

# Landlord Offer





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## Dear Regina Road Resident

I am incredibly grateful for all the comments you and your neighbours have sent to the Council about Regina Road. The Council has now agreed to hold a Ballot of eligible residents on the future of your home and its immediate area. The Ballot paper will ask you to answer ‘Yes’ or ‘No’ to the question:

### **Are you in favour of the proposal to demolish and rebuild homes as shown within the red line boundary on the Regina Road Estate?**

The Ballot will open on 26 April and close on 22 May. The Ballot will be organised by Civica Elections Services, also known as CES. They are an Independent Body appointed by the Council for this purpose.

The Council tendered for this organisation through the Council’s legal procurement process.

The homes included in the Council’s proposals are indicated by the red-line boundary on the map overleaf. When we refer to the ‘Regina Road Estate’ or the ‘Estate’ in our documentation, we are describing the homes within the red-line boundary. This red-line boundary is also the boundary of the Strategic Estate Regeneration Area for the purposes of the Greater London Authority (GLA) Ballot Rules.

Residents eligible to vote under the GLA Ballot Rules will receive a Ballot Paper and instructions on how to vote. Residents who are able to vote on the future of the Regina Road Estate are anyone aged 16+ who are:

- **Social tenants and any joint tenants who have been named on the secure tenancy agreement**
- **Resident leaseholders who are named on the lease and have resided in their home for at least a year prior to the publication of the Landlord Offer on 27 March 2023**
- **Resident freeholders who are named on the deed and have resided in their home for at least a year prior to the publication of the Landlord Offer on 27 March 2023**
- **Residents who live on the estate as their principal home and who have been on the council’s housing register for at least a year regardless of tenure.**

The results of the Ballot will be announced on 26 May and included in a special edition of the Regina Road newsletter.

You can also contact **Independent Tenant and Leaseholder Advisers (ITLAs)**, who are independent from the council. Their role is to make sure you understand the options available and to support you. Here are their contact details:

**Rob Lantsbury: 07961 532 761** or email [rob.lantsbury@publicvoice.london](mailto:rob.lantsbury@publicvoice.london)

**Christine Searle: 07764 421 981** or email [christine.searle@publicvoice.london](mailto:christine.searle@publicvoice.london)

**Public Voice freephone: 0800 169 8677** or email [info@publicvoice.london](mailto:info@publicvoice.london)

You can also write to Public Voice at: **Public Voice CIC, Tottenham Town Hall, Town Hall Approach Road, London N15 4RX.**

You can speak with the Croydon team on [reginaroad@croydon.gov.uk](mailto:reginaroad@croydon.gov.uk) or call **020 8726 6100** ext. 44524.

Do have a read through the Landlord Offer and think about what it means for you. It is important that every resident eligible under the GLA Ballot Rules expresses their view on the future of Regina Road.

Yours faithfully,



**Susmita Sen, Corporate Director of Housing, Croydon Council**



**Fig. 1: Regina Road estate boundary map**

This booklet contains details of the ‘Landlord Offer’, Croydon Council’s offer to you, the Regina Road Estate residents. It includes:

- **How the Council has listened to your views**
- **The option being presented by the Council**
- **Commitments being made to you**
- **The design process**
- **Details of how to vote**
- **The tenant offer**
- **The leasehold and freehold offer** (for resident and non-resident leaseholders and freeholders).

# INTRODUCTION

This booklet has been designed to contain the information you need to make an informed decision about whether you are in favour of the redevelopment of the Regina Road Estate or not. Please read it carefully so that you fully understand the proposals before you vote.

The Council recognises that an unsatisfactory situation has developed on the Regina Road Estate over recent years, with living conditions in some homes below the standards that you should expect. We therefore want to work with residents to rebuild the area to the best possible modern standards.

The Council has listened to residents and acted on your views to shape this landlord offer.

This Landlord Offer document has been created to:

- **Clarify our proposals and give certainty to residents as to how these proposals will affect them**
- **Reassure residents that an appropriate housing option will be in place**
- **Set out how they will be compensated for the disruption**
- **Provide a basis to achieve vacant possession, ideally by negotiation**
- **Provide the foundation for a resident ballot**
- **Reassure residents that the Council has put adequate resources in place from the outset to deliver on commitments made.**

Back in November 2022 when the Council agreed to consult formally with residents on the future of this area of Regina Road, the Council set out nine guiding principles for Regina Road, based on best practice in London:



**Exemplar and inclusive engagement and involvement of residents from the start**



**Keep the community together** – one move where possible and Right to Return if required to move temporarily



**Compensation for the costs and disturbance for moving home**



**High quality homes that meet or exceed minimum space standards**



**A home for secure tenants that meets their need** (or need +1 if over-occupying) and the same tenancy rights



**Access to free independent advice**



**Resident involvement in design and a choice of fixtures and fittings**



**A fair deal for leaseholders** – including buying back at full market value and options for resident homeowners to purchase



**Support residents with the move, with dedicated support for those with additional needs**

## YOUR VIEWS

You've shared your views of about the future of the estate in a variety of ways:

- Talking to us when we've visited you at home in our outreach activity
- Responding to the statutory consultation survey
- Speaking to us at engagement sessions held at Stanley Arts (Formerly Stanley Halls), online and at 62 Regina Road
- Meeting the architects, BPTW at design sessions
- Sharing your views with the **Regina Road Resident Support Group**, who have written to the Council with a response to the statutory consultation
- Meeting with the **ITLAs**, who have represented your views to the Council
- Through attending the **Resident Working Group (RWG)** – a group of residents living across the estate who have come forward in response to the Council's advertisement to the estate and outreach activity. The RWG has been involved with the council at a strategic level and have helped shape this offer.

In response to your views, we have:

- Worked on a design option that aims to decant as many existing residents as possible in **“One Move”**
- Increased the number of offers that can be made by the Council from one to two offers to three offers of accommodation, with a reviews process
- Made clear that households, regardless of tenure who have their principal home on the estate and who have been on the housing register for at least one year prior to the date the Landlord Offer is published, will be able to vote in the ballot
- Households currently in temporary accommodation within the estate will have their tenancies converted to a secure tenancy and will then have the same rights as others on the estate to the provisions within the offer
- Ensured that the Council will deal with cases of residents withholding rent due to disrepair sensitively. Tenants are still requested to pursue necessary channels of communication with the Council if unhappy about issues within their homes
- Clarified the reviews process
- Clarified the process for compensation by way of improvements. An application process will be in place, including a schedule of works undertaken which will be reviewed by a qualified surveyor to assess whether the improvements relate to damp, mould or disrepair not already addressed by the Council
- Increased the amount we will buy back leasehold properties from 'market value' to 'market value' plus 10%
- Extended the definition of 'market value' to take account of the value of properties based on a EWS1 (External Wall System) form with an A2 risk rating in respect of fire safety.

We will continue to work with you about the future of Regina Road estate through:

- Conducting drop-in sessions and community activity on the estate
- Continuing to conduct outreach activity on the estate
- Holding sessions with the architects to inform the future design
- Attending the **Resident Working Group (RWG)** – a group of residents living across the estate who have come forward in response to the Council's advertisement to the estate and outreach activity. The RWG has been involved with the council at a strategic level and have helped shape this offer. We continue to recruit to the RWG, if you'd like to take part please contact us on [reginaroad@croydon.gov.uk](mailto:reginaroad@croydon.gov.uk) or call **020 8726 6100 ext. 44524**.

# PROPOSALS

## What a Potential 'Yes' Vote Means

Our proposal to redevelop the Regina Road estate is based on the following key points and will be subject to the planning process, planning permission and other relevant permissions:

- Creation of new high-quality homes on under-utilised space within the estate.
- Aiming for as many existing residents as possible to return to new homes on the estate (if this is desired), Rehousing existing Council tenant households to a Council-rented property at or near Regina Road at social rent levels, ideally in a single move. The demolition and replacement of the Tower Blocks within early phases
- The provision of new houses to the rear of 125-157 Regina Road
- New council homes to be built to GLA space standards and conforming to high build standards.
- A new pre-school centre, that allows some community meeting facility
- New high quality external environment and play spaces
- An approximate doubling of density from 191 existing homes to approximately 380 -450 new homes, subject to the planning process and planning permission, to provide more new homes locally in addition to rehousing existing residents.
- A mix of social and private housing to help offset the cost of rebuilding homes for existing residents.

In consultation with residents the proposals have been developed to this level of detail. These proposals will result in an estimated 380-450 new homes being built (subject to the planning process and planning permission) - around 200 replacement homes for council tenants and possibly 25 replacement homes for leaseholders/freeholders.

Subject to a positive ballot, the scheme will be further developed in consultation with residents, as it is taken towards a RIBA Stage 3 design to securing planning permission. Once planning permission is granted, the overall number of homes will be fixed. The Planning application(s) will be determined against the London Plan 2021 and Croydon Local Plan 2018 unless material considerations indicate otherwise.

As a result, we know we will have to look at a range of funding to provide the additional new homes, external space and pre-school. This could be made up of loans, the sale of a proportion of the additional new homes, financial contributions from private developments elsewhere and grants from the Greater London Authority (GLA).

Therefore, we currently have a team of officers looking into all these sources of funding.

## What a Potential 'No' Vote Means

If the majority of residents (eligible to vote and voting in the ballot) vote 'no' at ballot this would mean that the Council would need to reconsider its approach and we will do so in partnership with residents. We will consider different solutions to the property condition issues across the estate. A 'no' vote may present risks in relation to access to funding and potentially affect the timescales for change on the estate.



