The Leaseholder Handbook

For

Heysham Gardens &

Heysham Meadows

Eden Housing Association

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Introduction

This handbook contains useful information about our services to you and your rights and responsibilities as a leaseholder. Please keep this in a safe place for future reference. If you need more information, don't hesitate to contact us, we will do our best to help you.

Please don't treat this handbook as a substitute for your lease. If there is any discrepancy between this document and your lease, your lease is the superior document.

About us

Eden Housing Association is a successful small independent Registered Provider of affordable homes with a rural focus.

We were established in 1997 following the voluntary transfer of housing stock from Eden District Council.

We now operate chiefly across North Cumbria owning and/or managing around 2,000 homes for affordable rent or sale.

Homes England is the government's housing agency, who monitor and regulate the work of EHA and other housing associations. For more information about Homes England, visit their website:

https://www.gov.uk/government/organisations/homes-england

How to contact us

By email: enquiry@edenha.org.uk

By Phone:
Mainline: 01228 402208/01768 861400
Our customer service team are open for telephone enquiries Monday to Friday 9am-5pm, and on a Wednesday 9.30am-5pm. We are closed on bank holidays. Outside of these hours your call will be answered by our out of hours service.

By Post: Blain House, Bridge Lane, Penrith, Cumbria CA11 8QU

The Lease and Your Legal Obligations

Your lease is a legally binding contract which sets out the rights and responsibilities of you the lessee, (or leaseholder) and EHA the lessor (or landlord).

You have a lease, either a standard lease or shared ownership lease specifically designated for persons aged 55 years or over, with a housing need and a local connection. For shared ownership leases, rent is due for any leases with less than 75% ownership.

Your solicitor should have explained the provisions in the lease and provided you with a copy when you purchased the property.

If there is anything in your lease that you do not understand we will try to explain this, but we are unable to provide legal advice in connection to the lease. You should always seek independent legal advice from your solicitor, or you can use The Lease Advisory Service to obtain free expert advice on the law affecting residential leasehold.
https://www.lease-advice.org

Lease Extensions

You may have a statutory right to extend your lease, however, EHA does not have the head lease, you should obtain legal advice to explore your options.

Where can I find a copy of my lease?
Your solicitor should have provided a copy of your lease at the point of purchase. The Land Registry will also hold a copy if you are unable to locate this, but they will charge a fee.

Your Responsibilities

Below is a general summary of your responsibilities under your lease. Please note that this is a summary of your Lease and it **may not** cover every aspect of your individual lease.

General Summary

Under your lease you have agreed:

- To pay the service charge, and buildings insurance due in respect of your home
- To keep your home in good repair, clean and in good decorative order
- To decorate as often as is reasonably necessary
- To pay for any damage to the common parts or communal areas, contributed by an act of neglect or default
- Not to make any alterations or additions to the structure or exterior of the property
- To comply with requirements of local authority
- To provide copies of notices to Eden Housing Association
- To allow us entry into your home with prior notification, for any relevant landlord's purpose
- To obtain consent for any proposed works
- To allow those who are entitled to use and enjoy their respective rights over common parts
- To notify us if you intend to sell your home
- If we need to take any legal proceedings to end your lease (forfeiture), to pay the costs of serving the required legal notices
- To contribute towards the cost of repairing and maintaining any common parts of the building
- To inform us immediately about any damage to your home, however it is caused
- Not to, assign underlet charge mortgage or the whole of the property, certain provisions are exempt (refer to your lease)
- Not to cause any nuisance or annoyance to other people, not to create noise between 11.00pm and 07:30am
- Not to hang washing out of the window or on any balcony
- To use as your private residence
- Not to keep any pets or animals at the premises, unless permitted by EHA.
- To comply with EHA regulations

Pets

Your lease states that you are not to keep any animals at the Premises without our written permission. We will not give permission for you to keep animals which we consider to be:

- Unsuitable for your home and/or
- Will cause or are likely to cause any fear or nuisance or annoyance to any other person and/or
- Will cause or are likely to cause damage to the Premises or any adjoining Premises

Where permission is granted, you are required to keep animals under control, and not to keep any animal that might damage your home or cause a nuisance or annoyance to others. You are also required to ensure that the animal doesn’t foul in your home or in the shared areas outside the property on, for example, roads, footpaths, communal gardens or play areas in the local area.

