Your rights and responsibilities

Information for leaseholders

Tower Hamlets Homes

Leaseholder and Tower Hamlets Homes (THH) responsibilities

Your leasehold contract is an agreement between you and Tower Hamlets Council.

THH is the managing agent acting for the Council and is responsible for maintaining shared parts and services connected to your home. THH seeks payment, called a service charge, in advance from you every year, on behalf of the Council.

In general your responsibilities are to:

- Pay your service charges including ground rent.
- Keep your home in good condition and repair.
- Use your home as a private flat.
- Be responsible for your visitors.
- Be a good neighbour by not causing annoyance.
- Repair and maintain the interior of your property.
- Ensure your property does not damage the structure and shared areas of the estate
- Ensure your home has a fire rated door fitted if it opens onto a shared area.
- Not carry out any alterations to your home (other than fixtures and fittings) without written permission. If in doubt ask us.
- Not put up aerials, satellite dishes and so on without our written permission.
- Get our written permission if you want to keep an animal in your home.
- Inform us if you wish to sublet your property and provide necessary certificates to ensure you are meeting your obligations as a responsible landlord.
- Repay the required amount of discount if you sell your home within five years if you purchased under the Right to Buy.
- Do not remove or damage anything within the property and/or communal areas of the building that impacts on fire safety.

Our responsibilities are to:

- Keep the condition and structure of your home in good repair.
- Maintain the services to your flat, building and estate; for example, by providing caretaking and gardening services.
- Give adequate notice if we need access to your flat to carry out works other than in emergency situations.
- Ensure that the structure and communal areas in your block are insured against fire and damage.

Rights and responsibilities included within your lease are:

Paying service charges

Leaseholders need to pay annual ground rent and service charges – service charges are a contribution towards services or works provided to the block or estate where your property is located. Visit **thh.org.uk/leaseholders** for details on how to pay service charges

Sub-letting

You must tell us if you want to sub-let your property, and provide your correspondence address and contact details. You must submit a copy of the tenancy agreement for each of the tenancies that you have offered, and where relevant, complete a deed of covenant agreeing to comply with the requirements of the lease. You will be responsible for paying the service charges, maintaining the property and for the behaviour of your tenants, their family members and visitors.

You will also be responsible for gas safety checks in your home and producing an annual gas certificate.

The Council also has additional requirements for those subletting in specified areas or letting their property as a house in multiple occupation (HMO). You may need to obtain a license before letting your property. If you fail to obtain a license where applicable, you may be may subject to rent payment orders, loss of eviction powers and unlimited fines.

To find out more about licensing and how this affects you, visit: **towerhamlets.gov.uk** and search for **'health and housing'**

Alterations

Alterations to the structure or fabric of the property (both internal and external) cannot be made without obtaining written approval from THH. Our permission is needed before beginning any proposed alterations.

Visit: **thh.org.uk** and search for **'leasehold alterations'**

Fire safety

You must keep the, passages, staircases and any common parts in the block and estate clear of any obstruction of any kind. This will reduce the risk of fire as well as ensure clear evacuation routes in case of an emergency. You may be required to remove immediately any object or obstruction in the common parts, and to pay the Council on demand, the cost of removing or storing these objects or obstructions. Removal and storage of items that pose a clear risk to fire safety is taken to be authorised and is entirely at the leaseholder's risk.

Access

THH staff or their contractors have the right to enter properties to carry out inspections, repairs and maintenance works, including for communal services that run through them. We will

normally give you at least 48 hours' notice before doing this. In the event of an emergency we may have to force entry and may recharge you for the repairs.

Selling, purchasing and re-mortgaging

You can sell your property whenever you wish to. However, if a purchase was made under the Right to Buy scheme and the sale is within the discount repayment period, you will be required to repay some, or sometimes all of the discount you received. If you have purchased then your solicitor must send us a Notice of Assignment and Charge (if applicable) within one month of the purchase.

