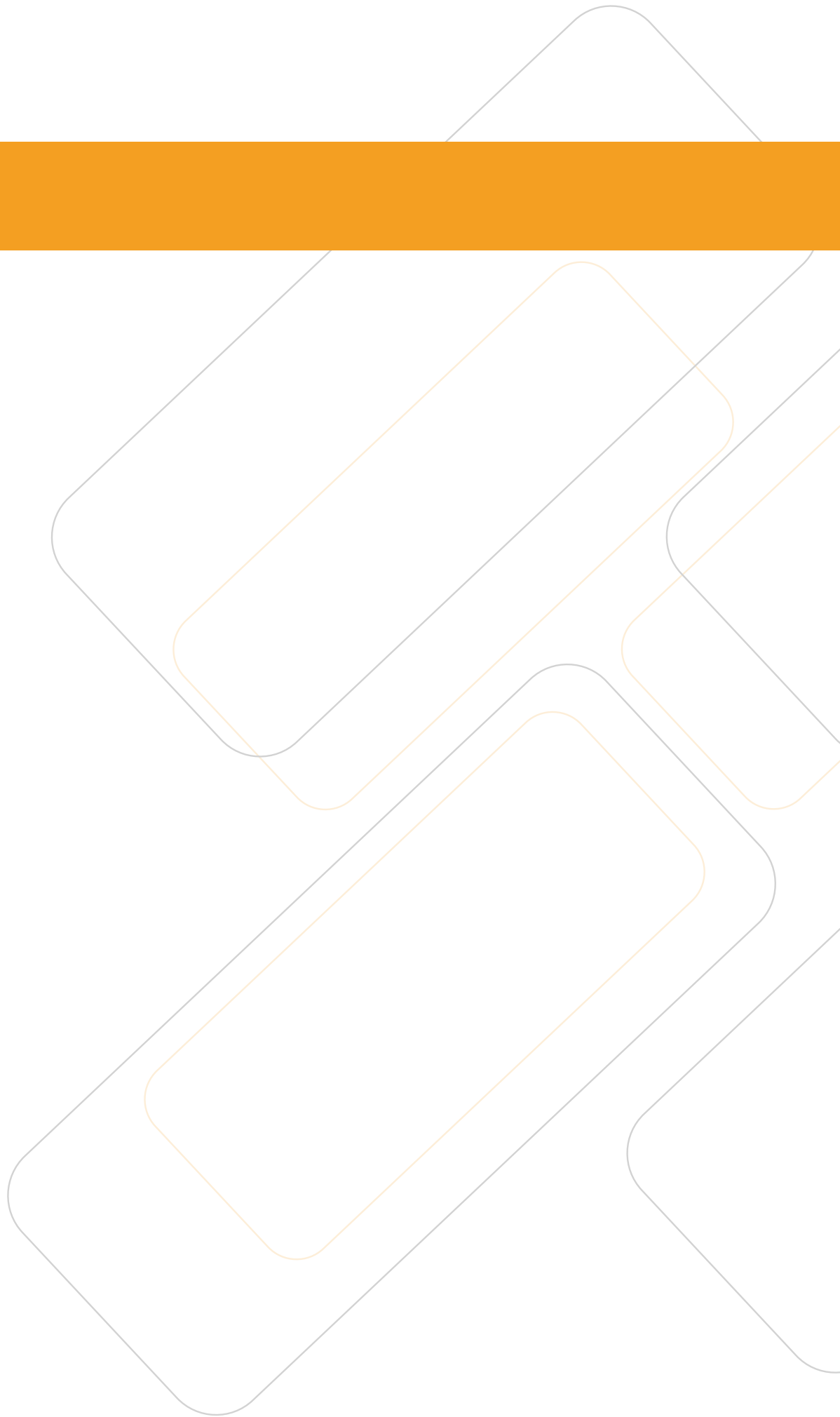


7. Managing your home



CUSTOMER SERVICE EXCELLENCE





Managing your home

Alterations

Under the conditions of your lease, if you want to carry out any structural alterations or an extension to your home, you must first obtain written permission from Hackney Homes by first contacting your Neighbourhood Housing Office. You must not begin any structural changes until you have this permission.

This requirement is in addition to any Planning consents that you may have needed to obtain, including Building Regulation approval. The Council's Planning Department will be able to advise you on this issue. Please contact them on 020 8356 8062.

When you apply for permission we will give you information about how the application will be processed and details of any conditions that will apply to the approval. You will have to pay for the cost of processing your application.

