

# Buying Your Home



## Tenants Handbook



## Buying Your Home - Service Standard

If you buy a house you will normally become a freeholder and will no longer receive services from us.

If you buy a flat, you will normally become a leaseholder and will continue to receive services from us but you will have to pay an annual service charge. We are committed to providing an excellent service to our leaseholders.

If you are interested in buying your home we will:

- explain the process and help you fill in the application forms
- tell you if you are eligible to buy your home under the Right to Buy scheme and how much discount you are entitled to
- tell you if we have any plans to carry out major works on your home
- use an independent surveyor to value your home and tell you how you can appeal to the District Valuer if you disagree with the valuation.

To help us, please:

- get your own, independent legal and financial advice.

Most Council tenants are able to apply to purchase the property in which they live at a discounted price, this is called the “*Right to Buy*”. To do this they must apply by completing a form and submitting it to the Council. They will then be informed whether not they are eligible to buy. If they are, the property will be valued and the purchase price calculated, based on the discount allowed.

If the property in which the tenant lives is a flat then the tenant would become a leaseholder, whereby the tenant would own the flat, but will be liable to pay annual service charges to the Council in respect of communal facilities such as communal lighting, grounds maintenance and insurance. This is because the structure of the building and any communal passageways or grounds remains the property of the Council.

## Can I buy my home?

**Yes.** Under the “*Right to Buy*” scheme, most secure tenants have the legal right to buy their home. However, the following tenants are unable to buy their home:

- tenants of sheltered housing schemes
- tenants occupying some of our properties that are suitable for occupation by elderly or disabled tenants
- non-secure tenants (generally those occupying properties on a temporary basis or those who have a broken court order).
- tenants of properties which the Council intends to demolish.

## Can members of my family buy my home with me?

**Yes.** Any member of your family who is a joint tenant can buy with you as long as at least one of you is permanently resident at the property.

In addition, if a member of your family has lived with you for the last 12 months and it has been their only and principal home, they are can also be entitled to exercise the “*Right to Buy*” with you.

## Am I entitled to a discount on the purchase price?

**Yes.** In the Government Eastern Region, maximum discounts are currently set at £77,900 as at 6th April 2015 (this amount is subject to review nationally on an annual basis and currently increases by CPI each April).

The discount you are eligible for depends on your “*qualifying period*”. This is the time you have spent in total as a public sector tenant of a house or flat. It can also include time spent in other types of accommodation such as that provided by the armed forces; further examples are given below of eligible accommodation.

You can also count time spent with different landlords at different times and there is no need for continuous occupation. This eligible accommodation includes:

- Castle Point Borough Council
- any other “*Right to Buy*” landlord i.e. another Council, a registered social landlord (Housing Association) and a number of other landlords who let accommodation on secure tenancies
- a large number of other public bodies, including the Commission for New Towns, Housing Action Trusts, Police Authorities, Fire Authorities etc.

Full details are available in the Communities & Local Government Department’s booklet “*Your right to buy your home*”. Alternatively information can be found by going to the following website [www.gov.uk/right-to-buy-buying-your-council-home](http://www.gov.uk/right-to-buy-buying-your-council-home)

**A copy is available from the Council Offices by telephoning 01268 882200.**

## How much discount will I get?

You currently need to have been a tenant of an eligible property for a minimum of 3 years and your discount will vary dependent upon whether you live in a house or a flat.

### Houses

You get a 35% discount if you've been a public sector tenant for between 3 and 5 years.

After 5 years, the discount goes up by 1% for every extra year you've been a public sector tenant, up to a maximum of 70% - or £77,900 (whichever is lower).

### Flats

You get a 50% discount if you've been a public sector tenant for between 3 and 5 years.

After 5 years, the discount goes up by 2% for every extra year you've been a public sector tenant, up to a maximum of 70% - or £77,900 (whichever is lower).

## What costs are involved in buying my home?

You should think very carefully before deciding to buy your home and you should be aware of the following costs:

- legal costs (solicitor's fees for conveyancing)
- structural survey fees
- valuation fee
- land registry fee
- stamp duty
- the cost of a mortgage
- mortgage payment protection insurance
- building insurance
- repairs and maintenance
- council tax, water charges and heating charges
- service charges (tenants buying a flat).

## What do I need to do if I want to buy my home?

Full information is available in the Communities & Local Government Department's booklet "*Your right to buy your home*". You should complete and return a "**Right to Buy**" **Claim Form (RTB1)** or contact the Housing Finance Officer by telephoning 01268 882348 for a form to be sent to you.

Once we have considered the information you provided on the "*Right to Buy*" Claim Form, you will be sent a **Landlord's Response Notice (RTB2)**. This will tell you if you have the right to buy your home. You should receive this Notice within **4 weeks** (or within **8 weeks** if you have not been a tenant of Castle Point Borough Council for 2 years).

If the Landlord's Response Notice states that you do not have the right to buy your home, you will be told why and you will be entitled to get independent advice from the Citizens Advice Bureau or from a solicitor. In some circumstances you can ask the Secretary of State for the Communities & Local Government Department to decide if our decision is correct or not.

If your "*Right to Buy*" application is accepted you will no longer be able to receive non-emergency repairs to your home as this could affect any valuation. If at any time you withdraw your "*Right to Buy*" application in writing, your right to repairs and maintenance of your home will be reinstated from the date of receipt of your letter.

If you are able to buy your home, we will send you a **Section 125 Notice**. This will tell you the following information:

- a description of the property which you have the right to buy
- the price you will have to pay i.e. the market valuation less any discount
- any terms and conditions of the sale
- a description of any structural defects we are aware of
- estimated service charges and improvement costs (tenants buying a flat).

You should receive this notice within **8 weeks** if your home is a house and you are buying it freehold or within **12 weeks** if your home is a flat and you are buying it leasehold.

If you disagree with our valuation of your home, you have the right to an independent valuation from the District Valuer as long as you tell us in writing within **3 months** of receiving your Section 125 Notice. You then have **4 weeks** to put your case to the District Valuer. The District Valuer's valuation supersedes our valuation even if this turns out to be higher than the original valuation you were given.

Before you decide to buy your home, you should get an independent survey from a qualified surveyor, a structural engineer or architect. When you apply for a mortgage, your building society or bank will have a survey done to value your home but this may not identify any structural problems.

Once you have considered the information in the Section 125 Notice, you need to decide whether or not you want to buy your home and let us know within **12 weeks**. If you do not let us know we will send you a reminder and if, after a further **28 days**, we have still not heard from you, we will assume you do not want to buy your home and your application will be withdrawn.

If you do decide to buy your home, you will need to get legal advice and obtain a mortgage. Once you are ready to buy, you should let us know in writing in order that we can ask our solicitors to complete the purchase. If you take a long time to complete the purchase, we may send you a warning notice after **3 months** asking you to either complete within **8 weeks** or to write and tell us that you disagree with the terms of the sale.

It is very important that any instructions that will progress or cease the purchase of your home are provided in writing to the Housing Finance Officer, Financial Services Unit, Council Offices, Kiln Road, Benfleet, Essex, SS7 1TF.

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## How to contact us

**Housing Services** . . . . . 01268 882200  
(Housing Hot Key Press 0)

**Housing Repairs** . . . . . 01268 882326

**Housing Repairs** (out of hours) . . 01268 758357

**Housing Rents** . . . . . 01268 882481