

### **LEASEHOLD POLICY 2022-2025**

Report of the Finance Director and Company Secretary

#### **1. SUMMARY**

- 1.1 This report is to review to the existing Leasehold Policy for Derby Homes that was created in 2019. There are no changes to the existing policy other than to note the addition of reference to a new Major Works Repayment Policy, which will be a stand-alone Council policy supplementing this Derby Homes based Leasehold Policy.

#### **2. RECOMMENDATION**

- 2.1 The Operational Board approves the Leasehold Policy 2022 – 2025 as drafted in Appendix 1.

#### **3. REASON FOR RECOMMENDATION**

- 3.1 The Policy was created in 2019 for the leasehold service to provide a framework to both Derby Homes and Leaseholders and is reviewed every 3 years.

#### **4. MATTERS FOR CONSIDERATION**

- 4.1 The Leasehold Policy (Appendix 1) sets out a policy to cover a number of areas within the management of a Leaseholder agreement, covering areas such as:

- Our Aims and Obligations
- Recovering Service Charge Arrears
- Lease Transfers and Resales
- Leaseholders' Obligations
- Potential / New Leaseholders
- Communication
- Complaints
- Independent Advice
- Derby City Council
- Discretionary Works to Leasehold Properties
- Leasehold Repayment Policy

#### **5. OTHER OPTIONS CONSIDERED**

- 5.1 None

**IMPLICATIONS**

**6. CONSULTATION IMPLICATIONS**

6.1 Tenants and Leaseholders have been consulted on the proposed Major Works Repayment Policy and this is due to end on 21 August 2022. A verbal update can be given at the meeting on the current progress of this separate policy.

**7. FINANCIAL AND BUSINESS PLAN IMPLICATIONS**

7.1 None directly arising.

**8. LEGAL AND CONFIDENTIALITY IMPLICATIONS**

8.1 None directly arising but improved communication with Leaseholders may reduce confusion and issues arising around responsibilities.

**9. POLICY REVIEW IMPLICATIONS**

9 This is a key policy of Derby Homes and is included in the Key Policy Review Schedule. In accordance with Derby Homes Board Minute 10/51 this policy will be reviewed no later than 3 years from the date of this meeting.

**10. EQUALITIES IMPACT ASSESSMENT**

A separate EIA has been prepared and has concluded that the policy as drafted hasn't identified any potential for discrimination or negative impact and all opportunities to advance equality have been taken.

**11. COUNCIL**

The Council has delegated the day-to-day management of the service to Leaseholders to Derby Homes.

The Major Works Repayment Policy will be a Derby City Council policy as the debts relate to contributions due to the Council (the Housing Revenue Account) from Leaseholders for major works to their block.

The areas listed below have no implications directly arising from this report:

- Personnel
- Environmental
- Health & Safety
- Risk

For more information please contact:  
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 Background information: None  
 List of appendices Appendix 1 – Leaseholder Policy 2022 – 2025

This report has been approved by the following

Managing Director	Maria Murphy	09.09.2022
Company Solicitor	Taran Lalria	13/09/2022