Types of Alterations

Examples of where you need to seek authority from Hackney Homes as Landlord of your property are detailed below:

- New windows, where this includes the frames – these should be of similar design to others in the block. Your lease should be amended so that it becomes your responsibility to repair and maintain the frames. This is called a deed of variation. Your Neighbourhood Housing Office will arrange for the deed to be done by our Legal Department but you will have to pay for the cost.
Please note: Our policy states that where the Decent Homes Programme is established, the Neighbourhood Office has been instructed not to grant landlord consent for leaseholders to change their windows.
- Installation of central heating or changes to existing central heating, but only if your heating and hot water are provided by Hackney Homes through a communal boiler.
- Structural walls. If you are given permission to make any changes to walls a Deed of Variation may be required.
- Changes to the layout of your home
- Alterations to electric, gas or water drainage

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If you want to build an extension, erect a conservatory or convert your loft, you need to check that you own the space you want to alter or use, for example, if the garden is shared, you will not be able to build an extension over it. The roof space is not usually included in the ownership of an individual flat, even if it seems that only you have access to it. If you want to convert the loft, you will need to ask us if it would be possible to buy the roof space.

If you are not sure whether you own the space you want to alter, you should look at the plans in your lease or ask your solicitor for advice.

You must ensure that the company carrying out the work has insurance cover for any injury or damage caused.

If you carry out any works without getting prior approval from us you will be in breach of your lease.

Breaches of lease can lead to you losing your home.

Freeholders – The above section does not generally apply to you but you may need planning permission.

Selling your home

You are free to sell your property at any time, it is suggested that you obtain legal representation through a solicitor or licensed conveyancer. However, if you bought under the Right to Buy Scheme you will have to repay all or part of the discount if you sell within certain timescales.

How to sell

Once you decide you wish to sell, there are several routes you can choose to sell your property:

You can arrange the sale through an estate agent, who will advertise your property and arrange for prospective purchasers to view it. Estate agents charge a commission fee based on the eventual sale price, or a lump sum payment in advance.

Alternatively, you can arrange the sale yourself either through newspaper or using your own 'For Sale' board. If you choose to sell this way you must take great care to ensure your personal security as there will obviously be no agent to accompany potential purchasers.

You should check your lease for information on the size of the 'For Sale' board you may use or the length of time the board can be displayed.

Managing your home

Who to notify when you sell

When you have a firm offer your solicitor must write to our Customer Services Team, in writing, for an Assignment package. At present our fee for providing an Assignment package is £100.00.

In the package we will ask your solicitor to notify us when they are aware of completion date in order for us to calculate your liability to that date. When you sell your property you will only pay an apportioned cost of your annual service charges, i.e. if you sell on the 1st September (your completion date) you will only pay for the period 1st April to 31st August. You may also be liable to pay for major works that were carried out to your property.

We will also notify your solicitors of the need to retain funds to pay any surplus amount when we produce our final accounts (Actual costs) for the year in which you sell.

Once the sale is completed it is the responsibility of the incoming lessee's solicitors to formally notify us of the transfer by sending the Notice of Assignment/Transfer together with the appropriate fee to the Customer Services Team at 298 Mare Street, London, E8 1HE. We should be notified with 4 weeks of the sale.

If we do not receive the Notice of Assignment/Transfer you will remain responsible for any charges levied to the property.

Freeholders with service charge liabilities: You need to be aware that when you sell the property you must enter into a deed with the buyer ensuring they carry on the covenants of the deed of transfer in part to pay service charges. Otherwise you may leave yourself open to legal action for failing to do this.

Freeholders: There is no obligation on the new owners to provide confirmation of the transfer of the property to Hackney Homes. Please ask your solicitors to write to the Customer Services Team with confirmation of the sale giving details of the new owner's solicitors.

Do you rent a garage, parking space or shed?

If you rent a garage, parking space or shed you must give the Neighbourhood Housing Office one week's notice that you are leaving and return the keys to them. Please do not hand the keys to the person buying the property.

It is your responsibility to let us have your forwarding address or a letter of authorisation advising us of where to send your Actual costs bill or to notify you of any outstanding credits on the property account.

Repaying discount if you sell your home within the first 5 years

Managing your home

If you have bought your home under the Right-to-Buy, you can sell it whenever you like.

But if you wish to sell within the “Discount Repayment Period” you will usually have to repay all or some of the discount you received when you exercised the Right-to-Buy. The amount you repay will depend on when you originally applied to buy

Repayment of Discount (Pre and Post 18 January 2005)

1. If you applied to buy before 18th January 2005 and sell within 3 years of buying your home

- If you sell within the first year after purchase you must repay the entire discount.
- If you sell in the second year, you repay two-thirds
- If you sell in the third year, you repay one-third.

