

All Trust documents can be provided in large print, Braille or as spoken word on tape or CD. British Sign Language services are available.

Arabic الترجمة متاحة

Polish dysponujemy tłumaczeniem dokumentu

Bengali অনুবাদ পাওয়া যাবে

Urdu ترجمہ مہیا کیا جا سکتا ہے

Traditional Chinese 備有譯本

Simplified Chinese 可获得翻译版本。

Hindi अनुवाद उपलब्ध

Welsh Cyfieithiad ar gael



Chester & District
HOUSING TRUST
"Two Stars and Excellent"

Leaseholders Newsletter

JANUARY 2008
ISSUE 1

Welcome to the first leaseholders newsletter!

As a leaseholder of the Trust you are a valued customer and it is important to us that you are kept up to date with anything that may affect you such as service improvement, maintenance or improvement work, changes in the law etc. We think that a newsletter is one way of achieving this and it will also give you an opportunity to become more involved in improving our services and to tell us what you like and don't like about those services.

The newsletter will be issued twice a year from now on. One will be issued in January with the building insurance renewal and the other in May or June with your service charge and ground rent invoice. You will still receive Trust News as usual in addition to the leaseholders newsletter.

If you have any comments, or would like to contribute to future editions of this newsletter please contact Dawn Fitcher on 01244 305438.

In this edition...

Changes to the law:

Leaseholders rights and obligations

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LEASEHOLDERS RIGHTS AND OBLIGATIONS

It is a legal requirement for the Trust to provide you with a summary of your rights and obligations with all invoices issued after 1st October 2007. The first one will be issued with your service charge and ground rent invoice in 2008. In the meantime a copy is detailed below for your reference:

Dear Leaseholder

I enclose a copy of your service charge bill for the period indicated on the bill. Please note that the law now requires the Trust to provide you with a statement setting out your rights and obligations relating to your service charges. This statement is set out below:

Service Charges – Summary of tenants' rights and obligations

- (1) This summary, which briefly sets out your rights and obligations in relation to variable service charges, must by law accompany a demand for service charges. Unless a summary is sent to you with a demand, you may withhold the service charge. The summary does not give a full interpretation of the law and if you are in any doubt about your rights and obligations you should seek independent advice.*
- (2) Your lease sets out your obligations to pay service charges to your landlord in addition to your ground rent. Service charges are amounts payable for services, repairs, maintenance, improvements, insurance or the landlord's costs of management, to the extent that the costs have been reasonably incurred.*
- (3) You have the right to ask a leasehold valuation tribunal to determine whether you are liable to pay service charges for services, repairs, maintenance, improvements, insurance or management. You may make a request before or after you have paid the service charge. If the tribunal determines that the service charge is payable, the tribunal may also determine - who should pay the service charge and who it should be paid to; the amount; the date it should be paid by; and how it should be paid.*

However, you do not have these rights where -

a matter has been agreed or admitted by you;

a matter has already been, or is to be, referred to arbitration or has been determined by arbitration and you agreed to go to arbitration after the disagreement about the service charge or costs arose; or

a matter has been decided by a court.

- (4) If your lease allows your landlord to recover costs incurred or that may be incurred in legal proceedings as service charges, you may ask the court or tribunal, before which those proceedings were brought, to rule that your landlord may not do so.*
- (5) Where you seek a determination from a leasehold valuation tribunal, you will have to pay an application fee and, where the matter proceeds to a hearing, a hearing fee, unless you qualify for a waiver or reduction. The total fees payable will not exceed £500, but making an application may incur additional costs, such as professional fees, which you may also have to pay.*