## SUMMARY OF COMMITMENTS TO RESIDENTS OF REGINA ROAD ESTATE

These commitments are based upon feedback from consultation and have been drawn up in discussion with the Resident Working Group. If the vote at ballot is “yes” from the majority of residents, these commitments will include, subject to planning and other relevant permissions where relevant:

- **Dedicated support team:** We will help you to understand the proposals, the best options for you and support you move home. This team will support vulnerable residents with all aspects of their move and liaise with family members as necessary.
- **A new home for existing residents within the estate:** If you want to return to the estate we will offer you a new home in the new development that meets your housing needs. You will have your own private outdoor space or balcony.
- **A permanent move away if you want it:** If you would prefer to move away from the Regina Road Estate, we will support you to find a permanent home among the council’s existing properties in Croydon.
- **Your tenancy will stay the same:** Your tenancy rights will be the same in existing or new homes unless you choose a property with a Housing Association.
- Convert temporary accommodation licences into secure tenancies.
- **A fair and flexible offer to homeowners:** We are committed to ensuring no homeowners are worse off financially as a result of this offer. We will offer residents the option to sell your homes to us at an independently verified price plus where residents are eligible, a statutory home loss payment will be payable by the Council. Homeowners will be eligible to buy a new property on the estate on a leasehold basis. Ownership options for homeowners include shared ownership, shared equity and equity loan. We will cover all reasonable costs incurred as a result of sale/ shared equity arrangements. If homeowners don’t have enough equity to buy a new home on the Estate, we will work with you to try to find a solution that enables you to stay on the estate.
- **A commitment to high standards and high quality:** All new homes will be built to the latest standards as set out in current Building Regulations and planning policy. For existing residents all new homes will be as big, or bigger, than your current home and it will also have an outdoor private space. All homes will be energy efficient.
- **The right-of-return:** To a newly built home for households who have left Regina Road after 16 November 2022.
- **Help when moving:** We will also pay all reasonable removal expenses (as part of a ‘disturbance payment’) and help with arranging your move and setting up your home.
- **We will minimise disruption:** We will make every effort to limit disruption to you and your household.
- **You will receive compensation:** Where you meet the entitlement criteria, we will pay you a statutory home loss payment for the loss of your home. At present that statutory figure is £7,800. In addition, disturbance payments are available to cover the reasonable costs incurred as a result of moving.
- Non-resident freeholders and leaseholders are not eligible for statutory home loss but may be eligible for a basic loss payment which currently equates to 7.5% of the market value of the property or a maximum payment of £75,000, whichever is the lower. These levels are set by statute and are periodically reviewed by government.
- **Compensation for home improvements:** If you are a council tenant and have made improvements to your home, we will compensate you for these providing they were carried out with Croydon Council’s permission and you will be asked to complete an application with details of what is being claimed.
- **Tackling overcrowding:** Tenants who are overcrowded will be offered homes to meet their assessed housing need as part of this regeneration.
- **Meeting your housing need:** Council homes will be allocated according to need. Your need will be discussed and confirmed with you after planning permission has been agreed. If your need changes after this time this can be updated with the dedicated support team.
- **Ongoing consultation and communication:** We will consult you on proposals for the new development throughout the process, using a range of methods so you can influence the delivery.

## THE DESIGN PROCESS

The Council has appointed BPTW Architects to work with a Resident Working Group to develop designs for the new Regina Road. Some residents will already have participated in the Design Workshops which will continue throughout the Rebuilding Project. The feedback from this initial engagement process has shaped the designs so far.



*Fig. 2: Comments at design sessions made by residents*



*Fig. 3: Design sessions at Stanley Halls*

The Architects will continue to work with the Resident Working Group to draft a Masterplan for the area and to prepare a Planning Application for a Phase One project which will be developed ahead of any demolition so the Council can start building as soon as possible.



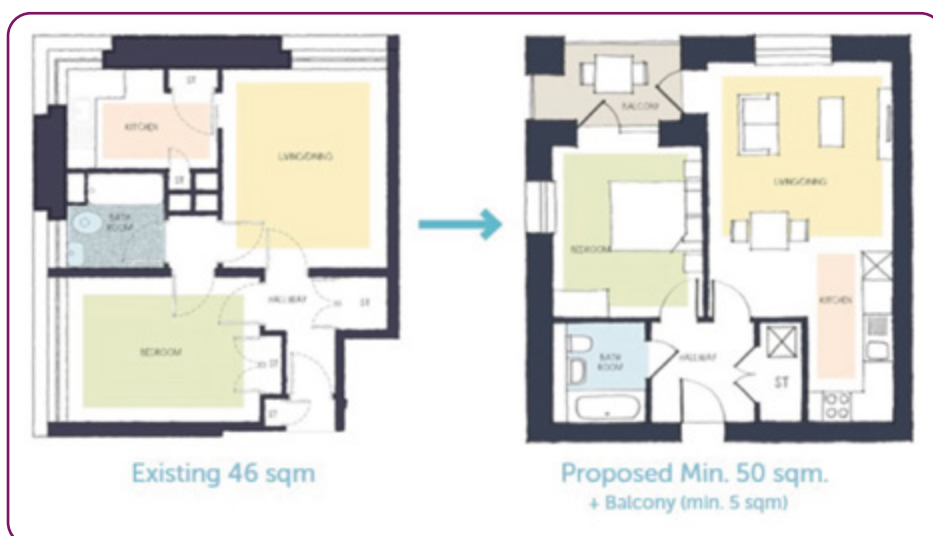
*Fig. 4: An example of a BPTW designed - regeneration [image credit BPTW]*

All of the existing homes are included with the regeneration plans, and to be clear the final chosen option assumes replacement of all buildings. The Council is however aware that, on the fringe of the rebuilding area, there are blocks with differing build methods, and differing issues. The Council will work with residents of these properties to work together on the best solution for these homes as more detailed design work progresses. For now, in line with consultation feedback, we are including all blocks within the proposal.

### Space Standards

Existing homes at Regina Road fall short on current space standards, have lower ceilings, no outdoor balcony space, and do not meet modern standards for thermal comfort and ventilation. There are no family-sized homes in the tower blocks, nor wheelchair accessible homes.

**Fig. 5: Existing and new 1-bedroom flat size comparison**



**Fig. 6: Existing and new 2-bedroom flat size comparison**



## Nationally Described Space Standards

**Table 1 - Minimum gross internal floor areas and storage (m<sup>2</sup>)**

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	

\* External private amenity, e.g., balconies/terraces, is additional to the areas above

## Phasing Approach

Given the scale of the estate, and the specific needs of existing residents, redevelopment plans will be carried out on a phase by phase basis. The overarching aim of this is for residents to be able to move from their existing home into a new one in a single move without the need to move to temporary accommodation.

Phase 1 is proposed to include a nearby site for an estimated 9 new homes, plus around 120 new homes at Regina Road. This should be sufficient to rehouse all existing households who are living in Council tenanted property at Regina Road. The Council is also purchasing some newly built homes nearby for early moves.



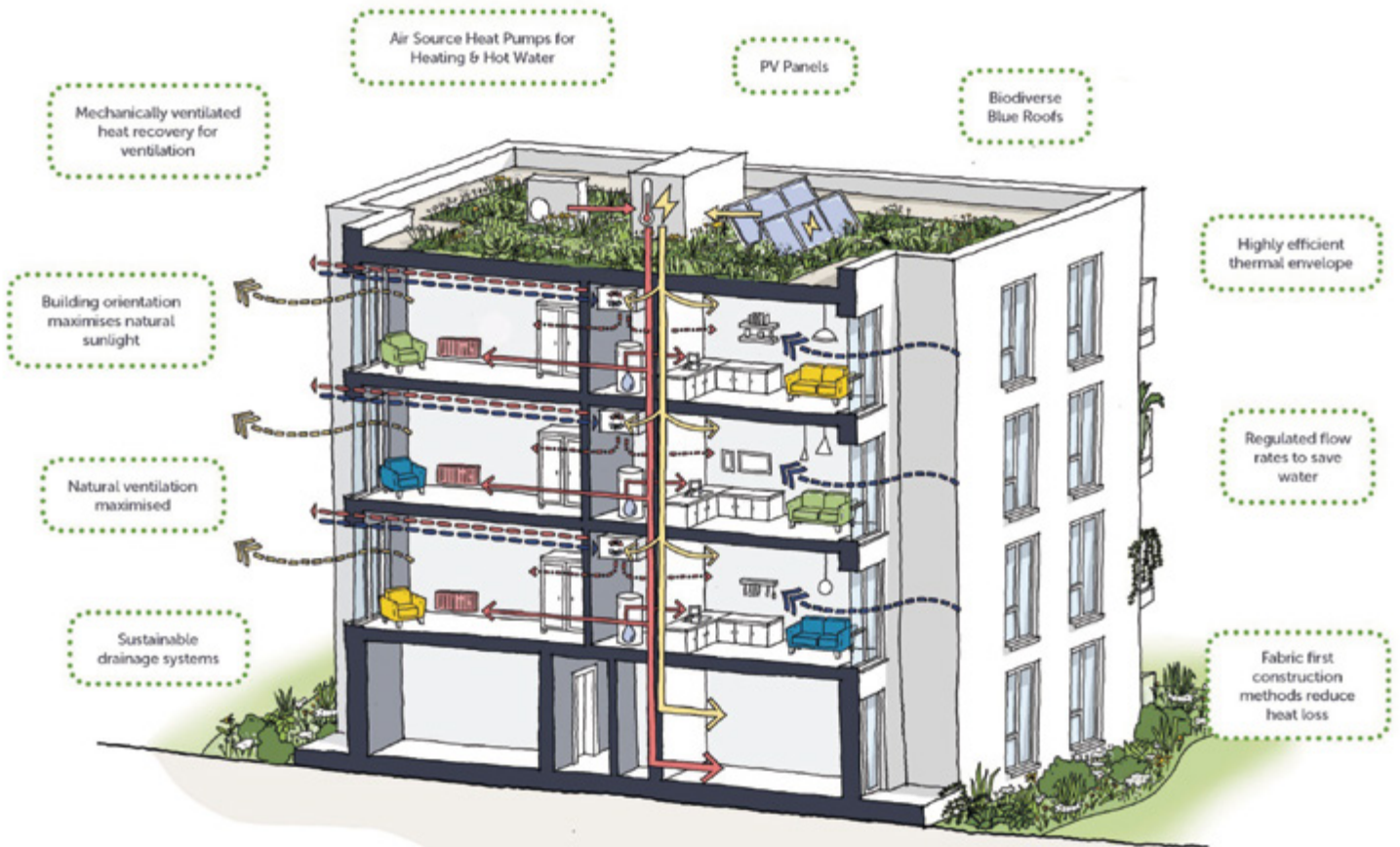
*Fig 7: Indicative phasing plan [image credit BPTW]*



*Fig 8: Indicative phasing plan [image credit BPTW]*

## Energy Efficiency

All new homes, including a mix of houses, maisonettes and flats will be designed to the latest standards in terms of internal space and storage, thermal comfort and air quality, fire safety, private amenity provision (e.g. balconies, terraces). All homes will be energy efficient which will ensure lower utility bills for the future users.