After 3 years you can sell without penalty.

For example, if you received £38,000 when you purchased, you would have to repay £38,000 if you sell in the first year. £25,333.33 if you sell in the second year, £12,666.67 if you sell in the third year.

2. If you applied to buy on or after 18th January 2005 and sell within 5 years of buying your home

- If you sell within the first year after purchase you must repay the entire discount.
- If you sell in the second year, you repay 80%.
- If you sell in the third year, you repay 60%.
- If you sell in the fourth year, you repay 40%.
- If you sell in the fifth year, you repay 20%.

After 5 years you can sell without penalty.

Please note that in this case the amount to be repaid is not based on the amount of discount you original received – it is a percentage of the **resale value of the property** (ignoring any improvements you have made).

For example, if your home was valued at £160,000 at the time you purchased under the Right-to-Buy and

Managing your home

your discount was £16,000 representing 10% of the value. If when you come to sell your home it is worth £220,000 then the amount to be repaid would be 10% of its resale value in the first year (£22,000). In the second year it would 80% of this amount, i.e. $£22,000 \times 80\% = £17,600$...and so on.

Post-dated transfers to third parties

Please note also that from 18th January 2005, if within the discount repayment period of 3/5 years you enter into an agreement with a third party (for example, a private company) to transfer your home to them at a future date, this will trigger the discount repayment requirement.

Exceptions to repaying discount

There can be some exceptions – for example, if you are transferring your home to certain other resident family members, or if your home is compulsorily purchased or has to be sold as part of matrimonial proceedings or following the owner's death.

Letting your home

If you let your home to someone else this is called subletting. If you are thinking of subletting your property you should consider the following points:

- You must notify Hackney Homes and send a copy of the Tenancy Agreement together with written confirmation of your mailing address and the fee of £30.00 for administering the associated notices and records if you wish to sublet your property, before you sign the Agreement
- If you have a mortgage you must obtain consent from your mortgage lender
- You should seek advice from your home contents' insurers. If you don't you may find that any claim you make may be null and void
- You should also note that when you sublet your home your insurance premium may increase.
- The Tenancy Agreement should not exceed 1 year as you may lose the right of occupation. A copy of this Agreement must be sent to the Customer Services Team
- You must inform our Customer Services Team in writing detailing your correspondence address and contact number or the contact details of your Property Management Company. Please contact the Customer Services Team on 020 8356 2100 for further details.
- Please note: If you do sublet your property it is your responsibility to make sure that your tenants

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comply with the Lease, e.g. they do not cause damage, nuisance etc. Failure to do so may result in action against you.

- You must also remember that even if you sublet your home to someone else you are still legally responsible for the payment of all service charges, ground rent, building insurance and major works costs
- You may be in breach of your lease if you do not notify Hackney Homes of sublet and contact details.

When you sublet your property you become a landlord in your own right and it is your responsibility to maintain and service any gas appliances in accordance with the Gas Safety (Installation & Use) Regulations 1998. It is recommended that you have any gas appliances serviced by a qualified CORGI registered engineer at least once a year.

Freeholders: You must notify your mortgage lender and insurer/s. You must provide us with a correspondence address.

Re-mortgaging your property

During the Discount period (Within the first 3 or 5 years, depending on when you exercised your Right to Buy) please note that under the Right to Buy scheme leaseholders and freeholders may **only** re-mortgage or take out a loan on their property for **home improvement** purposes.

If you are considering re-mortgaging you should contact, in writing, our Legal Department, 3rd Floor, 298 Mare Street, London E8 1HE for a Deed of Postponement enclosing copies of quotes for the anticipated home improvement work and a cheque in the sum of £100.00 made payable to the London Borough of Hackney. You may also telephone our Legal Department for further advice on 020 8356 6189.

Buying the Freehold of your property

In certain circumstances, leaseholders have a collective legal right to buy the freehold of their block from Hackney Homes. Once you have bought the freehold, you can then decide for yourselves how to manage the block and take over our responsibilities.

For more detailed information please contact our Property Services Department on 020 8356 2606.

Buy Back by Hackney Homes

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We do not operate a policy on buy backs except in cases where the property is situated on a redevelopment estate and demolition notices have been served. If you are served with any such Notice it will include details of the timeframe and relevant contact.