Personal & Property Service Charges, Administration Charges and Insurance

Administration Charges

Reasonable administrative charges are charged by EHA for additional services requested by leaseholders. Examples include granting consent, dealing with breaches of the lease and pre-sale enquiries.

Service Charges

Service charges are payable by leaseholders for the cost of managing, maintaining, repairing and providing services to the block or estate in which they hold their lease.

Prior to the start of the year, we will write to you to tell you what we estimate the costs to be for the services we will provide to you in the coming year. That will be your service charge for that year. After the end of the financial year, we will write to you again to tell you the actual cost of each service. Where we have not charged enough the deficit will be added to your charges for the following year, where we have charged too much the surplus amount will be deducted from your charges the following year.

For any changes to qualifying long-term agreements, any contracts with a term of over 12 months and with a cost of £100 or more in one year for any one service charge payer, statutory consultation will be carried out. This also applies for any ‘qualifying works’ which includes works on a building or premises where the cost to the leaseholder is more than £250.

Your service charge includes the following services which can be subject to change in line with any change in legislation:

- Fire Equipment & Emergency Lighting
- Grounds Maintenance
- Upkeep of the Sedum Roof
- Communal Electricity
- Communal Water
- Communal Cleaning
- Communal Repairs and External Decoration
- TV Aerial
- Access to Assisted Bathing
- Broadband
- Door Entry System
- Boiler Room Servicing and Maintenance
- Laundry Equipment

- Gas
- CCTV
- Hygiene Disposal Services
- Furniture and Equipment Repairs and Renewals
- Communal Lighting

The service charges for the apartments also include:

- Lift Servicing and Maintenance
- Window Cleaning
- Fire Risk Assessments and Associated Compliance Requirements

Buildings Insurance

EHA is responsible for arranging the buildings insurance cover on your home.

This is not a contents insurance policy. You are responsible for arranging your own contents cover for items such as kitchen appliances, carpets and other personal belongings.

Buildings Insurance is provided by Protector Insurance. Should you suffer loss or damage and wish to make a claim, you need to notify the Claims department on **0161 274 9077** or email **claims@protectorinsurance.co.uk** as soon as possible with details.

Claims must be notified within seven days of the event in the case of damage caused by anti-social behaviour.

Please make it clear when you contact them, that you are one of our policy holders, quoting **policy number 3321391**.

In most cases they will tell you straight away whether your claim is covered by the policy. If it's covered, they will tell their preferred supplier about the claim, who'll contact you to arrange a time to carry out the work.

In some cases, they may arrange an inspection to look at the damage, but they will let you know if they need to do this.

Please note that a £50 excess applies in respect of each and every loss and a £1,000 excess for any subsidence claims.

You must tell the insurers about any event that leads to a claim within 30 days. They will refuse to accept a claim if you don't tell them within that period.

Repairs

You are responsible for the full cost of repairs and maintenance of your home, regardless of the % share you own.

As a leaseholder you are responsible for maintaining your property in a good state of repair inside (and outside for bungalows and houses) including any pipes, drains and wires which are for exclusive use of your property.

For leaseholders in apartments in Heysham Gardens you will be required to use our specialist contractor for any repairs to the heating system in your property. EHA will diagnose the issue, arrange the repair, provide you with a quote for the costs (if not an emergency) and arrange a recharge with you for the costs once the work is done. We may be able to arrange a payment plan over 12 months with you.

Solar Panels (Bungalows & Houses)

The solar panels are only used to heat the water in the water tank in your property this reducing the amount of gas used to heat water in the bungalows and houses. This saves money on your utility bills.

Window Cleaning

Window cleaning is provided in the apartments and paid for in the service charge.

Window Cleaning **is not provided** for bungalows and houses. You need to arrange this yourself.

Gardens and Grounds

All communal gardens around the main building and the front gardens of the bungalows and houses are maintained by Eden HA and paid for in the service charge.

The back gardens of the houses and bungalows are the responsibility of the resident.