Repairs

THH is responsible for maintaining the structure of the building you live in and for communal areas around the estate and you must pay your share of the cost. You are responsible for maintaining the inside of your property, including decorating regularly; maintaining the internal plumbing; electrical wiring; gas pipes; boilers and central heating (unless you are connected to a communal heating system).

In addition, you must have a gas safety check carried out each year. You can report a communal repair at **my.thh.org.uk**

Insurance

The Council arranges insurance cover for the buildings THH manages. You need to arrange cover for your contents. The cover provided by the Council is for the structure of your property and communal areas and includes accidental damage such as fire, storm, flood damage and subsidence.

Nuisance

You must not cause a nuisance from your property. This includes things like playing televisions and radios at unreasonable levels, harassing neighbours, using the property for illegal purposes, failing to control any pets, and obstructing communal areas with any items. These can result in a breach of lease and may result in legal action.

Use of property

Your property can only be purposes. Holding a sale, auction or running a business from the property is not allowed.

Buying the freehold

If you meet certain qualifying criteria you have the right to purchase the freehold of the building. This is called Leasehold or Collective Enfranchisement.

Statutory rights

We recommend that you read and understand the conditions of your lease. Leaseholders' rights include:

- extending the terms of your lease;
- setting up a Tenants' and Residents' Association (TRA);
- setting up a Tenant Management Organisation; and
- viewing accounts and relevant documents used to calculate service charges.

You can challenge service charges by contacting Leaseholder Services. You can also make an application to the First Tier Property Tribunal, **rplondon@hmcts.gsi.gov.uk**, phone **0207 446 7700**.

Subletting your property

Information for leaseholders

Tower Hamlets Homes

Leaseholders who sublet their properties

This document is intended is to clarify the rights and responsibilities of THH leaseholders, and to provide specific information for those who sublet their properties.

Rights and responsibilities as a leaseholder

This is a four page document, which lists the rights and responsibilities of leaseholders as well as the responsibilities of Tower Hamlets Homes. Please see document titled **'Your right and responsibilities – information for leaseholders'**

Responsibilities as a leaseholder

If you let your property to someone else, you must register the details with us. You must submit a copy of the tenancy agreement for each of the tenancies that you have offered, and where relevant, complete a deed of covenant agreeing to comply with the requirements of the lease. For example, since your lease says you are not to cause any nuisance or overcrowd the property, the tenancy agreement must say the same. This is because as a landlord you are responsible for the behaviour of your tenant.

Note that letting your property via short term holiday let platforms such as Airbnb does not count as legitimate subletting behaviour and is not allowed. Your tenant must also be made aware of this.

As the leaseholder of the property, you will remain responsible for complying with all the terms of the lease during the period that the property is sublet. This includes paying all service charges, ensuring your property is kept in a good state of repair, and ensuring your tenants do not cause nuisance to other residents.

If your property has gas appliances, you must provide an annual gas safety certificate, and if the front door opens into a communal area, you must ensure that it is fire resistant and meets the current fire safety standards.

As a THH leaseholder, you will be eligible for a discounted gas servicing from our partner, Mears. Visit **www2.mearsgroup.co.uk** and search for **'services for leaseholders'**

Having at least one smoke alarm in your property is also a compulsory requirement. You can book a visit from the London Fire Brigade, who will be able to fit a free smoke alarm for you. To find out more, visit **www.london-fire.gov.uk** and search for **'book a home fire safety visit'**.

For more information about gas and fire safety, please see the guidance from the HSE. Visit **www.hse.gov.uk** and search for **'gas safety landlords and letting agents'**.

You will also need to tell us your new contact details, so that we can get in touch with you urgently if we need to, and so that we can be sure we are

sending your invoices to the correct address. It is critical that we have your contact details and those of any managing agent who is managing the property on your behalf. In the event of an emergency we may have to force entry if access is not provided.

The Council also has additional requirements for those subletting in specified areas or letting their property as a house in multiple occupation (HMO). You may need to obtain a license before letting your property and will need to meet the required standards for private rented housing before a license can be issued.

If you fail to obtain a license where applicable, you may be may subject to rent payment orders, loss of eviction powers and unlimited fines.

