



herefordshire housing

>People >Homes >Communities

Buying a Herefordshire Housing Home



Creating quality choices for communities

Introduction

What is the RIGHT TO BUY and do I qualify?

The Right to Buy was introduced in the 1980's and is a scheme which allows public sector tenants to purchase their homes at a discounted price.

If you were a tenant of Herefordshire Council before the transfer to Herefordshire Housing, you may have the Preserved Right to Buy.

If you were not a tenant of Herefordshire Council, you will not have the Preserved Right to Buy. However you may have the Right to Acquire if you have been a public sector tenant for five years.

In this Information "The Right to Buy" means the Preserved Right to Buy and the Right to Acquire.

Are there any exceptions to the Right to Buy?

Some properties are excluded from the Right to Buy scheme. These properties can include those suitable for the elderly and physically disabled and, for the Right to Acquire, those used for people with special needs and properties in some rural areas.

Your Right to Buy application may be suspended or stopped if any of the following court orders are in force against you or, in some cases have been applied for:

- Criminal Behaviour Order (CBO) or injunction
- Demotion Order
- Right to Buy Suspension Order
- Possession Order
- Suspended Possession Order which has been broken
- Or if a Demolition Notice is in place.

You will not be able to buy your home if you have rent arrears, so you must ensure you keep up to date with rent payments.

What price will I pay?

The price payable for the Right to Buy is based on a market valuation which will take into account size, location and condition etc. of the property, and is subject to a discount.

The Preserved Right to Buy discount depends on how long you have been a public sector tenant, including tenancies with Herefordshire Council and other Right to Buy Landlords, for example, some Housing Associations. The "discounted" price cannot be less than a "cost floor" calculated by reference to Herefordshire Housing's spending on the property. These costs include acquiring the property and works carried out at the property.

The maximum Preserved Right to Buy discount is currently £77,900 (as of May 2015 - which will be updated annually).

The maximum Right to Acquire discount is currently £10,000





How can I claim?

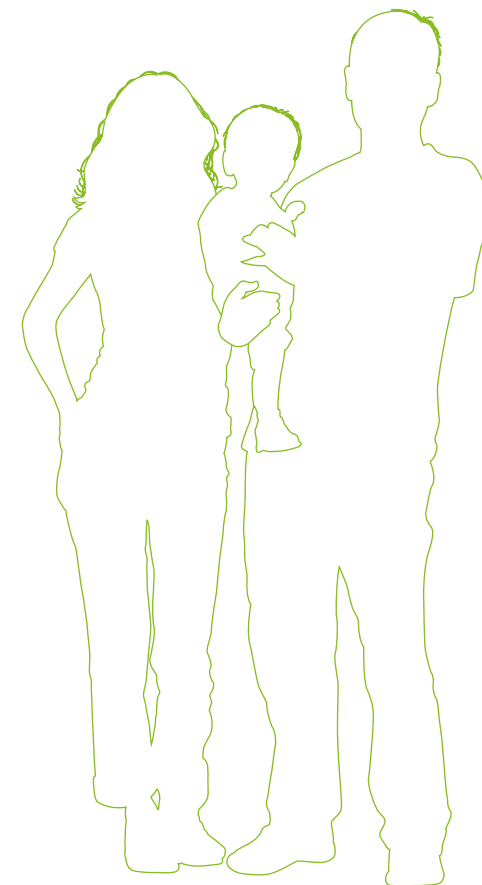
If you would like to apply to exercise the Right to Buy then please contact Herefordshire Housing's Legal Team on 0300 777 4321. A pack, which includes an application form and information booklet will then be sent out. The application form should be completed and returned to:

The Legal Team, Herefordshire Housing, Legion Way, Hereford, HR1 1LN.

If you would prefer, we can also arrange a meeting at our offices to discuss the Right to Buy. We can also help you to complete the application forms and answer any queries.

When we receive your application we will send an acknowledgment letter. We will then carry out the necessary checks to see if you are entitled to buy your home or not. If you are entitled to buy your property, a valuation will be carried out and an Offer Notice will be sent to you.

This details the offer price and conditions of sale of the property. You will have 3 months in which to notify Herefordshire Housing whether you would like to go ahead with the Right to Buy and to complete the purchase.



What if there is a delay or problem with the sale?