External Decoration – Bungalows and Houses

Leasehold residents are responsible for maintaining the external decoration of their property using colour schemes and styles approved by EHA and in keeping with the rest of the estate.

The outside of the walls of the houses and bungalows have a self-coloured render and do not require painting.

Properties should be decorated at least every 5 years, inside and out.

Home Improvements, Decoration, Material and Structural Changes

At Eden Housing Association, we understand that you may wish to make your home more comfortable or suited to your needs. However, before carrying out any structural alterations or major improvements, **you must get written consent from us**.

What You *Don't* Need Permission For

You don't need to ask us for permission to carry out routine cosmetic work, such as decorating, or to replace fittings like-for-like—for example, changing your kitchen tap or retiling your bathroom.

When Permission *Is* Required

You must contact us **before starting any work** that involves:

- Changing the layout of your kitchen or bathroom (eg moving sinks, toilets, or appliances)
- Altering where pipes or utility supplies enter your home
- Making changes to loadbearing walls or the structure of the building
- Extending the home or adding a conservatory

If you're unsure whether permission is needed, it's always best to check first. In the first instance contact our team at the Heysham Office, they're here to help guide you through the process. If you go ahead without permission, we may ask you to reverse any unapproved changes and restore your home to its original condition.

How to Request Permission

If your planned work requires approval:

- Submit a written request outlining what you intend to do
- Do not start work until you have our written agreement
- We may need to visit your home to discuss the proposed changes
- An administrative fee may apply for processing your request

Permission is usually granted unless there are valid reasons not to—such as health and safety risks or if the work affects areas that are EHA's responsibility, such as external walls, communal areas, or window frames.

Additional Responsibilities

If we approve your alterations:

- You may still need approval from your local authority, such as Planning Permission or Building Regulations approval
- You will be responsible for repairing and maintaining any alterations you carry out

Replacing Windows or Doors

Under your lease, replacing windows isn't typically allowed without a formal agreement. However, in some cases, we may approve window replacements, subject to:

- A potential lease amendment making you responsible for future upkeep
- Our inspection of the proposed work
- Proof of compliance with current standards (eg FENSA certification)

If you're looking to replace your front or back door, the situation may be different. These doors are usually your responsibility under the lease. That said, you must still inform us before replacement—especially if your home is part of a shared block, to ensure fire safety and building regulations are met.

If you’re in doubt about any part of the process, please get in touch with us for further advice and assistance.

Carrying out alterations without permission may be breaking the terms of your lease and we may ask you to put your property back to how it was or to make sure that the alterations reach an acceptable standard.

Major Works

Major works projects are ‘large scale’ repairs such as, but not limited to:

- Window or roof replacements
- Fire safety work
- Communal decoration

Eden Housing Association is responsible for these works to maintain the common parts and fabric of the building. Major works projects need a considerable amount of organising before they start. This section sets out what to expect at each stage of a major works project, including our commitments and how you can get involved. Please note that the process described here, primarily relates to larger traditional major works projects delivered by our major works partnering contractors. It also relates mainly to projects covering blocks of properties. The process may differ for individual street properties or smaller projects delivered by one of our other contractors such as fire safety works or emergency lighting upgrades. This is because they may differ in size in terms of budget, number of properties or timescales, or the work may need to be done urgently.

Our major works programmes are delivered by a range of specialist contractors, each with a wealth of knowledge and experience in delivering large scale projects within the Social Housing Sector.

Statutory Consultation (under section 20 of the Landlord and Tenant Act 1985 as amended)

Landlords, including social housing providers are legally required to consult with leaseholders before carrying out major works. This means that leaseholders are entitled to further consultation, often called a “Section 20” consultation.

This process includes consultation on the proposed works, the contractors who will be invited to tender for the works and the estimated costs.

You will receive several statutory notices during the consultation process where we will ask you for your observations within a set time period.

We will ensure that all observations are considered and responses provided as a part of the process.

You will be notified of the final outcome of the consultation process and the proposed timeframes for the works.