If your property is situated on any of the following estates and you receive notice you should contact the number given below:

Woodberry Down 020 8356 1675

Nightingale Estate 020 8525 5591

Holly Street, Haggerston & Kingsland 020 8356 4785

6 Review Estates 020 8356 2310

- Ottaway Court
- Rendlesham House
- Bridge & Marian Court
- Alexander National House
- Tower Court

Right of first refusal

In accordance with the Housing Act 2004 further changes to the Right to Buy rules have been brought into force for those who purchase their homes after 18 January 2005.

Although at present we do not buy back properties unless they are marked for demolition, owners who wish to resell their home within 10 years of it having been sold under the Right to Buy Scheme must first offer it, at market value, to Hackney Homes.

Managing your home

Contact Us

Leasehold & Right To Buy Services

Below are the Sections that make up the Leasehold & Right to Buy Services. You can contact us between 9am - 5pm Monday to Friday. We also open from 9.00am - 7.30pm on the second and last Wednesday of every month.

All our teams are located at:

Leasehold & Right to Buy Services
1st Floor, 298 Mare Street
London
E8 1HE

Customer Services (General enquiries)

- Sellers Pack
- Subletting

Phone: 020 8356 2100

Email: leaseholders@hackneyhomes.org.uk or freeholders@hackneyhomes.org.uk

Right to Buy

- Applications
- Offers

Phone: 020 8356 2010/2232

Email: RTB@hackneyhomes.org.uk

Service Charge Accounts

- Preparation/Billing of Estimates
- Preparation/Billing of Actuals

Phone: 020 8356 2099

Email: Service.charges@hackneyhomes.org.uk

Managing your home

Service Charge & Major Works Recovery

- Payments and Arrears

Phone: 020 8356 2299

Email: major.works@hackneyhomes.org.uk and Service.charges@hackneyhomes.org.uk

Major Works

- Estimates and Invoicing

Phone: 020 8356 2400

Email: major.works@hackneyhomes.org.uk

The contents of this Handbook are believed to be accurate at the date of publication (November 2006).

Managing your home

Your neighbourhood office

Hackney Homes has 5 Neighbourhood offices. It is the responsibility of the Neighbourhood Offices to ensure Leaseholders and Freeholders observe their obligations and enforce the terms of the lease/transfer of part. This includes obtaining landlord's consent for alterations/improvements.

The Neighbourhood offices responsibilities include:

- Estate inspections
- Communal area and estate monitoring
- Provide advice to Leaseholders about alterations to their properties
- Deal with harassment and neighbourhood disputes
- Ensure that properties are used for residential and not commercial purposes
- Deal with nuisance and anti-social behaviour across estate

- **North East Neighbourhood Office (Stamford Hill)**

Clock House

149 Stamford Hill

London N16 5LG

General queries: 020 8356 6500 (Mon-Fri 9am – 5pm)

Repairs: 020 8356 3691 (Mon-Fri 8am to 7pm, Sat 9am to 1pm. You can also report emergency repairs using the above number 24 hours a day 7 days a week.)

- **North West Neighbourhood Office (Stoke Newington)**

Stoke Newington Municipal Offices

Stoke Newington Church Street

London N16 0JR

General queries: 020 8356 6100 (Mon-Fri 9am-5pm)

Repairs: 020 8356 3691 (Mon-Fri 8am to 7pm, Sat 9am to 1pm. You can also report emergency repairs using the above number 24 hours a day 7 days a week.)

- **Homerton Neighbourhood Office**

92 Well Street

London E9 7JA

General queries: 020 8356 7800 (Mon-Fri 9am-5pm)

Repairs: 020 8356 3691 (Mon-Fri 8am to 7pm, Sat 9am to 1pm. You can also report emergency repairs using the above number 24 hours a day 7 days a week.)

Managing your home

- **De Beauvoir & Queensbridge Neighbourhood Office**

31 De Beauvoir Road

London N1 5SJ

General queries: 020 8356 6600 (Mon-Fri 9am-5pm)

Repairs: 020 8356 3691 (Mon-Fri 8am to 7pm, Sat 9am to 1pm. You can also report emergency repairs using the above number 24 hours a day 7 days a week.)

- **Shoreditch Neighbourhood Office**

1 Cropley Street

London N1 7PT

General queries: 020 8356 6705 (Mon, Tues, Wed, Fri 9am-5pm, Thurs 8.30am-7.30pm)

Repairs: 020 8356 3691 (Mon-Fri 8am to 7pm, Sat 9am to 1pm. You can also report emergency repairs using the above number 24 hours a day 7 days a week.)