If completion has not taken place after a 3 month period, Herefordshire Housing may issue you with a Section 140 Prior Notice to Complete - this allows you a further 56 days. If completion has still not taken place after the 56 days, then a Section 141, Final Notice to Complete may be issued to you. This allows a final 56 day period to complete. If completion does not take place within this time then the application is deemed to have been withdrawn. If you still wanted to buy your home then you would need to reapply.

If Herefordshire Housing causes a delay, for example by not serving a relevant document within the statutory time limit, then you have the right to serve a Section 153A Initial Notice of Delay on Herefordshire Housing. Once this has been served Herefordshire Housing must respond with an explanation of the delay or serve the relevant document within the time limit you set, which must be at least one month.

If Herefordshire Housing is still causing a delay after this time then you can serve a Section 153B Operative Notice of Delay. From this point if the delay

continues then you may be eligible to offset your rent against the purchase price of the property.

What costs will I incur if I choose to buy?

Should you decide to exercise the Right to Buy, you should be prepared to incur costs.

These can include:

- Stamp Duty - At the moment Stamp Duty is payable on property purchases of over £125,000.
- Legal Fees - If you instruct solicitors they should inform you in advance of the legal costs.
- Survey Fees - You should arrange a survey of your property, as this should warn you of significant defects. The cost will depend on how detailed the survey is.
- Valuation fees and costs associated with taking out a mortgage.

Could my home be repossessed?

If you have a mortgage on your property your mortgage lender has a 'legal charge' over your property. This means that they can apply to

the Courts to take possession of your home if you do not pay your mortgage. If the Court grants possession to your mortgage company then you will be evicted and your home would be sold. The mortgage company will take the money you owe them from the proceeds of the sale, pay anyone else who has a charge over your property and then give you anything that is left over. If the mortgage company sells your home for less than you owe to them, you will still owe to them the balance of the mortgage loan which they have not received from the sale.

It is important to remember that your home is at risk if you do not keep up with mortgage repayments.

The Citizens Advice Bureau can help with general debt advice and they can be contacted on 0844 826 9685, advice@herefordshirecab.org.uk or www.herefordshirecab.org.uk

What are the responsibilities of being a homeowner?

Once you become a homeowner you will be responsible for all of the costs of maintaining your home, including routine repairs, major structural repairs and improvements. The cost of maintaining and carrying out repairs in your home can be high. It is a good idea to get your home independently surveyed before you purchase it so that

you can be given information about likely costs that will be incurred.

You will also be obliged to adhere to certain terms included in your Offer Notice such as keeping your garden tidy and not causing a nuisance.

If you have gas central heating, you will need to organize and pay for the servicing of this yourself.

It is important to carry out regular maintenance to your property - this may help to avoid larger works needing to be carried out at a later date.

Handyperson+

Herefordshire Housing's Handyperson+ scheme provides a high quality and competitive service for local homeowners. We can carry out general DIY jobs as well as gardening and landscaping services. No job is too large or small.

We offer:

- A detailed quote for the work before we begin
- Skilled and fully qualified specialists
- All work is fully guaranteed - you can trust us!
- Local people, local knowledge, local service

Contact our HHL Connect team on 0300 777 4321 between 8am and 8pm to discuss your requirements.

What if I buy a flat or maisonette?

If you buy a flat or maisonette you will become a leaseholder. Being a leaseholder means that you own the right to live in your property for a period of time, this is usually 125 years. You will have a lease which is a legal contract between you and Herefordshire Housing. As a leaseholder, you effectively become a 'stakeholder' in the block you live in. This means that you will have to pay a service charge and may also have to pay a proportion of costs of major works and improvements to the block which includes your home. For example if you live in a block of 4 flats and Herefordshire Housing have to replace the roof at a cost of £20,000 you may be liable for a contribution of £5,000. As a leaseholder you have the right to sell your lease on to someone else. There will be more detail about this in your Lease and your Leaseholder Handbook.

Can I re-sell my home after exercising the Right to Buy?

If you sell your home within 10 years of buying it through Right to Buy, you must first offer it to either:

- Herefordshire Housing
- another social landlord in the area

The property should be sold at the full market price agreed between you and the landlord.

If you can't agree, a district valuer will say how much your home is worth and set the price. You will not have to pay for their valuation.

If the landlord doesn't agree to buy your home within 8 weeks, you can sell it to anyone.