Safety in Your Home

Gas Safety

If you have fixed gas appliances in your home, such as a central heating boiler, gas fire or gas hob it will have a warranty from the manufacturer, usually for one year from the date it was installed. After that, it's essential for the safety of you and your family that you get these serviced every year by an approved engineer. Failure to maintain your gas appliances correctly can lead to a carbon monoxide (CO) leak. It is important to be aware of the dangers of CO in the home. CO is a highly poisonous gas with no colour, taste or smell. Symptoms of CO poisoning can easily be confused with flu, and include headaches, nausea, dizziness, chest or stomach pains and general lethargy.

Leaseholders are responsible for ensuring the gas safety of their property, including regular checks of all gas appliances, pipework, and flue:

- Get your gas appliances checked annually by an approved engineer. Appliances that are properly installed and serviced, and have sufficient ventilation, are efficient and safe.

A Gas Safety registered engineer is a gas expert. They have undergone extensive training in order to be qualified to gain registration. You can find a Gas Safety registered engineer, by visiting the Gas Safety website: https://www.gassaferegister.co.uk/find-an-engineer-or-check-theregister/ The majority of work carried out by illegal gas workers has been found to cause serious safety defects. By using a tradesperson that is not Gas Safety registered, you're taking your life into your own hands. Gas Safety registration does not automatically cover all areas of gas work. Most installers specialise in one or more areas, so you must check they're qualified to do the work you require (e.g. fit a boiler). You can check with Gas Safety's Customer Services team on 0800 408 5500 or look on the back of the engineer's ID card.

Eden Housing Association may request your most recent LGSR (Gas Safety Check)

- Make sure rooms and heaters are well ventilated
- Have your chimneys and flues checked regularly
- Ensure you have an in-date CO alarm. These are available from most good DIY stores or you can get one from an approved engineer. A CO alarm will measure the concentration of CO in a room and sound an alarm if the CO concentration is at a dangerous level. If you buy a CO alarm, make sure it meets current British and European safety standards and choose an audible one so that you could be alerted even if you're asleep. Read the manufacturer's instructions carefully before you install it.

Fire Safety

Eden Housing Association will carry out annual Fire Risk Assessments on internal communal areas.

Remember, when you share a building with other individuals and families, your safety and theirs depends on everyone cooperating and acting responsibly.

- In your own home, do not block your hall or put portable heaters or anything that catches fire easily there. It is the only escape route for you and your family.
- Do not place any personal items, including mobility scooters, in common areas including bin rooms, meter cupboards and stairways. Both us, as landlord, and you, as leaseholder, have a responsibility to ensure these areas are free of combustible materials.
- We will carry out regular inspections of common areas to ensure fire safety is maintained
- Where dry risers are provided in your building, these will be used by the Fire Service if a fire breaks out in the building. You must not tamper or interfere with or block these outlets as this will compromise yours and others safety.
- Make yourself aware of the fire evacuation procedure
- If you live in a communal area with a lift the system has been designed to enable firefighters to use it in an emergency. Lifts are not available for residents use in emergency fire evacuations.

Fire Doors

- If your property is within a block of flats leading into a communal area; please note that an annual inspection of your flat front fire door may be required to make sure that this is compliant with current regulations
- Fire Doors should be kept shut when not in use
- Do not tamper with self-closing devices
- Report any fault or damage immediately to Eden Housing Association
- It’s really important that you don’t make any alterations to fire doors that could affect the protection they offer in the event of a fire. This includes things like drilling or knocking nails into your door to attach any signs or decoration.

Smoke Alarms

A smoke alarm is a warning device that detects smoke at the earliest stages of a fire and sounds a piercing alarm to warn you if a fire occurs in your home. Many people killed in house fires are asleep at the time. A smoke alarm will wake you up and give you vital extra time to escape.

Heysham Gardens

- Smoke alarms are fitted and are tested by a fire alarm maintenance company

Heysham Meadows

- Smoke alarms are fitted. It is strongly recommended that you have Smoke Alarms fitted if they are not already installed.
- Smoke alarms should be one every storey of your home, in hallways, landings, and in or near bedrooms with a heat detector in your kitchen. Advice can be sought from the Fire & Rescue Service and a home safety visit can be arranged with them to ensure you are fully protected.
- You should test your smoke alarms each week to make sure they are working properly. Never remove the batteries unless you are replacing them. Gently vacuuming the outside of the smoke alarm every six months will help to make sure dust does not affect its ability to detect and warn you of a fire.