- (6) A leasehold valuation tribunal has the power to award costs, not exceeding £500, against a party to any proceedings where -
- it dismisses a matter because it is frivolous, vexatious or an abuse of process; or
 - it considers a party has acted frivolously, vexatiously, abusively, disruptively or unreasonably.
- The Lands Tribunal has similar powers when hearing an appeal against a decision of a leasehold valuation tribunal.
- (7) If your landlord -
- proposes works on a building or any other premises that will cost you or any other tenant more than £250, or
 - proposes to enter into an agreement for works or services which will last for more than 12 months and will cost you or any other tenant more than £100 in any 12 month accounting period,
- your contribution will be limited to these amounts unless your landlord has properly consulted on the proposed works or agreement or a leasehold valuation tribunal has agreed that consultation is not required.
- (8) You have the right to apply to a leasehold valuation tribunal to ask it to determine whether your lease should be varied on the grounds that it does not make satisfactory provision in respect of the calculation of a service charge payable under the lease
- (9) You have the right to write to your landlord to request a written summary of the costs which make up the service charges. The summary must -
- cover the last 12 month period used for making up the accounts relating to the service charge ending no later than the date of your request, where the accounts are made up for 12 month periods; or
 - cover the 12 month period ending with the date of your request, where the accounts are not made up for 12 month periods.
- The summary must be given to you within 1 month of your request or 6 months of the end of the period to which the summary relates whichever is the later.
- (10) You have the right, within 6 months of receiving a written summary of costs, to require the landlord to provide you with reasonable facilities to inspect the accounts, receipts and other documents supporting the summary and for taking copies or extracts from them.
- (11) You have the right to ask an accountant or surveyor to carry out an audit of the financial management of the premises containing your dwelling, to establish the obligations of your landlord and the extent to which the service charges you pay are being used efficiently. It will depend on your circumstances whether you can exercise this right alone or only with the support of others living in the premises. You are strongly advised to seek independent advice before exercising this right.
- (12) Your lease may give your landlord a right of re-entry or forfeiture where you have failed to pay charges which are properly due under the lease. However, to exercise this right, the landlord must meet all the legal requirements and obtain a court order. A court order will only be granted if you have admitted you are liable to pay the amount or it is finally determined by a court, tribunal or by arbitration that the amount is due. The court has a wide discretion in granting such an order and it will take into account all the circumstances of the case.”

PLANNED MAINTENANCE WORK FOR 2008/09

Planned maintenance work is due to be carried out in the following areas between April 2008 and March 2009:

Blacon – Poets Corner and Cathedral Roads • Kingsway
Upton and Vicars Cross • Tarvin and Kelsall

The work will include:

External and Communal Repairs such as guttering, minor fencing, fascias, soffits, minor roofing and communal plastering.

External and Communal Painting such as doors, communal entrances, fascias, soffits and external render.



**If you require further details please contact
Nathalie Peterson on 01244 665239 or Gareth Berriman on 01244 305620**

CUSTOMER PROFILES

The Trust wants to provide the best possible service to all its customers and in order to do this we need to know a little more about you. If you have any special requirements we can tailor our service to suit you better. So, if for example you require correspondence in large print we can provide you with literature in a more appropriate format.

Last year we sent all our leaseholders a customer profile form. 26% of you have completed the form but we would like to hear from more of you. We will be carrying out this exercise again this year so please complete the customer profile form and return it to us.

LEASEHOLDER SATISFACTION RESULTS

The Trust is also in the process of carrying out a satisfaction survey and your responses are starting to come in now. So far 25% of you have returned the survey but we would like to hear from more of you.

The Trust would like to thank all leaseholders who have responded to the satisfaction survey which was sent to you before Christmas. The results have given us a lot to think about. A full analysis with plans to improve our services will be published in the next newsletter.

Making sure you receive value for money will be at the top of the agenda but to do this we need as many of your opinions as possible so we can gauge which services are important to you. Please join us for any consultation events that we hold to enable us to improve our services to you.

SERVICE CHARGE PAYMENTS

If you are experiencing financial difficulties or are having problems paying your service charge and ground rent please contact **Steve Howarth on 01244 305419** to arrange a payment plan. It is much better to approach the Trust early on rather than to let the problem escalate. If you ignore reminder letters, the Trust may have to resort to court action. This will result in additional costs and inconvenience for you.

ACCESS TO DEBT ADVICE

If you are experiencing financial problems the information detailed below may be of assistance to you:

Worried about debt? Don't know where to turn?

Don't worry - instant help is available through the Consumer Credit Counseling Service (CCCS). The Trust is working closely with this charity to set up a referral system for our customers. They are dedicated to providing free, confidential counseling and money management assistance to financially distressed people.