Paying back your discount

If you sell your Right to Buy home within 5 years of buying it, you'll have to pay back some or all of the discount you got.

If you sell within the first year, you'll have to pay back all of the discount. On top of this, the amount you pay back depends on the value of your home when you sell it. So, if you got a 20%

discount, you'll have to pay back 20% of the selling price.

If you sell after the first year, the total amount you pay back reduces. You pay back

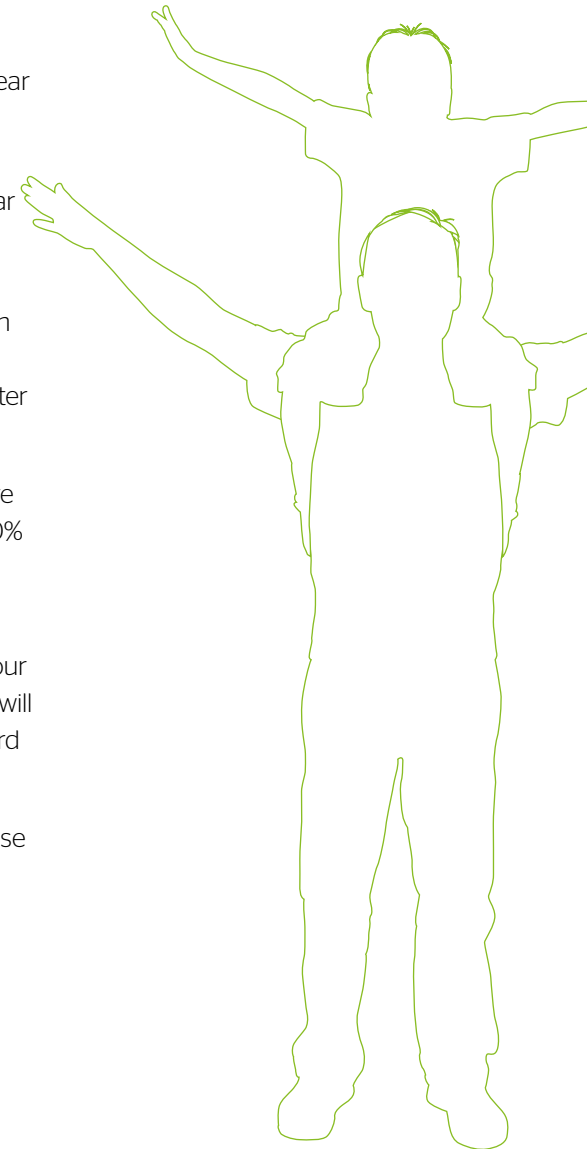
- 80% of the discount in the second year
- 60% of the discount in the third year
- 40% of the discount in the fourth year
- 20% of the discount in the fifth year.

Example: you bought your home worth £100,000 and got a 40% discount (£40,000). You then sold your home after 18 months for £120,000.

40% of £120,000 is £48,000. As you are in the second year, you would repay 80% of £48,000 (£38,400).

You may not have to pay back the discount if you transfer ownership of your home to a member of your family. You will need to agree this first with your landlord or get a solicitor to do this for you.

If you would like more information, please contact Herefordshire Housing's Legal Team on 0300 777 4321.





If you require this information leaflet in Braille,
large print or audio format please call
0300 777 4321

Minicom users please call: **(01432) 378 487**

Versions in other languages 

Polish

Informacje na temat zakupu nieruchomości Herefordshire Housing. Osoby, które chcą otrzymać tłumaczenie tego dokumentu prosimy o kontakt pod nr tel. 0300 777 4321.

Russian



Это - информация о приобретении дома через жилищно-строительную ассоциацию Herefordshire Housing. Если вам нужен перевод этой информации, пожалуйста, звоните 0300 777 4321.

Portuguese

Estas são informações como comprar uma casa à Herefordshire Housing. Se pretender obter esta informação traduzida ligue para 0300 777 4321.

Lithuanian

Tai informacija apie "Herefordshire Housing" namo pirkimą. Jei norėtumėte gauti šios informacijos vertimą, prašom skambinti telefonu 0300 777 4321

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Head Office

> Herefordshire Housing Ltd, Legion Way, Hereford HR1 1LN
> Telephone 0300 777 4321 > Fax 01432 384198
> Email info@hhl.org.uk > Website www.hhl.org.uk