

Information on your Right to Buy



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**BRENTHOUSING
PARTNERSHIP**

Information on your Right to Buy

Further to changes in Right to Buy legislation, our department must now provide basic Right to Buy information to every secure Council tenant.

PROVISIONS OF PART 5 OF THE 1985 HOUSING ACT

a) Circumstances In Which The Right To Buy Can Be Exercised

- You must be a Brent Council tenant.
- A council tenant must have a secure public sector tenancy for more than 2 years if they became a Council tenant before the 18th January 2005.
- If they became a Brent Council tenant on or after the 18th January 2005 the qualifying period is 5 years.
- The property that the tenant is purchasing must be the tenant's only home.
- If the tenancy is in joint names, both parties must indicate on the application form if they wish to purchase or not.
- Family members or co-habitants who wish to join the Right to Buy scheme will need to have lived in the property full-time, for 12 months, prior to the application being submitted.
- You are allowed to be in receipt of Housing Benefit and apply for the Right to Buy.

b) Circumstances In Which The Right To Buy Cannot Be Exercised

- A Council tenant can be served a Suspended Possession Order during their tenancy and still be eligible for the Right to Buy. But the terms of that order must not have been breached. The tenant must discharge that court order before completion. If you have been served a Firm Possession Order or a Seeking Possession Order/ Notice to Quit you will lose the Right to Buy.
- Some properties in Brent Council's housing stock are leased to the Council. If a flat has less than 50 years left on its lease and a house less than 21 years the Right to Buy will not apply.
- If your home is scheduled for possible demolition the Council may serve an Initial Demolition Notice which can suspend the Right to Buy for up to 5 years. If demolition is planned within 2 years the Council may serve a Final Demolition Notice which will end your Right to Buy.
- A tenant's Right to Buy can be suspended or terminated if they (or their household or visitors) engage in Anti-Social behaviour.
- You may not be eligible for The Right to Buy if the property was let to you before 1st January 1990, is particularly suitable for occupation by elderly persons and was let for occupation by a person aged 60 or more.

c) Procedure For Applying To Exercise The Right To Buy

A tenant needs to complete a RTBI form and send it to the Right to Buy Manager,

Brent Housing Partnership, Mahatma Gandhi House, 34 Wembley Hill Road, Wembley, Middlesex, HA9 8AD. You can obtain a form by:

- Calling the Right to Buy department of Brent Housing Partnership on 020 8937 2600.
- Sending an email request to bhp@brent.gov.uk.
- Asking customer services staff in Mahatma Gandhi House or any of Brent's One Stops Shops.

d) The Price To Be Paid For Your Home By The Tenant Applying

The value of the property is only determined once a tenant has been accepted into the Right to Buy scheme. A valuer/surveyor will be sent to inspect and value the property. Once this is completed the Section 125 Offer Notice will be sent to you. It will include the purchase price which will be the valuation less the discount of up to £16,000 (which is the maximum discount allowed).

e) Delay Procedure For Landlords & Tenants

- Once a tenant has been served a Section 125 Offer Notice, as mentioned above, the tenant has three months to complete the purchase of their home. If three months elapse after that offer is issued the Council will serve a Prior Notice to Complete (Section 140). This will give a tenant a further 56 days in which to complete the purchase of their property.
- Should they fail to do so the Council will serve a Final Notice to Complete (Section 141). This will give the tenant a further 56 days in which to complete. Should they fail to do so at the end of that 56 days their application will be withdrawn. Should the tenant wish to continue with the Right to Buy they will need to submit a fresh application form and restart the process.
- Should there be delay from the Right to Buy section issuing you a particular document outside the statutory time allowed, a tenant has the right to serve a Section 153A Initial Notice of Delay. Once served on the Council, we must respond with an explanation for the delay or issue the document in question within 30 days.
- Should the delay continue beyond that time, a tenant can serve on the Council a Section 153B Operative Notice of Delay. Once served the Council must respond with a suitable reason for the delay or issue the document in question within 30 days. Should the delay continue beyond this point the tenant is eligible to claim rent back from the Council.

INITIAL COSTS THAT ARE LIKELY TO BE INCURRED

a) Stamp Duty

The tenant does not have to pay Stamp Duty on properties valued under £120,000. For properties valued between £120,000 and £250,000 the tenant will be expected to pay 1% of the property's value in Stamp Duty. For properties valued at over £250,000 the tenant will need to pay 3% of its' value in Stamp Duty.

b) Legal Fees

The tenant will need to appoint a solicitor and pay legal fees. The cost varies but Brent Housing Partnership advises buyers to allow around £1,000 for legal costs.

c) Valuation, Survey & Mortgage fees

The tenant can expect to pay between £300 and £500 in valuation, surveyor and mortgages fees.