To find out more about licensing and how this affects you, visit:
towerhamlets.gov.uk and search for **'health and housing'**.

For any license related queries, please contact the Health and Housing team on **020 7364 5008** or via email at **housinglicensing@towerhamlets.gov.uk**

To register your sublet, Contact Tower Hamlets Homes at **contactus@thh.org.uk** and request a sublet pack. Alternatively visit **thh.org.uk** to download a copy.

When registering a sublet, you will need to provide your correspondence address and contact details. You will also need to submit a copy of the tenancy agreement for each of the tenancies you have offered, and where relevant, complete a deed of covenant agreeing to comply with the requirements of the lease. An administration fee of £25 per tenancy offered is payable on application. Please see sublet pack for further details.

Information for leaseholders to pass on to sublessees

This section of the document contains information that is intended for tenants who are renting from a Tower Hamlets Homes leaseholder. Leaseholders should pass this section onwards of this document to the sublessee(s).

Welcome to your new home

Tower Hamlets Homes (THH) is an award winning ALMO (Arm's Length Management Organisation) and not-for-profit company set up in 2008 to deliver high quality housing services for residents living in over 21,600 homes in East London. This includes over 11600 tenanted homes and over 10000 leasehold and freehold homes.

Tower Hamlets council owns the homes and THH manages the tenancies and leases for them. Tenants are still council tenants and leaseholders are still council leaseholders.

Your landlord is a leaseholder, which means that they bought your current home from the council under the Right to Buy scheme or from a previous council leaseholder. Leaseholders are responsible for any internal repairs or decorations, and THH is responsible for the structure and upkeep of the block, as well as any communal areas.

Please contact your landlord about any repairs, both internally and externally. In the case of the latter, they are responsible for passing any information on to THH.

However, in an emergency, you can contact us by email at **contactus@thh.org.uk** or by calling **020 7364 5015** in order to report a communal repair, case of anti-social behaviour, or other issue related to your block.

THH asks that you respect your neighbours by not causing nuisance. This includes avoiding playing music or watching television at an unreasonable volume, throwing loud parties, using the property for illegal purposes, or obstructing communal areas with any items, including rubbish. The council's website provides local information about waste collection, and about the free offer to remove large unwanted items, including furniture. To find out more, visit **towerhamlets.gov.uk**

Some THH neighbourhoods have residents' associations, which give a voice to communities and hold events where you can meet your neighbours. To find out whether there is a group operating in your area, please visit the TRA page on our website **thh.org.uk**. If you would like to keep up to date with events and opportunities across the borough, please subscribe to the THH eNewsletter by following this link **www.surveymonkey.co.uk/r/PVDGCN3**

Tower Hamlets Private Renters' Charter

The Tower Hamlets Private Renters' Charter sets out standards the law demands from all private landlords and agents. If you rent a room, a flat or a house in Tower Hamlets, the council and every organisation signed up to the charter aims to make sure that your landlord meets those standards.

Charter Standards

Most landlords and agents in Tower Hamlets already meet these legal standards. If your landlord or agent does not, you can contact any of the organisations signed up to the Charter. All organisations signed up to the charter promise to find the best way to improve your situation - and the most effective action to take against landlords or agents who break the rules.

Account 3 Birkbeck Street, Bethnal Green, E2 6JY Tel: 020 7739 7720 **Bromley by Bow Centre** St Leonards Street, Bromley by Bow, E3 3BT Tel: 020 8709 9700 **Citizen's Advice Bureau** 32 Greatorex Street, Whitechapel, E1 5NP Tel: 020 7247 1050 **Legal Advice Centre** 104 Roman Road, Bethnal Green, E2 0RN Tel: 020 8980 4205 **Praxis Community Projects** Pott Street, Bethnal Green, E2 0EF Tel: 020 7729 7985	**Shelter** Call Shelter's London Public Advice Line to find your local advisor. If you're under 25: 0330 053 6091. If you're over 25: 0344 515 1540 **Tower Hamlets Law Centre** 789 Commercial Road, E14 7HG Tel: 020 7538 4909 **Toynbee Hall** 52 Old Castle Street, Spitalfields, E1 7AJ Tel: 020 7392 2953 **Housing Options** Private Housing Advice Service, Albert Jacob House, 62 Roman Road, E2 0PG Tel: 020 7364 3558

Tower Hamlets Private Renters' Charter is endorsed and backed by the following organisations. They all are committed to making sure that private renters live in homes that are safe and secure, and that landlords and agents treat tenants fairly under the law.

