



"Providing high quality homes & services that put people first"

Leaseholders

Your Lease Explained

MHA's Mission Statement

"To provide **high quality homes & services** that put **people first**"

Please contact the **Corporate Services Team** on **01495 761104**, if you require this document in PDF, large-print, Welsh or any other language, braille or audio format.

Introduction

Your lease is a private contract between you and Monmouthshire Housing Association, the freeholder, which sets out the rights and duties of both parties. Your lease will allow you to occupy the property for a fixed number of years: typically for 99 or 125 years when first granted.

The lease sets out exactly what you have bought, what is exclusively yours and what is shared; what services MHA must deliver and what proportion you must pay towards the cost of those services.

The lease sets out all of the responsibilities and obligations of both you, as leaseholder and MHA as landlord. The terms of your lease are legally binding and any breach of those terms can lead to legal action being taken against either party.

As the lease is a legal document, it cannot be changed (varied) without the consent of both parties. If you have specific concerns regarding the terms of your lease, you should seek independent legal advice.

Your Lease explained

The wording of leases can vary from property to property and you will always need to refer to the specific wording of your own lease which details what you have agreed.

Most of our leases follow the following format:

Definitions – Setting out the things that define the lease, such as the property (your flat and any sheds, garages and gardens included with it), the length and starting date of the lease and the ground rent you must pay.

Plans – Showing your property within the building, neighbourhood and any sheds, garages or gardens included with your property. It also shows the grounds areas that you are required to pay towards the maintenance of.

Tenants Covenants/Tenants Estate Covenants –

Your responsibilities as a leaseholder in regard to the property and the area in which your property is located. A few of the responsibilities are listed below, thought this is not an exhaustive list.

- You must pay ground rent, service charges and other charges relating to the property such as Council Tax, water, gas and electricity bills.
- To keep the interior of your property in good repair.
- To allow MHA or its contractors entry into your property provided we have given three days' notice to carry out inspections or repairs.
- Not to park vehicles outside of designated parking spaces without MHA's permission.

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- To only use the property as a private home and not carry out any business activities without written permission.
- Not to make any alteration or addition to the property without MHA's written consent. (Consent will not be unreasonably withheld and if granted, the necessary legal requirements, e.g. planning, building regs will need to be obtained.)
- Not keeping animals that may cause annoyance to any other occupier of the building.
- To rebuild or reinstate the property or building if it is destroyed or damaged by a cause it is insured against.
- To insure the building against standard insured perils (a list is provided in the summary of cover, issued each year with your service charge bill)
- Provide lighting in communal areas where necessary.

Councils Covenants – MHA's responsibilities in regard to the building and neighbourhood. These are the things that MHA is responsible for but that you may have to pay towards in your service charges. Some of MHA's responsibilities are listed below:

- The structural and decorative repair of the communal areas of the building.
- The use of water, gas and drainage pipes and the use of electricity and phone cables.
- Rights of way on pathways and communal staircases and landings.
- The use of common grassed areas around the building.
- The use of clothes drying areas and bin stores.

Rights Granted – This part of the lease lists your rights as a leaseholder. The type of rights included are:

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Rights Reserved – MHA will share many of the same rights as you as a leaseholder but will have additional rights, such as:

- To enter the building to read, repair and replace meters.
- To build on any land or part of the building not included in the lease (provided your rights are not infringed).
- With at least three days' notice, to repair or replace TV or radio cabling or aerials.

Schedule C Part 1 – This sets out the services you will have to pay a proportionate amount for through your service charges. These can include the services listed below, again this is not an exhaustive list:

- Repairs to the building.
- Maintaining, cleaning and decorating both the interior communal areas and the exterior of the building, including guttering, external pipes, sewers and drains.

- Maintaining the communal gardens including grass, hedges, walls and pathways.
- Buildings insurance
- Additional services such as provision of laundry facilities, maintaining or renewing TV aerials, fire alarms and firefighting equipment.

Schedule C Part 2 – Sets out how your service charges will be calculated, apportioned and billed to you.

Other information

Obtain a copy of your lease

If you require a copy of your lease you may be able to obtain one from your conveyancing solicitor, mortgage lender or HM Land Registry. We can also provide a copy, either digitally or paper, for which a fee may be applicable.

Getting Legal Advice

As previously mentioned, the advice in this document is for guidance only. You should obtain independent legal advice and in no instance will the contents of this document override the terms of any existing lease, or any other legal agreements, which you may have entered into.

Right to Manage

You have the right to manage your own block of flats (otherwise known as collective

enfranchisement). This is a major reform brought about by the Commonhold and Leasehold Reform Act 2002. If a majority of leaseholders of flats within a block agree that they wish to manage their own block independently of MHA they will be required to form a Right to Manage Company limited by guarantee and will have to comply with company law in respect of filing returns, liability of directors and other matters. Notice would have to be served on MHA as landlord. The Leasehold Advisory Service website **www.lease-advice.org** provides extensive information around this process.

Lease Extension

You have the right to extend your lease, please refer to the separate booklet on extending your lease.

Your Lease Explained



For Leaseholders

How to Contact us

General

If you have a query regarding your home, leasehold or service charges or would like to report problems with anti-social behaviour or a neighbourhood issue please contact your leasehold officer by calling our Head Office at Mamhilad on: **0345 677 2277** (local call rate).

Freephone Repairs Hotline (Inc. emergency out of hours)

To report a repair or to contact us in an emergency when our offices are closed, please call our Freephone Repairs Hotline number on **0800 980 7751** or **01495 761143** (from a mobile)*

**Calls to our 0800 number may cost you more than the 01495 numbers if you are calling from a mobile phone.*

Live Chat

Click the link on our website to talk to a member of our Customer Service Team.

Email

You can also contact us via email: **leasehold@monmouthshirehousing.co.uk** We aim to respond to emails within 3 working days.

Website

You can also contact us and find out the latest news and information about Monmouthshire Housing by visiting our website at: **www.monmouthshirehousing.co.uk**

Facebook**

www.facebook.com/Monmouthshire.Housing

Twitter**

www.twitter.com/mon_housing

***Social media accounts are not monitored 24 hours a day. To report repairs please use our hotline number **0800 980 7751**.*

Useful Contacts

MHA's Main Office:	0345 677 2277
Repairs Helpline:	0800 980 7751
TV Licence:	0300 790 6131
Council Tax:	01633 644630
Homemakers:	01873 857 618

Utility Companies

Welsh Water:	0800 052 0145
SSE/Swalec:	0345 071 3994
British Gas Emergency:	0800 111 999

Useful Websites

Our Website:	www.monmouthshirehousing.co.uk
MCC's Website:	www.monmouthshire.gov.uk
TV Licensing:	www.tvlicensing.co.uk

Monmouthshire Housing Association



0345 677 2277



customerservices@monmouthshirehousing.co.uk



www.monmouthshirehousing.co.uk



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the MHA website.