

Right to Buy and Leaseholder Information

If you decide to buy your flat you will become a Leaseholder. As a Leaseholder you will have a lease, which is a legally binding document known as a contract. It sets out your rights and responsibilities as a leaseholder and that of your landlord (**Dartford Borough Council**). The lease is an important document – you should therefore request a copy from your solicitor at the time you buy your home.

Your lease will include details of:

- ✚ The purchase price of your property
- ✚ Any service charges and ground rent due from you
- ✚ Building insurance
- ✚ Your duties and responsibilities as leaseholders
- ✚ The duties and responsibilities of the landlord

What leaseholders can expect from the Council:

The Council is responsible for:

- ✚ Insuring the building of your home, but not its contents
- ✚ Allowing you to live peacefully in your home
- ✚ Undertaking the external and communal area maintenance and decoration

As the lease is full of legal expression, here are some the terms explained more clearly:

- ✚ The estate – this means the land and building or buildings which your flat forms part of
- ✚ The flats – meaning all the flats within the block
- ✚ The reserved property – this mean those areas of the building that have not been included in anyone's lease. These will be any common areas, such as stairways.
- ✚ The premises – this means the inside of your flat. It can also include any gardens, sheds or garages that may have been included when you bought your lease.
- ✚ The lessee – this means you, the owner of the premises
- ✚ The lessor – this means the freeholder, which is Dartford Borough Council.
- ✚ The owner – this means you, the person who owns the lease.
- ✚ The term – this is the length of time the lease has been granted for.

Your responsibilities as a leaseholder:

- ✚ To pay service charges, ground rent on time
- ✚ To maintain and repair your home
- ✚ Not to cause nuisance or harass neighbours
- ✚ Not to use the property for anything other than a private residence
- ✚ Not to alter the premises without Dartford Borough Council permission
- ✚ To pay all taxes due on the property, for example Council Tax

Building insurance

It is a term of the lease that Dartford Borough Council provides the building insurance on your behalf. If you think you may have a claim covered by the building insurance you should contact Finance Department to speak to an Insurance Officer.

Please note you are responsible for providing your own contents insurance.

Service charges

You pay a service charge if you are a homeowner who benefits from communal services. Service Charges usually include costs of:

- ✚ Insuring the property (building insurance **only**)
- ✚ Communal lighting – both internal and external
- ✚ Communal repairs
- ✚ Management charge
- ✚ Servicing of equipment, for example door entry, TV aerial, fire alarm
- ✚ Maintenance contracts, for example for lifts and door entry phones.

Calculating Service Charges

At the start of the financial year, we estimate what we think the annual service charge will be. We will invoice you quarterly, based on that estimate. The quarterly invoice will be sent out April, July, September and January.

By September or earlier we will send you a detailed breakdown of the actual cost for the previous financial year. We will compare this to what we estimated and actually collected from you. Any refund or extra charges due will be made at this time.

If you are experiencing difficulties in paying these charges, please get in touch as soon as possible. We may be able to offer advice regarding benefit claims or put you in touch with local agencies that can advise you how to repay any arrears.

Early contact will avoid the arrears becoming too serious. If you fail to make and keep to an arrangement to clear arrears, an application may be made to the County court for an order against you. Your mortgage lender will also be informed and you could risk losing your home.

Selling your home

If you are a Leaseholder, you do not need our permission to sell your home but under the Housing (Right of First Refusal) (England) Regulations 2005 which came into effect on 10 August 2005. Dartford Borough Council has a Right of First Refusal of your property before you place it in the open market.

If you sell your home within 5 years of your Right to Buy you will have to repay some of your discount. Please contact the Right to Buy team when you are thinking of this.