**Fig 9: A typical block of flats – energy efficiency principles [image credit BPTW]**

## Shared outdoor areas

The public realm will be designed with inclusivity and safety in mind, in accordance with the residents’ feedback, to ensure the needs of the local community are fully facilitated. Safe, well-lit routes, open green spaces, communal courtyards, front gardens, orchard/ growing spaces, play and leisure facilities for all ages will be considered.



**Fig 10: Indicative public realm – pedestrian boulevard - example from elsewhere in London [image credit BPTW]**



**Fig 11:** Indicative public realm – Green open space – example from elsewhere in London [image credit BPTW]

The placement of the new buildings will be carefully considered to ensure there is no adverse impact on the adjacent neighbours, the adequate distances will be kept ensuring the privacy is maintained and there are no overlooking issues. The improvements to the pavements, lighting, landscaped edges will benefit all, existing and the new residents. The intention is that all homes on the estate will be tenure blind, this means that all new homes on the estate will be of the same quality, regardless of tenure.



**Fig 12:** Indicative public realm – existing and new buildings street example – from elsewhere in London [image credit BPTW]

## THE VOTING PROCESS

The council is following Greater London Authority (GLA) Resident Ballot requirements for holding a ballot. This means there is no minimum turnout needed and the result will be based on a simple majority – in other words whichever vote (yes or no) receives the highest number of votes will decide if the scheme goes ahead or not.

It also means:

- **The ballot will be run by an independent organisation**
- **You can vote anonymously either in favour of our proposals or against them**
- **Voter eligibility is established by the GLA.**

### Who will be running the independent ballot?

Civica Elections Services, also known as CES. CES is an impartial and independent organisation. Croydon Council will not be able to see how individuals have voted. It will manage the ballot process in line with Greater London Authority (GLA) guidance. CES is an independent company with over 100 years' experience of administering ballots and are the UK's leading provider of election services. They will be responsible for:

- **Receiving and counting the votes**
- **Verifying that all votes have been casted legitimately**
- **Issuing the result.**

### Who can vote?

Residents who are able to vote on the future of the Regina Road Estate are anyone aged 16+ who are:

- **Social tenants and any joint tenants who have been named on the secure tenancy agreement**
- **Resident leaseholders who are named on the lease and have resided in their home for at least a year prior to the publication of the Landlord Offer on 27 March 2023**
- **Resident freeholders who are named on the deed and have resided in their home for at least a year prior to the publication of the Landlord Offer on 27 March 2023**
- **Residents who live on the estate as their principal home and who have been on the council's housing register for at least a year.**

### What question will be on the ballot paper?

The question is:

**Are you in favour of the proposal to demolish and rebuild homes as shown within the red line boundary on the Regina Road Estate?**

### How do I complete the ballot paper?

If you want to vote '**yes**' in favour of the proposal, **place an x in the box marked YES.**

If you want to vote '**no**' against the proposals, **place an x in the box marked NO.**

You may only vote once – the independent body checks and verifies every individual ballot paper, telephone vote and online vote to ensure that eligible residents only vote once. If a resident tries to vote more than once, only their first vote will be counted.

# THE VOTING PROCESS

## How do I cast a vote?

You will be able to vote using any of the following methods:

- **Post the completed ballot paper back to CES in the pre-paid envelope provided**
- **Vote online at [www.cesvotes.com/reginaroad](http://www.cesvotes.com/reginaroad) by providing the security code listed on your ballot paper**
- **Call the Freephone number listed on your ballot paper and provide the security code listed on your ballot paper.**

## When can I vote?

You can vote between **Wednesday 26 April** and **Monday 22 May**. The vote lasts for 26 days. The ballot closes at 5pm on Monday 22nd May. To be counted, your vote must be received by this time.

Your ballot paper will be delivered to your door when the vote starts. Once you have your ballot paper you can cast your vote using the methods stated above.

If you are voting by post, your ballot paper must have arrived by the deadline to be counted. Please make sure you send your vote back with plenty of time to arrive as any ballot papers received after the close will not be counted under any circumstances.

## When will I find out the result?

The results will be shared via a newsletter as soon as possible after CES issue the results to the Council. All residents will also receive a letter within five working days after the results are issued to confirm the results.

## What do the results mean?

### A 'Yes' vote

If the ballot result is in favour of the final option, we will deliver this option with resident input subject to relevant planning permission and other relevant permissions.

### A 'No' vote

If the ballot result is against the preferred option, this would mean that the council would need to reconsider its approach and we will do so in partnership with residents. We will consider different solutions to the property condition issues across the estate. A 'no' vote may present risks in relation to access to funding and potentially affect the timescales for change on the estate. This offer document and its contents will cease to apply in the event of a 'no' vote.

## What if I have questions about the process or my vote?

If you have any questions about voting, or if you have lost / spoilt your ballot paper and need a replacement, please contact CES on: [support@cesvotes.com](mailto:support@cesvotes.com) or call **020 8889 9203**.

## What happens after the ballot?

We will continue to work with residents through all aspects of the work on the option that has the majority support from residents. This will include selecting teams to deliver the option, evolving the design and submitting a planning application and confirming housing allocations.



# The Tenant Offer – Regina Road

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# THE TENANT OFFER (“OFFER”) – REGINA ROAD

## 1. INTRODUCTION

### 1.1 CONTEXT

This offer sets out the Council’s proposed approach to secure tenants who currently occupy the area identified as outlined in the plan below at Regina Road Estate.

This offer provides for different offer options dependent upon whether the block in which the resident lives is to be demolished and redeveloped or its defects remedied via refurbishment.

The terms “regeneration” and “regeneration scheme” used within the offer refers to both the option of refurbishment and the option of demolition and redevelopment.

Secure Tenant Offer has the following objectives:

- Fairly manage the rehusing, allocation, and payment compensation process
- Use the refurbishment or development opportunity to improve housing conditions in the Regina Road Estate
- Create a sustainable community in the Regina Road Estate area.



Fig 9: Plan No.1 – Showing location of three tower blocks and surrounding medium and low rise development within a boundary

## 1.2 DEFINITIONS AND ELIGIBILITY

The Offer applies to permanent rehousing of all Council tenants who are affected by the Refurbishment or Rebuilding at Regina Road (“the Regeneration Scheme”) in respect of the site plan (Fig 9) for the Regina Road Estate.

Residents in Temporary Accommodation within the Regina Road site plan will be eligible to vote at ballot if their principal home is on the estate and have been on the local authority’s housing register for at least one year prior to the date the Landlord Offer is published. This is irrespective of their current tenure. However, Households currently in temporary accommodation within the Estate will have their tenancies converted to a secure tenancy and will then have the same rights as others on the Estate to the provisions within the offer.

### DURATION

If accepted by a majority of residents eligible to vote and voting at ballot, the Offer will cease to apply once everyone who is entitled to exercise a right to return under this offer has exercised that right or declined to do so as provided for in this offer. The offer will only apply to those eligible to vote in the ‘ballot’. Once the regeneration is completed in full there will be no right of return. The Council’s main Allocation Scheme will continue to apply throughout and thereafter to all Council tenants.

If not accepted by a majority of residents eligible to vote and voting at ballot, the Offer will cease to apply at the point that the ballot concludes, and results are announced.

### COUNCIL TENANTS

For the purposes of the Offer, Council tenants are secure tenants who rent a home from the Council, including those who live in sheltered housing, as defined by the 1985 Housing Act.

### HOUSEHOLD MEMBERS

Subject to the exclusions below, all household members will be considered as part of the eligible tenant’s household for rehousing purposes.

This includes:

- **Secure tenants and their immediate household**
- **Co-habiting partners and spouses living together in a settled relationship with the eligible tenant for a continuous period of 12 months before being considered as part of the household**
- **Non-dependent children living continuously as part of the settled household since the start of tenancy or who have lived with the household since birth**
- **Children born since the start of the tenancy or other dependent children where the eligible tenant has principal care of the child on a permanent basis. Birth certificates will need to be produced to confirm relationship and dependency**
- **An adult relative who has become a settled member of the household because they need support and cannot live independently. This may be an elderly relative or someone who is disabled. Such persons must have resided with the household for a minimum of 12 continuous months before being considered as part of the household**
- **Live-in carers providing full time care to a member of the household.**

## THE TENANT OFFER (“OFFER”) – REGINA ROAD

The following household members will be **excluded** from being rehoused:

- **Unauthorised and authorised occupants including friends, lodgers and sub-tenants living with the Tenant**
- **Licensees**
- **Other non-secure occupants and persons included on applications for rehousing but who are not considered to be part of the tenant’s household**
- **Squatters**
- **Any household member who has moved in and caused overcrowding**
- **Children of the tenant whose main, principal home is elsewhere**
- **Any other person deemed ineligible by the Housing Act 1996 and relevant regulations thereunder.**

The Council will consider any exceptions not covered by the criteria above on a case by-case basis. Any exceptions will be subject to written approval by the Corporate Director of Housing and will be supported by reasons for the decision.

If the composition of any household changes or is expected to change (i.e. pregnancy) the main tenant is required to inform the Council as soon as reasonably possible. Evidence will be required to support any change to a household’s composition. The Council reserves the right to refuse the addition of a household member or members if it considers, in its absolute discretion, the evidence submitted is insufficient.