Electrical Safety

You are responsible for electrical tests (EICRs) within your own home but EHA is responsible for repairing and maintaining any communal installations – such as if you live in a block of flats.

Your responsibilities include the following requirements around electrical safety to make sure that you and your neighbours are kept safe.

- Arranging regular electrical safety tests - EICR (every 5 years) **within your own home** – if you live in a block, we will arrange these for any communal areas
- Asking EHA for permission to carry out alterations, additions and improvements to your home that may affect the electrics
- If we authorise any changes to your electrics, we will need a copy of the certification from the electrician, who must be a member of a recognised competency scheme such as the NICEIC, ECA or NAPIT
- Making sure a qualified electrical engineer carries out any other electrical work

You can find a NICEIC registered electrician by visiting the NICEIC website: Find a Registered Electrician or Contractor | NICEIC

Forfeiture

EHA has the right to terminate a lease and regain possession of the property where there is a serious breach of the lease.

This can occur if the leaseholder fails to pay specific charges, or breaches other covenants within the lease.

EHA will only seek to forfeit the lease as a last resort, when all other available options have been exhausted.

Re-Mortgage and Further Lending

EHA consent is needed before remortgaging or seeking to secure further loans against the value of your property.

Please contact EHA for further information about this.

Selling Your Home

Resales

If you are considering selling your home, please contact us and we can help you through the process.

EHA will obtain a valuation report form a Surveyor who is a qualified member of the Royal Institution of Chartered Surveyors (RICS) that details the market value of your home. The cost of the valuation will be payable by you when the sale completes.

EHA has 8 weeks to find suitable applicants for your property. Applicants are selected by their priority rating on the waiting list.

Following selection, EHA will provide you with the details of the potential buyer.

At this point, it is handed over to you to manage the sale.

If this takes longer than 12 weeks and you wish to pass this sale to another applicant, EHA will provide you with the details of the next applicant on the waiting list. If you wish to secure your own buyer, you will need to advertise with a local estate agent and you will be responsible for any costs incurred.

Any potential purchasers must complete an application form, receive a home visit, meet the criteria for Heysham and be approved by the allocation panel, once approved, the sale can go ahead.

EHA will liaise with all parties involved to ensure the sale runs smoothly, this includes arranging viewings with any buyer and discussing the services and lifestyle options at Heysham.

A charge of 1% of the sale price is levied by EHA to cover the cost administration and time to facilitate the sale.

Service charges are due until the property is sold, regardless of if the property is empty.

Buy Back

Eden Housing Association may buy back properties in specific circumstances, please contact us for more information.

Heysham Gardens and Meadows

Frequently Asked Questions

Heysham Gardens and Meadows is an extra care housing development owned and managed by Eden Housing Association. It offers 60 units of purpose-built accommodation for people over the age of 55. EHA management staff are on-site 5 days a week, Monday to Thursday, 8.30am until 4.30pm and Friday 8.30 until 4.00

The Heysham package includes a 24-hour emergency response service which gives reassurance to our residents that whatever the time of day or night there will always be someone to come to their aid in an emergency.

There is an on-site care team commissioned by Cumberland Council. They provide personal care and cleaning for residents paid for privately or via Adult Social Care contracts.

The objective for Heysham Gardens is to ensure that all of our residents remain as independent as they can and live as full a life as possible, helping them to utilise all services available in the community with advice and guidance from the EHA staff team and on-site carers.

What type of properties are there?

- 40 x 2 bed apartments in the main block
- 14 x 2 bed bungalows
- 2 x 3 bed bungalows
- 4 x 3 bed houses

Are the properties for rent or for sale?

- All property types are available for sale and for rent, 30 for sale and 30 for rent
- All properties have a minimum of 2 bedrooms

How do I apply?

- Complete an application form available from the office at Heysham Gardens or from the EHA website. Return it to the office at Heysham Gardens.
- You will receive a home visit from EHA staff and your name will be presented to the allocation panel at Heysham Gardens
- The allocation panel is made up of representatives from EHA, care provider and Cumberland Council
- Each application is awarded points on the basis of their need for Extra Care Housing
- Properties are offered to those in greatest need with care and support requirements that can be successfully met by the services

- Priority will be given to those in greatest need rather than time on the waiting list
- All sales and rental applicants must be approved by the panel before they can purchase or rent a property at Heysham

Is there a waiting list?

