



Leasehold Property for Flat Owners

| HART READE
| Solicitors

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Rights of flat owners

There are particular issues that can arise when you own a flat. One of our areas of speciality is acting for flat owners in dealing with such issues. At some point during your ownership of your flat you are likely to experience at least one of the following issues, which we can assist you with:-

- Lease extensions and variations.
- Right to manage your building.
- Collective enfranchisement i.e. the right to force the landlord to sell the building to the flat owners.
- Disrepair claims.
- Exercising your right of first refusal i.e. when your landlord is selling the building, they must offer it to the flat owners first before selling their interest.
- Service charge disputes and other disputes.
- Interpretation and enforcement of leases.
- Forfeiture and possession.
- Breach of lease/leasehold disputes including proceedings in the Courts or the Property Tribunal.

We are particularly proud to be a member of the Association of Leasehold Enfranchisement Practitioners, the Conveyancing Quality Scheme and Lexcel which are badges of assurance to our clients that they will receive a consistently high level of service, integrity and professionalism from us.

Flats are subject to complex legislation. We guide you through this and are happy to discuss your options with you in person or over the telephone.

Is your lease losing value?

The shorter your lease is, the less your flat will be worth. If your lease is approaching or only has 80 years or less left before it expires you should consider extending it. The cost of extending your lease may increase significantly once the remaining term of the lease falls below 80 years. You could also face difficulties selling your property.

Subject to meeting qualifying criteria, flat owners are entitled by law to a lease extension. You can either use the statutory procedure to obtain a lease extension or you can negotiate one with your landlord. Whichever method is used, we can help guide you through the procedures, prepare the appropriate documentation and arrange for the lease extension to be registered at the Land Registry.

Managing your own building

Did you know that many groups of flat owners are entitled to take over the management of their building? Flat owners also have rights to have a management audit or have a manager appointed. There are specific criteria and procedures set out in the relevant legislation that must be followed to exercise these rights, which we can guide you through.

Buying your freehold

Many groups of flat owners also have the right to collectively buy the freehold of their building. We can advise you of your rights and guide you through the procedure.

If you own a leasehold flat and your landlord is selling their interest in the building, you and the other flat owners may be entitled to be offered the ability to purchase your landlord's interest.

Disputing your service charge

If you are a flat owner you may receive demands for service charges that you are not happy with. You may not be aware that your landlord or their managing agent should follow the procedures set out in the lease and in government legislation when making service charge demands. The consequences of failing to follow these procedures can mean that you do not have to pay all or some of those service charges. You also have various rights to information about service charges and rights to challenge them. We can advise you on your liability and deal with any disputes that may arise.

Is your building being maintained?

If your landlord is not maintaining the building, we can advise you on the steps you can take to force your landlord to comply with their repairing obligations in your lease.

Other disputes

If you are involved in a dispute with your landlord, we can advise you on your rights and obligations under the lease and try to resolve the dispute for you, including taking any necessary action on your behalf. If this is relevant to you, we would be happy to discuss this with you over the telephone or meet in person.

Other types of tenancies

We also advise on all aspects of short residential tenancies and licences. We advise on assured, assured shorthold tenancy and rent act tenancies.

Contact *Hart Reade*

If you wish to speak to any of our team, please call us on **01323 727321**, visit our website **www.hartreade.co.uk** or email us on **info@hartreade.co.uk**.

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This information sheet is intended to be a summary only and should not be treated as a comprehensive guide and should not be acted on without qualified legal advice. If you require further information, please do not hesitate to contact Hart Reade and we will be happy to assist.

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