## 2. RE-HOUSING OPTIONS FOR COUNCIL TENANTS

### 2.1 REHOUSING OPTIONS

**2.1.1** The Council will rehouse any Council tenant being displaced from their home because of the Regeneration Scheme, with the following exceptions:

- **The Council will not rehouse any tenant who is awaiting eviction after a Court hearing for breach of their tenancy conditions for example, due to rent arrears or anti-social behaviour**
- **Tenants who have rent arrears will not be eligible to move into a new build property on any redeveloped site at Regina Road or any other site unless they have maintained payments of current rent plus their agreed arrears repayment plan for a continuous period of six months. The Council will deal sensitively with residents who have withheld rent due to disrepair. Tenants are still requested to pursue necessary channels of communication with the Council if unhappy about issues within their homes.**

**2.1.2** Tenants have a right to request a review undertaken by an Appeals & Reviews Officer against a decision not to rehouse under the above grounds. In undertaking this review, the Council will follow the statutory review process which is summarised in paragraph 2.1.3 below. If a tenant is unhappy with a decision, they and or their representatives can meet directly with the Council to present the case, or the presentation can also be in writing.

In conducting the review, the Council will consider personal circumstances, personal financial issues, issues around mental and physical health, economic circumstances, and all other relevant statutory information.

Reasons will be given for the outcome of the review and regardless of whether the outcome is successful or unsuccessful for the tenant. The Council must put the full reasons for their decision in writing to the tenant. The tenant can seek legal redress if they are not happy with the outcome of the review.

### 2.1.3 Requesting a Review

If you want a decision made with regard to your homeless application or accommodation provided in relation to that accommodation reviewed please tell us as soon as possible, preferably using the appropriate form (Review Form 1).

If we do not receive your request within 21 days of the day you received our decision letter, we are not obliged to review our decision.

Please ensure you give us an address where we may write to you during the period of review.

## Conducting the Review

The council has a period of 56 days to reach a decision on review.

The officer who will carry out the review will not have been involved in making the decision which you want reviewed and will be senior to the person who made the original decision on your application.

You will be informed of the review decision and the reasons in writing within the timescale outlined above. However, if we need more time to look into your case, we will write to you about this and agree a new time limit with you.

You should not rely upon the review altering the decision of the original investigating officer. Also, the reviewing officer may reach another decision which is not in your favour.

## Submissions

You – or someone acting on your behalf – may give us written details, including information from doctors, consultants, etc., of the reasons why you want us to review the Council's decision.

**Please note:** Under the Housing Act 1996 (as amended) not all decisions are subject to the review process. If, for any reason, the right of review does not apply to the matter which you raise in your request, we will write to you explaining the reasons.

## The rehousing options available to Council tenants are set out below:

### OPTION 1 – MOVE TO AN EXISTING COUNCIL PROPERTY ELSEWHERE IN THE BOROUGH

- Council tenants who wish to move to an existing council property elsewhere in the borough will be given the opportunity to do so.
- Tenants will be entitled to three direct offers of alternative accommodation that meet the housing needs of the household.
- For tenants who would like to move outside of Croydon Borough, the Council will identify suitable vacancies including through Homefinder UK.
- The Council will try and keep those wishing to move as close to their existing networks at Regina Road.

### OPTION 2 – MOVE TO AN EXISTING HOUSING ASSOCIATION PROPERTY ELSEWHERE IN THE BOROUGH

- Council tenants who wish to move to a property owned and managed by a Housing Association elsewhere in the borough will be given the opportunity to do so.
- Tenants will be entitled to three direct offers of alternative accommodation.
- Tenants who choose this option will be supported by the designated Housing Officer to ensure they understand the differences between the Council and Housing Association tenancies and can afford the rent. The Independent Tenant Advisor is also available for advice.
- The Council will try and keep those wishing to move as close to their existing networks at Regina Road.

## THE TENANT OFFER (“OFFER”) – REGINA ROAD

### **OPTION 3 – MOVE TO A SHELTERED HOUSING OR EXTRA-CARE SCHEME PROPERTY ELSEWHERE IN THE BOROUGH** (SUBJECT TO ELIGIBILITY FOR THE PARTICULAR SCHEME)

- Council tenants who are eligible and wish to move to a property in either a Sheltered or an Extra Care housing scheme elsewhere in the borough will be given the opportunity to do so.
- Dedicated scheme officers will also provide residents with on-site support including for the viewing and moving processes.
- Tenants who meet the following criteria will be eligible for offers in a sheltered scheme:
  - 55 years and over; or
  - Aged 55 to 59 years and in receipt of Personal Independence payments; and
  - Single or joint applicants with no children; and
  - In need of the housing support provided by the scheme.
- Tenants will be nominated for consideration by a Panel for Extra Care accommodation. Extra Care housing is for people who require a high-level support due to:
  - Frailty;
  - Ill-health; or
  - Restricted mobility.
- Tenants will be entitled to three direct offers of alternative accommodation as close as possible to the regeneration area.

### **OPTION 4 – PURCHASE OF AN AFFORDABLE HOME ELSEWHERE THROUGH A LOW-COST HOME OWNERSHIP SCHEME**

- Council tenants who are able to purchase a home or have savings will be supported in the process to purchase an affordable home.
- A number of affordable homes are being built in the borough under Shared Ownership and Shared Equity schemes and tenants can also be supported with advice on how to purchase such properties, as well as properties on the open market.
- Officers will endeavour to provide housing advice on whether this is an affordable and viable option based on individual financial circumstances.

### **OPTION 5 – RENT A PROPERTY ELSEWHERE WITH A PRIVATE LANDLORD**

- The Council can help tenants to move to a property in the private rented sector. This may be a good option for a tenant who would like to move near a support network in another borough or outside London.
- The Council can provide assistance about affordable private rented accommodation by liaising with landlords in or outside of the borough as well as offering financial assistance towards the required deposit and first month's rent.

### **OPTION 6 – MOVE TO A NEW PROPERTY IN DEVELOPMENT ON THE ESTATE OR NEARBY ONCE COMPLETED**

If redevelopment is how the project progresses (rather than refurbishment), the Council is proposing to build new council housing across the site as part of the Project. Priority for the new build homes will be given to those who have had to move because of the regeneration scheme. Tenants will only be given one opportunity to move back to the new homes that have been built.

This option will apply to tenants who have initially:

- **Moved to a council or housing association property elsewhere within the borough on a temporary basis**
- **Moved to a sheltered housing property elsewhere in the borough on a temporary basis.**

Tenants who have rent arrears will not be eligible to move into a new-build property in the redeveloped estate unless they have maintained payments of current rent plus their agreed arrears repayment plan for a continuous period of six months.

The Council will judge each case on its merits and take a sensitive approach to each case.

## **2.2 ALLOCATION & ELIGIBILITY PRINCIPLES AND PROCEDURES**

- **Officers will carry out one to one meetings with Council tenants to establish the needs of the household including whether they would like to register an interest to return to a new build property in the redeveloped area if redevelopment is the option progressed and when they are become available.**
- **As part of this process, the following information will be gathered:**
  - Proof of tenancy
  - Housing composition (*verifying who lives at the home and that all household members are eligible for rehousing*)
  - Rehousing option preference
  - Bed size requirement
  - Type of property preferences (*floor level, block type and house type*)
  - Location of property preferences (*area preference in Croydon or out of borough*)
  - Preference to be near to friends, family, current neighbours (*as a group move*) or support service
  - Any medical, health, mobility, social or risk factors that should be considered
  - Current location of children’s schools and workplace
  - Preference of when they would like to move (*i.e. as soon as possible, within a specific time frame*)
  - Equalities information for monitoring purposes.
- **Anonymised data will also be shared with any development partner for the project in accordance with the relevant privacy notice provided to residents, helping them to understand what existing tenant’s accommodation needs are for the provision.**
- **The tenant will be notified of the outcome following assessment of their eligibility and needs.**

**This notification will:**

  - Confirm the Housing Needs Band that the tenant has been placed in. (The Current Allocation Scheme provides that tenants will be placed in Band 1 if it is necessary for the Council to decant them due to refurbishment or redevelopment works such as are currently proposed)
  - Confirm the size (and if applicable, the type) of property the tenant is eligible for

## THE TENANT OFFER (“OFFER”) – REGINA ROAD

- Confirm the tenant’s effective date (*the effective date will be based on the date their first Council tenancy commenced*)
- Include a reminder about informing the Council of any change in the household’s circumstances
- Provide details of the Review process.
- The tenant will be awarded the Highest Priority Band (i.e. Band 1) based on the requirement for them to move as a ‘decant’ for regeneration purpose. The effective date will be based on the date their first Council tenancy commenced.
- The Council will make direct lets to affected households and no household will be required to bid for a home.

### 2.3 IDENTIFYING AND MAKING AN OFFER OF ACCOMMODATION

- Tenants will be entitled to a maximum of three direct offers (*those eligible for either a Sheltered or an Extra Care housing scheme will also be entitled to three direct offers*) of accommodation.
- The Council will check whether a vacant property is suitable for a tenant on the regeneration decant waiting list.
- Once a suitable property has been identified, the Council will contact the tenant (usually by telephone) to give the details of the property that is being offered and make an arrangement for the tenant to view the property. This will be followed by a formal offer letter.
- The tenant will be asked to view the property within 14 days and then to sign the tenancy agreement. If they do not consider the property is suitable for themselves or their household, they will be asked to complete a form setting out their reasons for refusing the offer. If a tenant fails to view the property within this time frame, then this will be deemed a refusal of the offer.

A tenant can ask for a Review by a Reviews Officer of the suitability of the accommodation offered regardless of whether they accept the offer or not. The reasons will be considered as part of the Review and a decision will be made as to whether the offer was reasonable or not.

The review process is as set out at paragraph 2.1.3 above.

However, it is important to point out that the definition of suitability is enshrined in law. Factors the Council can consider are:

- Distance from school if studying for GCSEs
- Distance from work
- Medical conditions
- Whether a property is affordable
- Safety from domestic abuse or other violence as reported to the police
- Any other special circumstance.
- Should the tenant refuse all direct offers of suitable accommodation and their review options are exhausted; the Council may start early possession proceedings in order to obtain vacant possession of the property in time for potential demolition. Applicant has a right of review.
- Considering the long timescale of the programme and waiting times for rehousing, the Council will check the detail of the needs assessment at the point of making an offer to ensure that there has been no change of circumstances and the offer is suitable.
- The Council will liaise with other council services such as the Occupational Therapy Service, Adult Social Care, Children’s Services etc. to ensure the tenant’s health and support needs are addressed.
- All necessary adaptations will be considered.