- Yes, we have people waiting for properties for sale and for rent

Is shared ownership an option?

- Yes: 20 of the sale properties are offered at 75% of the cost

Is rent payable on the 25% portion of shared ownership properties?

- No, rent is not payable on shared ownership properties

What happens when I want to sell my property?

- Let Heysham staff know that you want to sell your property
- A valuation will then be obtained from an independent local Estate Agent by EHA
- EHA will pay for the valuation, this cost will be passed on to the vendor
- EHA then have 8 weeks to find suitable applicants for the sale properties. Usually this means looking to the applicant with the highest priority on the waiting list.
- Following the selection of a suitable applicant EHA will forward to you the name and address of an interested potential buyer
- The matter is then handed over to you to manage the sale as usual
- If the purchase takes longer than 12 weeks and you wish to pass the sale to another applicant EHA will give you the name of the next applicant on the waiting list. If you are keen to find your own buyer, you can inform EHA that you wish to advertise it yourself and give it to an Estate Agent. You are responsible for any costs incurred if you choose this route.
- Any potential purchasers must complete an application form, receive a home visit, meet the criteria for Heysham and be approved by the allocation panel
- Following approval, the sale can go ahead
- The Extra Care Co-ordinator at Heysham will liaise with you, your solicitor and your buyer to ensure that all aspects of the sale go as smoothly as possible including arranging for viewings and talking prospective buyers through the services and lifestyle options at Heysham
- A charge of 1% of the sale price is levied by EHA to cover the cost of administration and time to facilitate the sale
- Leasehold residents are responsible for all service charges until the property is sold

Are there things to do at Heysham?

- Yes, we have a number of activities arranged by and for residents. If you prefer smaller, more esoteric activity, there is a large community at Heysham with a very diverse range of interests, we will be happy to put you in touch with other residents to ensure you have the opportunity to develop and pursue new and old interests.

Where can I park my car?

- Resident only car parking is along the front of the main building and in front of the bungalows 3 to 8. These parking spaces are available on a first come, first served basis. Visitors are asked to park in the car park at the top of the estate.

Do I have to pay my own buildings insurance?

- No: buildings insurance is covered in the service charge for fully owned and shared ownership properties

Who cleans the windows?

- Window cleaning is provided in the apartments and paid for in service charge
- Window cleaning **is not provided** for bungalows and houses. Residents need to arrange this themselves.

Who is responsible for repairs in the property?

- If you rent your property EHA are responsible for repairs to your property. Further information can be obtained from your tenancy agreement.
- As a leaseholder who has purchased your property you are responsible for maintaining your property in a good state of repair inside (and outside for bungalows and houses) including any pipes, drains and wires which are for exclusive use of your property

Do the solar panels on the bungalows feed electricity to the National Grid resulting in a payment to the householder?

- No, the solar panels are only used to heat the water in the water tank in your property thus reducing the amount of gas used to heat water in the bungalows and houses. This saves money on your utility bills

Who is responsible for maintaining the gardens?

- All communal gardens around the main building and the front gardens of bungalows and houses are maintained by EHA and paid for in service charge
- The back gardens of the houses and bungalows are the responsibility of the resident

Who is responsible for external decoration of the bungalows and houses?

- Leasehold residents are responsible for maintaining the external decoration of their property using colour schemes and styles approved by EHA and in keeping with the rest of the estate

- The outside walls of the houses and bungalows have a self-coloured render and do not require painting
- Properties should be decorated at least every 5 years, inside & out

Can I make any alterations to the property?

- Any plans for internal alterations need to be agreed with EHA before work commences
- Residents are not permitted to make alterations or additions to the external faces of the property

What is included in the service charge?

- Service charges are covered separately, please ask for details

Is my heating included in the service charge?

- If you live in an apartment the heating is included in the service charge
- If you live in a bungalow or a house you have your own boiler and you are responsible for your own heating bills