REGULAR PAYMENTS AFTER COMPLETION OF PURCHASE

a) Mortgage Repayments

Failing to keep up with your monthly mortgage repayments could result in your property being repossessed by your lender.

b) Building Insurance, Life Insurance & Mortgage Payment Protection

- With all leasehold properties, building insurance is provided as part of the tenant's annual service charges. For freehold properties the owner must acquire their own building insurance.
- The tenant should decide whether to take out life assurance or a mortgage payment protection scheme. The value of each should be assessed by the prospective owner.

c) Council Tax

- Council Tax will be payable on a yearly basis but easier payment plans in the form of monthly direct debits are available.
- The amount payable will vary depending on the value of the property and where it is situated.
- For advice on Council Tax payments please call Brent's Revenue and Benefits department on 020 8937 1800.

d) Service Charges

- Leaseholders and some freeholders will be expected to pay annual service charges. This will include costs for communal maintenance charges, cleaning, heating, electricity, ground rent and insurance. If you are purchasing a freehold property (house) please ensure that you check whether you need to pay service charges.
- Charges may also be incurred for major works carried out to the tenant's block or estate.

Please contact the Right to Buy section on 020 8937 2600 should you have any further queries.

TRANSLATIONS

This leaflet contains information on your Right to Buy your home. Please contact Corrine Daley on 020 8937 2344 should you require a translated version or the assistance of an interpreter.

PLEASE
TICK



تحتوي هذه النشرة على معلومات حول مشروع حقل في شراء المنزل الذي تعيش فيه إذا كنت ترغب في الحصول على هذه النشرة بلغة أخرى، يرجى وضع علامة في الخانة المناسبة، و تكلمة الاستمارة و ارسالها إلى العنوان المبين أدناه

ARABIC

این بوکلت حاوی اطلاعات مربوط به حق شما در مورد خرید خانه خود میباشد اگر مایلید این لیفلت را نوشته شده بزبان دیگری داشته باشید، لطفا داخل مربع مربوط را علامت بزنید، فرم را پر کنید و بآدرس زیر برگردانید

FARSI

આ પત્રિકામાં તમારું ઘર ખરીદવા માટેના તમારા અધિકાર - 'રાઈટ ટુ હાઉસ' વિશે માહિતી આપવામાં આવી છે. જો તમને આ પત્રિકા બીજી કોઈ ભાષામાં જોઈતી હોય, તો કૃપા કરીને યોગ્ય ખાનામાં ટિક કરી, ફોર્મ ભરીને તેને નીચેના સરનામે પાછી મોકલી આપો.

GUJARATI

ਇਸ ਦਸਤੀ ਇਸਤਿਹਾਰ ਵਿਚ ਤੁਹਾਨੂੰ ਆਪਣਾ ਘਰ ਖਰੀਦਨ ਦੇ ਹੱਕ (ਰਾਈਟ ਟੂ ਬਾਈ) ਬਾਰੇ ਜਾਣਕਾਰੀ ਦਿੱਤੀ ਗਈ ਹੈ। ਜੇ ਤੁਹਾਨੂੰ ਇਹ ਦਸਤੀ ਇਸਤਿਹਾਰ ਕਿਸੇ ਹੋਰ ਬੋਲੀ ਵਿਚ ਚਾਹੀਦਾ ਹੈ ਤਾਂ ਕ੍ਰਿਪਾ ਕਰਕੇ ਉਚਿਤ ਖਾਨੇ ਵਿਚ ਸਹੀ ਦਾ ਨਿਸ਼ਾਨ ਲਾ ਕੇ, ਫਾਰਮ ਭਰ ਕੇ ਹੇਠਲੇ ਪਤੇ ਉੱਤੇ ਵਾਪਸ ਭੇਜ ਦਿਓ।

PUNJABI

Warqaddani waxay sharraxaysaa Xaqa aad u leedahay inaad iibsato guriga aad ku jirto. Haddii aad warqadda luqad (af) kale ku rabto, fadlan sax sanduuqa munaasibka ah, buuxi foomka una soo dir cinwaanka hoos ku xusan.

SOMALI

உங்களின் வீட்டை வாங்குவதற்கு உங்களுக்குள்ள உரிமை பற்றிய தகவல் இந்தத் துண்டுப்பத்திரத்தில் உண்டு. இந்தத் துண்டுப்பத்திரத்தை இன்னொரு மொழியில் நீங்கள் விரும்பினால், தயவுசெய்து பொருத்தமான பெட்டியில் அடையாளமிட்டு, படிவத்தை நிரப்பி அதனைக் கீழுள்ள முகவரிக்குத் திருப்பியனுப்பவும்.

TAMIL

اپنا مکان خریدنے (رائٹ ٹو بائے) سے متعلق حقوق کے بارے میں معلومات اس کتابچے میں دی گئی ہیں۔ اپنی زبان میں کتابچہ حاصل کرنے کے لیے زبان کے خانے میں تک کا نشان لگا کر برائے مہربانی یہ فارم بھریں اور درج ذیل پتے پر بھیجیں۔

URDU

If you would like this leaflet in large print please call 020 8937 2399.

Name.....

Address

Postcode



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