## 2.4 ESTIMATED WAITING TIME FOR AN OFFER OF ACCOMMODATION

- **The timescales of when a tenant may be offered alternative accommodation will depend on:**
  - The available supply of accommodation that is suitable to meet their housing needs
  - Offers of accommodation will be prioritised based on the following criteria:
    - A tenant from regeneration site will be matched to a vacant property on or near Regina Road
    - The housing needs and vulnerabilities of each tenant matched will then be assessed to determine which tenant has priority for the match
    - If there is more than one tenant whose needs are suitable for the vacant property, the offer will be made to the tenant who has been a council tenant the longest (*based on the tenancy start date*).

## 2.5 BEDROOM SIZE ENTITLEMENT

The size and type of property that an applicant could have will depend on the size of their household.

When assessing the size of accommodation suitable for your household we will provide either bedsit or one bedroom accommodation for single person households. For other households we will assess as requiring a separate bedroom for:

- **You and your spouse or partner**
- **Each adult in your household aged 21 or older**
- **Every pair of adolescents in your household of the same sex aged between 10 and 20**
- **Every pair of children in your household aged less than 10 years regardless of sex.**

**Tenants needing larger homes** – For households who require more than four bedrooms, the Council will work with them to consider alternative housing options on a case-by-case basis as there is limited supply of larger council-owned accommodation. For example, the household might wish to consider separate housing for adult children. Such housing situations will be subject to approved by the Corporate Director of Housing.

**Downsizing** – If a tenant chooses to move into a smaller property that meets their housing needs as part of the Regeneration Scheme, they may, subject to budget availability, be entitled to a downsizing payment for any subsequent room returned to the Housing Service.

## 3. RIGHT TO RETURN

### 3.1 RIGHT TO RETURN

Previous tenants of Regina Road will retain the Right to Return until one or more of the following has occurred:

- **The tenant has informed the Council that they do not wish to return to Regina Road**
- **The tenant has received and accepted a permanent offer of a suitable alternative property elsewhere. This offer will be made based on their Housing Need at the time of the offer.**

# THE TENANT OFFER (“OFFER”) – REGINA ROAD

## 4. PAYMENTS MADE TO TENANTS

### 4.1 HOME LOSS PAYMENTS

**4.1.1** A Home Loss Payment is made where qualifying residents are required to leave their home due to a Local Authorities plans for regeneration. The payment is a sum in recognition of the inconvenience of having to move out of an existing home. The basis on which Home Loss Payments are made, is set out in statute, the Council has undertaken to make a Statutory Home Loss Payment to all qualifying residents displaced as a result of its regeneration proposals. Where there is no statutory requirement to make a Home Loss Payment the Council will instead offer qualifying residents, subject to application, a disturbance payment as detailed below.

#### Home Loss Payment entitlement criteria

**4.1.2** A resident should:

- Have lived in the affected dwelling, or a substantial part of it, as their only or main residence for a period of at least 12 consecutive months. Proof of residency is required to support an application for a Home Loss Payment, for example, mortgage statements, Council Tax receipts, bank statements and utility bills; and
- Have an interest or right to occupy the property that is freehold, leasehold, statutory tenancy or restricted contract under the Rent Act 1977, or a right to occupy under the terms of the employment or under a licence where secure tenancy or introductory tenancy provisions apply
- Be displaced from a dwelling on any land in consequence of one of the reasons set out in Section 29 of the Land Compensation Act 1973.

*(These reasons include where the Council uses its compulsory purchase powers, makes a housing order in respect of the dwelling and the making of an order for possession on ground 10 or 10A in Part II of Schedule 2 to the Housing Act 1985)*

#### Additional criteria

**4.1.3** The following criteria are additional to the criteria in 4.1.2 above, and applicable:

- Home Loss Payments will only be paid once, in all circumstances, for the displacement from the property affected by the Regeneration; and
- Home Loss Payments are subject to the resident surrendering their tenancy of the property affected and giving vacant possession to the Council in order for it to be redeveloped through the programme, and will only be payable once the tenant or owner has handed back the keys to their property to the Council (unless there are exceptional circumstances as agreed by the Corporate Director of Housing); and
- Joint tenants or co-owners will be entitled to one Home Loss Payment to share between them; and
- Squatters and trespassers will not be paid compensation in the form of a Home Loss Payment, basic loss payment or Disturbance Payment; and
- Tenants who are being evicted prior to the decant will not receive a Home Loss Payment; and
- Home Loss Payment will not be paid to a tenant living in the property on a temporary or non-secure tenancy or licence as a result of being homeless.

#### Home Loss Payment Levels

**4.1.4** The level of home loss compensation is set by the Government in accordance with the Planning and Compensation Act 1991, the Land Compensation Act 1973 and HomeLoss Payments (Prescribed Amounts) (England) Regulations (2022). The level is currently £7,800 and is reviewed annually.

## Set-off of debts owed to the Council

**4.1.5** The Council reserves the right to seek to debit part or all of the Home Loss Payment to settle outstanding debts owed by council tenants i.e. rent arrears by way of equitable set-off. Residents must therefore make every effort to clear any debt owed.

**4.1.6** Home loss payment will be paid following deductions of:

- Any rent arrears against the property (including former tenant arrears);
- Any court costs regarding the tenancy;
- Any garage rent arrears owed by the tenant;
- Any Council Tax arrears in respect of the property;
- Any re-charges in relation to property damage, caused either deliberately or through neglect.

## Administration of Home Loss Payment

**4.1.7 Property owners** – When the Council completes the valuation of the home, a valuation letter will be sent which will include the market value of the home and any entitlement for home loss, disturbance or basic loss payment.

**4.1.8 Council tenants** – When a property has been identified for a tenant to move into, the Council will notify you of any Home Loss Payment/disturbance payment entitlement. Home Loss Payments will be made net of the above debts. Council tenants have the right to request a review of any proposed or actual deductions providing this is received in writing within 14 days of notification of such deductions.

**4.1.9** The compensation payments set out within any documentation will be conditional on occupiers providing vacant possession of the property and payments will only be made after keys to the property have been handed to the Council with vacant possession.

**4.1.10** Depending on individual circumstances, the Council is required to make payment on or before the latest of:

- The date of displacement; or
- Within three months from the date of the displacement; or
- The date on which the market value of interest was agreed or determined or paid.

**4.1.12** The Council will make payments directly into the resident's bank or savings account.

**4.1.13** Home Loss Payments are only made where the property is acquired compulsorily – for example under Compulsory Purchase Orders or possession orders under ground 10 or 10A in Part II of Schedule 2 to the Housing Act 1985.

## 4.2 DISTURBANCE COMPENSATION

**4.2.1** Disturbance compensation is paid where residents are required to leave their home to compensate for reasonable financial costs associated with moving and acquiring a new home. The aim of the payment is to cover the expenses of moving so that the resident is not financially better or worse off as a result of the regeneration programme.

**4.2.2** Disturbance compensation is generally restricted to legal occupiers. However, investment owners (non-resident leaseholders/freeholders) can claim for reimbursement of the reasonable legal costs incurred in acquiring a replacement UK property within 12 months of the acquisition of the new property if they are not eligible for statutory homeloss or basic loss payments. 'Reasonable costs' do not include weekly rent payments or any other personal loss incurred through the process that should normally be covered by an occupier's own insurance policy.

## THE TENANT OFFER (“OFFER”) – REGINA ROAD

**4.2.4** Disturbance compensation can be claimed for:

- Expenses related to arranging own removal or the Council would arrange removals and pay for these directly
- Re-direction of mail for each authorised surname living at the address (for one year only)
- Alterations to furnishings, e.g. uplifting, refitting and alteration of carpets and curtains
- Disconnection and re-connection of services e.g. broadband, phone line and domestic appliances
- Special adaptations previously assessed as required in the new property
- Costs of new school uniforms if being rehoused in a different area and children need to change schools
- Replacement carpets, curtains white goods or furniture (*reasonable costs allowed if residents can demonstrate existing furnishings, white goods or furniture will not fit in new home or be modified*)
- Legal fees arising from the sale of the property and the acquisition of a replacement property including:
  - Solicitor and surveyor fees arising from the sale of the current home and acquisition of a replacement property
  - Mortgage redemption and arrangement fees
  - Stamp Duty land tax arising from the acquisition of a new property (*up to the agreed value of the home*).

This list is not exhaustive and other reasonable additional costs incurred by residents may be met. Housing Officers will be able to advise whether an expense will be considered reasonable.

### Disturbance Compensation Levels

**4.2.5** The level of disturbance compensation will vary from claim to claim and is dependent on claimant’s specific circumstances. Payments will be made for each eligible item.

**4.2.6** Property owners will be entitled to claim for reimbursement of the purchase costs reasonably incurred when acquiring a new property. The level of reimbursement will be assessed in line with normal compensation principles. Owners should be aware that purchase costs in excess of those that would be incurred for the purchase of a home of equivalent value to their existing home may not be reimbursed.

**4.2.7 Council tenants** – for tenants who move into alternative accommodation as their settled accommodation, the payment will be made once. For tenants who move twice (to an initial home and back to the redeveloped home), the payment will be made twice. This does not apply to Home Loss Payments which are only paid once to eligible residents.

**4.2.8** The following criteria will also apply:

- Joint tenants or co-owners will be entitled to one disturbance Payment to share between them; and
- Squatters and trespassers will not be paid compensation in the form of a Home Loss Payment, basic loss payment or Disturbance Payment; and
- Tenants who are being evicted prior to the decant will not receive a disturbance Payment; and
- Disturbance Payment will not be paid to a tenant living in the property on a temporary or non-secure tenancy or licence as a result of being homeless.

### Administration of Disturbance Compensation

**4.2.9** In line with Government guidance, it is the Council’s policy to require resident to provide supporting evidence for the claim. Therefore, residents will be asked to complete a claim application form detailing the items sought to be claimed and provide receipts or invoices or alternative proof for each item being claimed for. For audit and administration purposes, individuals will need to establish their claims for compensation.