• ARLA Propertymark	• My Deposit	• Residential Landlords Association
• Deposit Protection Scheme	• Ombudsman Services	• Tenancy Deposit Scheme
• Generation Rent	• Renters' Rights	• The Property Ombudsman

The Private Renter's Charter is available in the following languages: Bengali, Cantonese, English, Italian, Lithuanian, Mandarin, Polish, Romanian, Somali, Spanish and Turkish. Visit **towerhamlets.gov.uk** to download.

*Private Renters' Charter attached

Tower Hamlets Private Renters' Charter

This charter sets out standards the law demands from all private landlords and agents. If you rent a room, a flat, or a house in Tower Hamlets, the council and every partner organisation signed up to the charter aims to make sure that your landlord meets those standards. Visit our website for details. Please note that if you share your landlord's home with them, you will not have all of these rights.

YOU MUST BE TREATED FAIRLY

LETTING

No discrimination
It is against the law to discriminate against your nationality, race, religion, sexuality, disability or gender. However, you have to give your agent or landlord proof of your legal right to live in the UK.

Letting agency fees
Letting agents may still charge you a fee. But if they do, their fees including VAT must be displayed clearly in their offices and on their website. You shouldn't need to ask to see them.

Money protection
Ask whether your letting agent belongs to a client money protection scheme. These schemes protect any money you pay to the agent as deposit and rent - even if the agent closes down.

Complaints
Agents must be registered with an independent organisation for dealing with complaints. The logo of the complaints redress scheme they belong to must be displayed.

OCCUPATION

Permission to rent
Your landlord must have the necessary permission to rent. You can check what permission they need on our website.

Legal Information
Your landlord or agent must give you the government's 'How to Rent' booklet when you move in.

Deposit protection
Within 30 days of taking your deposit, your landlord must prove to you that they have protected it with one of the three authorised schemes: DPS, TDS, or My Deposits.

Fair tenancy
Your tenancy must be fair and understandable. You shouldn't be hit with surprise fees.

Rent increases
Your rent should not go up during the fixed period of your tenancy.

Tenancy agreement
Good landlords and agents give you a written tenancy agreement. The law says they must put in writing the address of your room or flat, the length of the agreement, the rent, and the landlord's name and contact address.

Moving out
Landlords must follow a strict legal proces if they want to force you to move out – and that process takes time. If your landlord or agent wants you to move out against your wishes, get immediate advice.

YOUR HOME MUST BE SAFE AND SECURE

It's your home!
Your landlord or agent must not disturb or harass you. Your landlord can only visit when it is convenient for you, unless it's an emergency. They must give you at least 24 hours' notice.

Reasonable repair
Your home must be safe, and your landlord must make repairs to its structure in reasonable time.

Damp and mould
Your home should be free from problems with damp and mould. See our website for tips on preventing it becoming a problem and what your landlord must do if that's not possible.

Alarms
Your home must have a working smoke alarm on every floor. If you have solid fuel heating, your landlord must also fit a carbon monoxide detector.

Electrical safety
The wiring and any electrical items supplied with your home must be safe.

Gas safety
If you have a gas supply, your landlord must give you a valid gas safety certificate when you move in. Every 12 months, a certified Gas Safe engineer must check your appliances.

Most private landlords and agents in Tower Hamlets already meet the charter's standards. If they do not, find the best way to improve your situation and the most effective action to take against them at:

www.towerhamlets.gov.uk/privaterenterscharter

FAIR SAFE SECURE

Tower Hamlets PRIVATE RENTERS' CHARTER

TOWER HAMLETS