

Right to Buy / Right to Acquire Policy

November 2023

Owner: Home and Property Manager

<u>Version No.</u>	<u>Purpose/Changes</u>	<u>Approval Date</u>	<u>Approved By</u>	<u>Suggested Review Date</u>
5.0	Health Check	December 2023	HoST	December 2026
4.0	Health Check	08/10/2020	HoST	September 2023
3.0	Health Check	01/6/2017	HoST	June 2020
2.0	Full Review	08/04/2016	HoST	April 2019
1.0	New policy	Unknown	Unknown	Unknown

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1. Our policy...

- 1.1 Ongo Homes (OH) took over the management of North Lincolnshire Council's (NLC's) housing stock in 2007. Tenants who have transferred to OH on an **Assured Protected Tenancy** have retained the Right to Buy (RTB) their home under the Housing Act 1980, subject to applicant and property criteria – this is known as the Preserved Right to Buy (PRTB).
- 1.2 The Housing Act 1996 introduced the Right to Acquire (RTA). This gives our tenants who have an Assured Tenancy with us the opportunity to purchase their home, subject to criteria.
- 1.3 We will conform to Government set Legislation and Regulations when dealing with PRTB and RTA applications.

2. It applies to...

- 2.1 This policy applies to all customers with eligible tenancies.

3. Because we want to...

- 3.1 Make sure all our tenants have the information and support they need to exercise their PRTB or RTA should they choose to purchase their home.

4. We will...

4.1 Conform to government set legislation:

- Rules around eligibility and discount
- Adhere to timescales when dealing with applications and completion of sales
- Acknowledge tenant's rights when appealing against a valuation and redetermination of value requests to the District Valuation Agency
- Make clear the timescales the tenant must adhere to when accepting an offer of sale and completing the purchase
- Provide the information to the tenant that they need to know when the property will be sold on a Leasehold rather than Freehold basis
- Provide information to the tenant about repayment of discount where a relevant disposal takes place within 5 years of purchase and where Ongo or their successors are entitled to Right of First Refusal where relevant disposal takes place within 10 years of purchase

4.2 In cases where a property is sold as leasehold, the following is set out in legislation:

- How we will set service charges and charge for major works
- How we will carry out leasehold consultation

- How we will provide information to Leaseholders
- How we will account for Leaseholders monies.

4.3 There are different sets of criteria for the schemes including person and property eligibility. Person eligibility includes (but not limited to):

- Residency status
- Financial background
- If the RTB or PRTB has been exercised before by the applicant
- Tenancy status

4.4 Property criteria includes:

- Is the property due to be demolished?
- Does OH consider the property to be particularly suitable for the elderly?
- Is it designed for or has it had significant alterations /adaptations to make it suitable for the elderly/those who are suffering or have suffered from a mental health condition?
- Is it within a sheltered scheme (retirement living)?

4.5 In addition to the criteria above, for the **RTA** to qualify on a property, it must have been built or purchased by a registered social landlord after 1997 using public funding. A property that was transferred from a local authority to a Registered Social Landlord after 1 April 1997 will also qualify for the scheme. Most of our properties fit this criteria.

4.6 Properties recognised as being situated within a Designated Rural Area do not qualify for the RTA scheme, although the tenant will accrue the qualifying years to put towards any future application on an alternative eligible property.

5. **Making sure we do what we say...**

5.1 The Director of Property will make sure this policy is implemented.

5.2 The Head of Property and the Homes and Property Manager will make sure:

- All colleagues are aware of this policy
- All colleagues are trained relevant to their role
- Monitoring records are collected in line with this policy
- Customers are adequately informed of the policy and support is given where required to understand it

5.3 We will measure our performance using a suite of indicators developed against our Corporate Plan, associated strategies and Ongo's Vision and Values, along with operational management information that will give us the assurance our processes are working effectively to deliver on this policy.

5.4 Reports will be submitted to the OH Board when requested, on the attainment of standards in line with government-set timescales and our own performance management framework.

5.5 Where required, we will provide government departments with statistics on PRTB & RTA.

6. Other things to bear in mind...

6.1 This policy also links to our:

- Leasehold Management Policy

6.2 The main pieces of legislation and regulation relevant to this policy include:

- Housing Act 1980 introduced the Right to Buy (and following amendments to the Act)
- Housing Act 1985
- Housing Act 1996
- The Housing & Regeneration Act 2008
- Commonhold & Leasehold Reform Act 2002 (and following amendments to the Act)
- The Landlord & Tenant's Act 1985 & 1987
- The Leasehold Reform, Housing & Urban Development Act 1993
- The Housing (Right to Acquire) Regulations 1997

7. We'll look at this again...

7.1 This policy will be reviewed every three years. We will review earlier if any regulatory or legislative changes occur and have an impact on this policy.