**4.2.10** In order to make a claim, an application form must be completed. The claim should be made in writing and it is advisable for it to be made as soon as possible after all the information necessary to support the claim is available.

**4.2.11** Payments will be paid directly to the resident (main or joint bank account).

**4.2.12** The Council will have a contractor to help residents to assist with removals, disconnection and reconnection of appliances and other actions associated with the moving process. In such cases, residents can choose to have an 'assisted move' through the Council or make their own arrangements. The Council can refuse costs which are considered unreasonable, and all services used must comply with the appropriate trading standards. In all cases residents are advised to check with the Council before choosing their own service providers in order to ensure that the cost is considered reasonable to be covered by a disturbance compensation.

**4.2.13** Should a property owner use their own service provider, it is advised that receipts and invoices are on a company headed paper with information about VAT number, company registration and contact details.

**4.2.14** If there is a dispute over whether the Council will pay for an item or an amount, then either the person concerned, or the Council can apply to the Upper Tribunal (Lands Chamber) for a decision on this. Independent advice or a third party arbitration process may also be considered depending on the individual circumstances of the case.

### **Advance Payments**

**4.2.15** The Council will ensure that, where eligible, displaced residents and property owners are advised of their entitlement to receive an advance payment

**4.2.16** If the Council has taken possession of any land under its compulsory purchase powers, there is an obligation to make an advance payment of compensation, if the claimant makes a request (section 52, LCA 1973).

**4.2.17** In this case, the advance payment must be 90% of the amount estimated by the Council or 90% of the amount agreed between the Council and claimant. The payment is registerable as a local land charge by the Council and can be set off against any payment to a subsequent owner.

## **5. LOCAL LETTINGS PLAN**

### **5.1 BACKGROUND AND NEED FOR LOCAL LETTINGS PLAN**

This Local Lettings Plan is made pursuant to the provisions of s.166A(6) Housing Act 1996 (as amended) and/or s.21 Housing Act 1985 and sets out the principles and procedures adopted by the Council for the allocation of housing to Council tenants who will be affected by the Regeneration Scheme.

The Tenant Offer for Regina Road offers a Right to Return to all tenants in Regina Road estate who have been required to move due to refurbishment/redevelopment works. To honour this commitment, this Local Lettings Plan sets out the priorities for vacant homes on the Regina Road estate once redeveloped.

- **Application of the Plan as set out in the areas marked on the map on page 5**
- **This lettings plan will remain in place until there are no remaining tenants with the Right to Return.**

This plan does not apply to lets where a property is unavailable due to successions or legal reasons.

This plan does not apply where decisions have been taken not to fill vacancies within Regina Road estate due to upcoming decisions regarding refurbishment or redevelopment and associated works.

### **5.2 PRIORITY FOR VACANT PROPERTIES ON REGINA ROAD ESTATE**

- **Each vacant property on the estate will be offered to households in the following order of priority. With the exception of those returning to their original home (priority a), priority will be given to household with the earliest Regina Road tenancy start date.**

## THE TENANT OFFER (“OFFER”) – REGINA ROAD

- Where repairs have been completed on properties within Regina Road Estate Priority will be given to the previous tenant of that particular property who retains a Right to Return, regardless of their Housing Needs.

### 5.3 WHERE THERE REMAIN TENANTS WHO NEED TO BE REHOUSED THE PRIORITY WILL BE IN THE BELOW ORDER:

- Tenants from these blocks who are vulnerable
- Tenants from these blocks with a local connection
- All other tenants from these blocks.

### 5.4 WHERE A DECISION IS MADE TO DEMOLISH BLOCKS AT REGINA ROAD ESTATE, PRIORITY WILL BE GIVEN IN THE BELOW ORDER:

- Tenants retaining a Right to Return and who have a Housing Need for this size property, with priority to those with the earliest Regina Road tenancy start date.
- Households as determined by the Allocations Scheme.

### 5.5 DEFINITIONS

- Housing Needs and suitability of properties will be determined by the Allocations Scheme in force at the time.
- Tenants will have the right to a review if they believe that the property is not suitable unless they are the original tenant of that property. The review process is at paragraph 2.1.3 above.
- The start date for those who succeeded to their tenancy will be the start date of the original tenancy so long as the tenancy was also in the same property.
- Vulnerable tenants are tenants (or members of their household) who are vulnerable, at high risk to themselves or the property, or who have specialist needs such as mobility requirements.
- Local connection is taken to mean where a tenant or member of their household is attending a local school or have support services only available in the local area or those who are working locally.
- Tenants who need to be rehoused are those who need to move prior to any repair works or demolition and living in the Regina Road Estate.

### 5.6 PREVIOUS TENANTS WILL RETAIN THE RIGHT TO RETURN UNTIL ONE OR MORE OF THE FOLLOWING HAS OCCURRED:

- The tenant has informed the Council that they do not wish to return to their original home
- The tenant has received an offer to return to their original home. This offer will be made regardless of their Housing Need
- The tenant has received an offer of a suitable alternative property on the Regina Road Estate. This offer will be made on the basis of their Housing Need at the time of the offer regardless of the size of their temporary original home
- The tenant’s tenancy at their temporary home has been ended.

### 5.7 DISCRETION

This plan cannot cover every eventuality and the Council reserves the right to make offers outside of this letting plan in exceptional circumstances and authorises the Corporate Director of Housing to do so. Any exercise of such discretion shall be recorded in writing with reasons.

# Leaseholder and Freeholder Offer

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# LEASEHOLDER AND FREEHOLDER OFFER

## 1. INTRODUCTION

### The options available to leaseholders and freeholders on LB Croydon Estates

This offer is designed for leaseholders and freeholders who own a property on the Regina Road Estate which is affected by the need to refurbish or demolish and redevelop at the site who have been living in their properties as their only or principal home for at least one year prior to the date the Landlord Offer is published and are named on the lease or freehold title for their property, and have been in occupation of their property.

This is a special status which has been given to an estate because it has specifically been identified as needing refurbishment or redevelopment due to its current poor condition, which falls below the Government's Decent Homes Standard.

If, following the ballot, the decision is taken to demolish and redevelop on the site of the Regina Road Estate, Croydon Council will need to purchase your property before any redevelopment can proceed. This offer sets out the financial compensation and general assistance you will receive from the Council if your property is identified for demolition. This offer also outlines the Council's overall proposed approach to acquiring your property and the options available to assist you to find a new home. If not accepted by a majority of residents eligible to vote and voting at ballot, the Offer will cease to apply at the point that the ballot concludes, and results are announced.

We understand that having to sell your home to the Council can be an unsettling experience. We hope that the information set out here will reassure you about the process and the options available to you. Whatever your preferred option is, we aim to make the purchase of your home and your move from it easy and as stress-free as possible.

Based on feedback from residents, the Council has sought to improve the options available to affected leaseholders and freeholders so that any future proposed development in the local area maximises the benefits to local people.

No party (either the Council or any leaseholder) is financially better or worse off as a result and leaseholders should not be financially disadvantaged by the regeneration.

We know that the offer cannot cover every eventuality, and provision needs to be made to ensure there is sufficient flexibility to address the personal circumstances of affected leaseholders. The principles set out in this document therefore set out the general approach. Where cases fall outside the offer, the Corporate Director of Housing will consider leaseholders' and freeholders' individual circumstances on a case-by-case basis based on the principles set out in this document.

## 2. WHO DOES THE OFFER APPLY TO?

This offer applies to all resident and non-resident leaseholders or freeholders on the Regina Road Estate who are going to be affected by proposals to refurbish or demolish and redevelop at the Estate.

For the purposes of this offer a resident leaseholder or freeholder (hereafter referred to as resident leaseholders) is one that has been in occupation of the property as their only or main home for at least one year preceding the date of the Notification Letter from the Council setting out its intention to acquire the property. A non-resident leaseholder is one that does not meet this criteria.

The entitlement for non-resident leaseholders or freeholders (hereafter referred to as non-resident leaseholders) differs slightly from resident leaseholders and is set out in section 5.

If your property is earmarked for a later phase of a regeneration scheme and you wish to sell your property, for whatever reason, the Council will consider purchasing your home at an earlier stage. This is referred to as an Early Buyback.



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### 3. WHEN WILL MY HOME BE PURCHASED?

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If a decision is taken to demolish and redevelop on the Regina Road Estate, and this will impact on your property, the Council will share timescales for the redevelopment at the earliest opportunity to help you plan. Redevelopment of larger estates is often organised on a phased basis. This means that properties are redeveloped in accordance with a programme, which is agreed (wherever possible) at the beginning of the scheme. This will be fully explained to leaseholders and freeholders during the consultation process.

Whilst the Council will endeavour to adhere to the agreed programme, please note that multi-phase developments planned over many years will almost inevitably encounter unforeseen events that can either delay or require changes to the original programme or lead to a re-ordering of phases. The Council will communicate any material change to the programme, if necessary, as soon as possible.

### 4. THE PURCHASING PROCESS

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This section outlines the Council's overall approach to purchasing your property and the options available for both resident and non-resident leaseholders. This is subject to the outcome of statutory consultation which will indicate whether refurbishment or demolition and redevelopment is the most appropriate option for the Regina Road Estate.

#### 4.1 CONSULTATION

##### **Notification Letter**

At the start of any potential redevelopment process (or relevant redevelopment phase for larger projects) that affects your home, officers from the Council will seek the necessary approvals to commence the purchasing of leaseholders' or freeholders' properties. Once these approvals are in place leaseholders or freeholders will be sent a Notification Letter. This will set out the Council's intention to purchase your property and will invite you to an initial meeting.

##### **Meeting**

At this initial meeting the redevelopment proposals will be shared with all leaseholders and freeholders. Council officers will explain how leaseholders and freeholders will be affected and will explain the purchase process, the options available to leaseholders and freeholders, and the assistance and support that can be provided for the Regina Road Estate.

##### **One-to-one meeting**

Each leaseholder and freeholder will be invited to an individual meeting with a Council officer from the Regeneration Team to discuss your case and to answer any questions that you may have about the process.