This specialist service can provide advice on personal budgeting, use of credit and managing plans to repay debts, so it makes good sense to contact them. Whether it's general advice you require or a debt management plan tailored to your personal circumstances.



What are the benefits?

Peace of mind – there is always a way out of any situation

CCCS is recognised by creditors – it shows them that you have acknowledged the situation and you are doing something about it

It's completely free!



To contact the CCCS call free on 0800 138 1111

(Monday to Friday 8am to 8pm)

visit the website at www.cccs.co.uk

**or alternatively contact the Trust on 0808 100 7701
and ask to speak to the
Customer Accounts team for further details.**

Other agencies that we are working closely with and can help with independent debt and benefits advice include:-

Chester Citizens Advice Bureau

Folliott House
53 Northgate Street
CHESTER
Cheshire
CH1 2HQ

Telephone: 0870 1264119

Website: www.citizensadvice.org.uk

E J Bamforth Solicitors

Murlain House
Union Street
Chester
Cheshire
CH1 1QP

Telephone: 0844 803 4887

LEASEHOLDERS SERVICE STANDARDS

YOU WILL:

- ✓ be treated with courtesy and respect
- ✓ be treated fairly, whatever your age, nationality, race, gender, disability, appearance, religious belief, ethnic origin, sexual orientation, education, or marital status.
- ✓ be taken seriously and treated with dignity
- ✓ have your confidentiality respected
- ✓ be able to get clear, accurate and truthful information



WE WILL:

- ✓ have all colleagues wearing name badges
- ✓ issue staff with an identity card that will be worn and shown on request
- ✓ keep appointments we have made or let you know in advance if we need to rearrange



WHEN YOU PHONE, WE WILL:

- ✓ answer your phone call within 20 seconds (this is approximately seven rings)
- ✓ tell you the name of the person who you are speaking to
- ✓ take a message if we can't deal with you immediately and get the most appropriate person to contact you
- ✓ follow up phone messages within one working day
- ✓ make sure that when our offices are closed an answer phone message will give you details of how to contact the Trust in case of an emergency

WHEN YOU WRITE OR EMAIL, WE WILL:

- ✓ reply to your letter or e-mail within 10 working days.
- ✓ acknowledge more complicated queries within 10 working days, and give you a full response within 15 working days
- ✓ We will provide all potential and existing Leaseholders with a Leaseholder handbook
- ✓ We will provide Leaseholders with a statement of their service charges within five working days of a request
- ✓ We will consult all leaseholders on all improvement programmes/major works to be carried out on their home

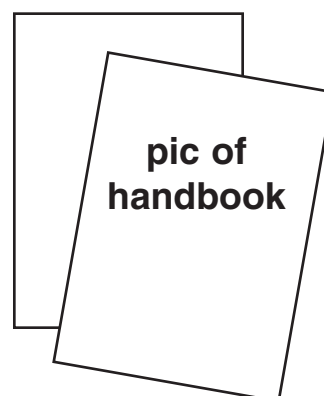
FEES FOR ADDITIONAL SERVICES

The Trust has to charge for certain additional services in order to cover its own costs. These services are only required if you are selling your property, asking our consent to make alterations, remortgaging or taking out additional secured borrowing. The fees are listed below:

Leaseholder enquiries <i>(sometimes called Landlords questionnaire)</i>	£60 plus VAT
Additional enquiries	£25 plus VAT
Consent for alterations	£60 plus VAT
Letter of Postponement	£60 plus VAT
Notice of Charge	£50 plus VAT
Notice of Assignment	£50 plus VAT
Copy of Lease	£50 plus VAT

LEASEHOLDERS HANDBOOK

If you have lost your copy of the leaseholders handbook please telephone **Dawn Futchter on 01244 305438** and another copy will be sent to you.



CONTACTING THE TRUST

Report a Repair
0808 100 7701 (08:00 -17:00 hours) or servicefirst@cdht.org

Emergency repairs (out of normal hours)
01244 377733

Service charge enquiries
Steve Howarth 01244 305419

Selling your flat - Consent for alterations
Remortgage - Letter of postponement
Dawn Futchter 01244 305438

General enquiries
Dawn Futchter 01244 305438