The aim of the meeting is to provide clear information about what you can expect from the purchase process and to discuss the options available to you. The Council is committed to ensuring that all residents are treated fairly and equally, have confidence in the process, and receive a high level of service.

At this point you should advise the Council officer whether you are a resident or non-resident leaseholder. If you are a non-resident leaseholder, it is important to note that the Council is under no formal obligation to rehouse either your tenant or any other occupant in the property, and the purchase will only be concluded with vacant possession of the premises provided by you. Further information about the entitlements for non-resident leaseholders is detailed in section 5.

The Council understands that the purchase process can be a difficult time, so you are free to request further meetings with the Council officer to discuss any queries or issues you may have. Where possible and reasonable, the Council officer will make themselves available for meetings outside of normal working hours.

## LEASEHOLDER AND FREEHOLDER OFFER

### 4.2 VALUING

After the consultation stage an independent surveyor acting for the Council will arrange to visit you and carry out a valuation of your home. Following this visit, the surveyor will send you a written offer for your home. This will be the market value of your property plus 10% Homeloss payment.

The surveyor considers the following matters in assessing the market value of your property:

- **The internal condition**
- **The location of the property and amenities within the area such as transport links, shops, and services**
- **The housing market in the immediate area, including recent completed sales prices of similar ex-local authority properties in areas nearby of a similar age and condition**
- **Anything else that in the reasonable opinion of the valuer has a material impact on the value of the property**
- **An acceptable fire rating. Valuation will take into account acceptable fire rating and good external repair (based on EWS1 with an A2 risk rating).**

Please note that valuations are not based on website estimates or estate agent asking prices, but instead on actual completed sales recorded at the Land Registry and the professional assessment of the Council's surveyor, as above.

The written offer will also include details of the compensation to which you are entitled. Please see **Section 5** for further information regarding compensation. The valuation is valid for a three-month period from the date of the valuation letter, although this period can be extended with the agreement of both parties.

#### **Market value**

The definition of market value, as prescribed by the Royal Institute of Chartered Surveyors, is, in short, the price at which the property would change hands between a willing buyer and a willing seller. This means an assumption that neither the buyer nor the seller are under any compulsion to buy or to sell, and both have a reasonable knowledge of the relevant facts. The Council's offer will be at the market value plus 10%

#### **What should I do if I disagree with the Council's valuation?**

If you disagree with the Council's valuation of your home, you are encouraged to obtain your own valuation completed by an independent chartered surveyor.

If you decide to obtain your own valuation, there will be costs attached. The Council will pay a reasonable amount to cover these costs. The surveyor you choose should be completely independent of the Council and must be a member of the Royal Institution of Chartered Surveyors (RICS).

More information about appointing a surveyor can be found on the **RICS website** ([www.rics.org](http://www.rics.org)), by contacting them on **024 7686 8555**, or by email at [contactrics@rics.org](mailto:contactrics@rics.org).

#### **Expert Determination**

After a period of negotiation, if the valuations of the Council's surveyor and your surveyor differ and there is no prospect of the two surveyors reaching agreement, then with your written agreement the Council may choose to make an application to the RICS for an independent expert to carry out a determination of market value.

Whilst the RICS will determine the identity of the expert, the Council will agree the form of application to the Dispute Resolution Service with you, and there will be the opportunity to tell the RICS if there are any firms that we know to be conflicted. If the Council seeks to pursue this option, you will be asked to speak to your surveyor to confirm that they would be happy to participate in the Expert Determination as they may need to undertake some additional work to assist the process. The Council will reimburse their additional reasonable and proper costs in relation to this.

The outcome of the Expert Determination is not legally binding.

Where necessary, this process will be followed in respect of valuations for existing properties. In relation to existing properties if a higher value than its current offer is determined because of the Expert Determination, the Council commits to pay the higher amount. If a lower value is determined, the Council will honour its existing higher offer.

### **4.3 COMPULSORY PURCHASE**

If agreement is not reached either through negotiation or by the Expert Determination process, then the Council will seek to proceed with the purchase of your home through use of a Compulsory Purchase Order (CPO). This will be a last resort for the Council as our preference is always to reach an agreement with you through negotiation wherever possible.

Due to the amount of time a CPO takes to put in place and the importance of the refurbishment or redevelopment of the Regina Road estate proceeding the Council will start preparing for a CPO once the consultation phase has commenced. This will be explained to you during the consultation phase. If we are unable to agree a price for your property by the time the Council needs possession of your home, we will write to you about using our powers of compulsory purchase to take possession of your property. In this scenario, and where the Council has implemented a CPO, either party is able to apply to the Upper Tribunal (Lands Chamber) to determine compensation. This is an independent judicial body set up by the Government to resolve disputes concerning property issues.

The tribunal has the powers of a court of law equivalent to the High Court but is intended to be a more informal, less expensive, and faster route to resolving property disputes. If an appeal is necessary on a point of law, then the decision lies with the Court of Appeal. Cases are usually heard by a single member, but in certain circumstances they may be heard by two or even three members. The decision of the Upper Tribunal (Lands Chamber) and, if necessary, the Court of Appeal is final. The value agreed by the Tribunal is the value you will receive for your home, with no further negotiation or right of appeal, and this could be higher or lower than the Council's offer.

Leaseholders and freeholders should be aware that the Upper Tribunal (Lands Chamber) determines who should pay the costs of the tribunal. This cost can be charged to you personally in some cases. You are strongly advised to seek legal advice in this respect.

In circumstances where a CPO is implemented, you are entitled under the law to request an advance payment of compensation. We recommend that you seek legal advice regarding this process if necessary.

The level of advance payment will be 90% of the Council's estimate of the market value of your property. Please note that if a property is mortgaged the Council is required to retain sufficient funds to discharge that mortgage and cannot make an advance payment if the mortgage(s) are 90% or more of the Council's valuation.

We will also seek to make you a proportional Home Loss or Basic Loss payment at the same time as your advance compensation is paid if you are entitled to this.

### 5. ENTITLEMENT TO COMPENSATION

As it is the Council that wants to buy your property, it is important that you are reimbursed for any relevant and reasonable costs that you incur as a result. This section details what you as a leaseholder or freeholder are entitled to from the Council in terms of compensation. The type of compensation you are entitled to depends on your circumstances and whether you are a resident or non-resident leaseholder. There are different types of compensation you may be entitled to, and it is therefore recommended that you seek legal advice.

#### 5.1 COMPENSATION FOR RESIDENT LEASEHOLDERS

##### Home Loss Payment

A Home Loss Payment is an additional sum of money that you are legally entitled to if you are being compelled to leave your home in certain circumstances, such because of a potential regeneration scheme. This payment is in addition to the payment of the market value for your home. It is designed to compensate you for the inconvenience, stress and upset caused by the move.

If you qualify for Home Loss Payments, you would currently be entitled to 10% of the market value of your home, with a minimum payment of £7,800 and maximum payment of £78,000. These payments levels were set statutorily and are effective for any displacements on or after 1 October 2022. These are set by statute and are annually reviewed.

You will also be required to provide sufficient proof that you have owned and lived in the property for at least a year in the form of bank or mortgage statements, council tax statements, utility bills etc. The Council may carry out other checks to ensure that those who claim to be resident leaseholders actually are.

The Home Loss Payment is paid when the Council completes the purchase of your home (*or you will receive a proportional Home Loss Payment while the Council makes an advance payment of your compensation, if that is what you have requested – see [Section 4.3](#) above*).

##### Disturbance Payment

A Disturbance Payment is additional compensation that you may be entitled to, which is designed to compensate you for certain costs that you may incur because of having to move home.

Some of the items that may be claimed are listed below, although this is not an exhaustive list:

- Removal costs
- Special adaptations to the replacement premises, (*e.g. for those with disabilities*)
- Altering soft furnishings and moveable fittings and fixtures to fit your new home
- Disconnection and reconnection of services (*gas, electricity, telephone etc.*)
- Redirecting mail (*for one year only*)
- Carpet alterations
- Curtain alterations
- Disconnection and reconnection of appliances (*e.g. washing machines, cookers*).

It is important that you keep a detailed record of the costs incurred in connection with the move. For the Council to reimburse you for these reasonable costs, you are required to provide the Council with receipts for all reasonable costs. It is important to get a receipt or pro-forma invoice from the companies that you use to carry out any works or services that you wish to seek reimbursement for.

To claim costs owed to you, you must use reputable companies that will provide genuine receipts and invoices stating the following information:

- **Their VAT Number**
- **Company headed paper**
- **Contact details**
- **Company registration details**
- **Date**
- **Invoice number**
- **Description of services provided**
- **Invoice total.**

If any items that you wish to claim for are over £500, the Council will require three quotes from reputable companies to ensure that value for money is achieved. For works or services over £500, the Council will need to approve all payments in advance of the work being commissioned.

If you require help in making upfront payments please contact the Council, who may be able to assist.

### **Additional costs incurred in selling your home and/or purchasing another property**

In addition to Home Loss and Disturbance Payments, you can also claim for reimbursement of legal and/or surveyor's costs you incur that are linked to the sale of your current property and (where relevant) the purchase of your new home and to the extent that these costs have not already been considered as part of other payments. These costs may include, for example:

- **Legal (*conveyancing*) fees arising from the sale of your home to the Council and the purchase of a new property**
- **Stamp Duty Land Tax (*relevant to the value of your existing property*)**
- **Surveyor's fees arising from the acquisition of a replacement property**
- **Survey fee and costs in connection with the redemption/transfer of an existing mortgage or raising a new one.**

Once you have found a solicitor and/or a surveyor you will need to obtain a quotation from them and provide a copy of this to the Council for approval. Please make sure that your surveyor and/or solicitor knows that they will only be paid at the end of the process once the sale has been completed.

You should note that it is your responsibility as leaseholder to prove to the Council that any claims for compensation you make are reasonable and have been incurred directly because of the Council acquiring your property. In practice this is likely to involve the provision of proper receipts and the prior agreement of costs where appropriate.

If you are unsure about any payments or invoices you receive from suppliers, we strongly recommend that you speak to the Council before you make any payment or commitment to a company.

The Council will also reimburse you for any other relevant costs as set out in the relevant Ministry of Housing, Communities and Local Government guidance to the extent that these costs have not already been considered as part of other payments.

# LEASEHOLDER AND FREEHOLDER OFFER

## 5.2 COMPENSATION FOR NON-RESIDENT LEASEHOLDERS

### Basic Loss Payment

A Basic Loss Payment is an additional sum of money that you may be entitled to if you are being compelled to sell your property in certain circumstances, such as, because of a regeneration scheme. This payment is in addition to the payment of the market value for your property. As a non-resident leaseholder you are entitled to receive 7.5% of the market value of your property, or a maximum payment of £75,000, whichever is the lower. Please note these amounts are set by central government and may change from time to time.

You must have owned the property or been a tenant for at least a year to qualify.

You must make a claim for a Basic Loss payment in writing to the Council.

### Additional costs incurred in selling your property and/or purchasing another property

In addition to a Basic Loss Payment, you can also claim for reimbursement of legal and/or surveyor's costs you incur that are linked to the sale of your current property and (where relevant) the purchase of a new property and to the extent that these costs have not already been considered as part of other payments. These costs may include, for example:

- **Legal (*conveyancing*) fees arising from the sale of your home to the Council and the purchase of a new property**
- **Stamp Duty (*relevant to the value of your existing property*)**
- **Surveyor's fees arising from the acquisition of a replacement property**
- **Survey fee and costs in connection with the redemption/transfer of an existing mortgage or raising a new one.**

Once you have found a solicitor and/or a surveyor you will need to obtain a quotation from them and provide a copy of this to the Council for approval. Please make sure that your surveyor and/or solicitor knows that they will only be paid at the end of the process once the sale has been completed. You should note that it is your responsibility as leaseholder to prove to the Council that any claims for compensation you make are reasonable and have been incurred directly because of the Council acquiring your property.

In practice this is likely to involve the provision of proper receipts and the prior agreement of costs where appropriate.

If you are unsure about any payments or invoices you receive from suppliers or what costs will be met by the Council, we strongly recommend that you speak to the Council before you make any payment or commitment to a company.

The Council will also reimburse you for any other relevant costs as set out in the relevant Ministry of Housing, Communities and Local Government guidance to the extent that these costs have not already been considered as part of other payments.

## 6. YOUR NEW HOME OPTIONS

### 6.1 RESIDENT LEASEHOLDERS

Many leaseholders will wish to make their own arrangements when they have agreed a valuation for their existing property and simply purchase a new home on the open market without any further involvement from the Council. However, if you are a resident leaseholder the Council can offer you options which are designed to allow you to stay on the estate.

We recognise that each freeholder or leaseholder will be unique in both their choice of where to move and in their personal situation. We can help you explore the option/s that best suit you and provide you with support.

In the first instance the offer of taking up one of the options below and moving to a new home will be offered to in phase leaseholders on the same estate. Once the Council has received notification from all in-phase leaseholders on that estate who wish to take up one of the options for a new home, the Council will make an assessment of whether there are any 'surplus' properties available that can be offered to other leaseholders (*please note that in-phase leaseholders will not be allowed to defer their move to a new property in a later phase of the regeneration if suitably sized new homes are available in the current phase*). If the Council decides that this is the case then these 'surplus' homes will be offered in accordance with the priority criteria as set out in The Local Lettings Plan set out in **section 5** of the "tenant offer" above.

#### Housing Options

**A) Open Market Purchase   B) Shared Equity   C) Shared Ownership**

#### A) Open Market Purchase

This option is the straightforward purchase of your property for the agreed market value. When leaseholders reach agreement with the Council regarding their valuation and compensation payments, they will then make their own arrangements to find a suitable new home.

#### B) Shared Equity

If the market value of your current property is less than the market value of a new similar sized (by bedrooms) or smaller property and you are unable to afford the difference (as per option B) then the option of shared equity will be offered to you.

To be eligible for this option you will be required to invest the full market value of your existing property into the purchase of your new home. This will buy a proportion of the equity of the new property.

The Council will retain the remaining unpurchased proportion of the equity of the property. This remaining proportion can be purchased by you at its market value at any future point. No rent is charged on the unpurchased proportion.

## LEASEHOLDER AND FREEHOLDER OFFER

Key information for this option includes:

- Your existing property will be valued by the Council in accordance with Section 4.2
- You will select one of the available new build properties on the estate of a similar size (by bedrooms) or smaller and this will be valued by the Council
- Any planned maintenance contributions not covered by the service charge will be charged as per the terms and conditions of the lease. You will be responsible for 100% of these costs irrespective of the proportion of equity you own in the new property
- You will be notified of the estimated annual service charge. You will be responsible for 100% of these costs irrespective of the proportion of equity you own in the new property
- You will have the normal rights and responsibilities of a full owner-occupier
- The length of lease will be 125 years
- You will be able to sub-let the property with written permission from the Council
- There is no minimum stake that you would need to purchase in order to qualify for shared equity. However, you are required to invest the full market value of your existing home to be eligible for this option
- The proportion of equity that you own in the new property is recorded on the lease
- You do not have to pay any rent on the unpurchased proportion of the property
- You can increase the proportion of equity you own in the new property up to 100% in accordance with the provisions of the lease. This is known as staircasing
- Provided you have not staircased to 100% ownership of the property, assignment (at nil value) of the property can only occur once, after which the unpurchased proportion of the property must be acquired from the Council at market value
- If the new owners choose not to acquire the unpurchased proportion at this point then the Council will exercise its right of pre-emption and acquire their proportion of the property from them at market value
- The single succession to or single assignment (at nil value) of the property can be to whomever the leaseholder chooses
- Prior to the single assignment (at nil value) of or succession to the property, if you wish to sell the proportion of equity that you own in the new property then the Council will exercise its right of pre-emption.

### C) Shared Ownership

Shared ownership is a part-buy, part-rent scheme under which you own a proportion of the property and pay a rent on the unpurchased proportion, which is retained by the Council.

If you choose, for whatever reason, not to invest the full market value of your current property (*or the maximum that you can afford to – please see [Section 6.3](#)*), then you will be offered the shared ownership option. After an initial period, you will have the right to purchase additional proportions of equity in the property up to 100% in accordance with the provisions of the lease. This is known as staircasing. If you increase the proportion of equity you own in the new property, the amount of rent you pay will decrease.

If you purchase 100% of the equity in the new property, then no rent will be payable.



Key information for this option includes:

- Your existing property will be valued by the Council in accordance with Section 4.2
- You will select one of the available new build properties on the estate and this will be valued by the Council
- You will be notified of the estimated annual service charge. You will be responsible for 100% of these costs irrespective of the proportion of equity you own in the new property
- Any planned maintenance contributions not covered by the service charge will be charged as per the terms and conditions of the lease. You will be responsible for 100% of these costs irrespective of the proportion of equity you own in the new property
- The length of lease will be 125 years
- You will have the normal rights and responsibilities of a full owner-occupier
- You will be able to sub-let the property with written permission from the Council
- The proportion of equity that you own in the new property is recorded on the lease
- You can increase the proportion of equity you own in the new property up to 100% in accordance with the provisions of the lease. This is known as staircasing
- Succession to the property can occur an unlimited number of times to whomever the leaseholder chooses
- Provided you have not staircased to 100% ownership of the property, assignment (at nil value) of the property can only occur once, after which the unpurchased proportion of the property must be acquired from the Council at market value
- If the new owners choose not to acquire the unpurchased proportion at this point, then the Council will exercise its right of pre-emption and acquire their proportion of the property from them at market value
- Prior to the single assignment (at nil value) of the property, if you wish to sell the proportion of equity that you own in the new property then the Council will exercise its right of pre-emption
- For the first year of the shared ownership lease, the rent that you pay will be equivalent to 2.5% of the unpurchased proportion of the property, payable in monthly instalments. This amount will then be adjusted each year in line with the Retail Price Index (RPI) + 0.5%
- When additional proportions of equity are purchased, the rent is recalculated in the same way, at 2.5% of the new unpurchased proportion, adjusted each year thereafter in line with the Retail Price Index (RPI) + 0.5%.

## **6.2 OPTIONS FOR NON-RESIDENT LEASEHOLDERS**

If you do not live in the property you own, the Council will purchase your property for the agreed market value. On completion of the sale of your property to the Council you will need to give the Council vacant possession. If your property is tenanted it is your responsibility to ensure that any tenants have left the premises by the date of completion.

## **6.3 OPTIONS FOR LEASEHOLDERS IN NEED OF ADDITIONAL SUPPORT AND ASSISTANCE**

It is recognised that some leaseholders may require additional support and assistance in securing a suitable new home. For example, the financial position of the leaseholder may preclude them from being able to satisfy all of the minimum purchase requirements of the various options outlined in section 6.1.

To qualify for additional support, we will ask for supporting documents to be provided to confirm income and expenditure. Where it can be confirmed that a leaseholder is in financial difficulties and qualifies for additional support and assistance, the following options will be explored and offered through the Corporate Director of Housing.

## LEASEHOLDER AND FREEHOLDER OFFER

### Shared Equity

The starting point for eligibility for a shared equity offer requires you to invest the full market value of your existing property into the purchase of your new home.

To do this, if you are only able to raise some borrowing, but at a level that is less than the mortgage on your existing property, you will be offered shared equity to the level you can afford to purchase based on investing all the equity you hold in your existing property and the maximum new mortgage you can obtain.

If you are unable to raise any borrowing (*e.g. mortgage*) at all and cannot otherwise invest the full market value of your existing property, then you will be offered shared equity to the level you can afford to purchase based on investing all the equity you hold in your existing property.

Shared ownership will be available and offered to leaseholders who choose not to re-invest the full value of their existing home or the maximum amount that they can afford to invest. Therefore, if a leaseholder wants to purchase on a shared equity basis, provided they invest the maximum amount that they can afford to in line with the criteria above, they should be able to purchase on this basis. This will be subject to an independent financial assessment and would require approval by the Corporate Director of Housing. In both options, the leaseholder would be able to staircase, increasing the proportion of the property they own.

### 6.4 OPTIONS FOR LEASEHOLDERS ASSESSED AS VULNERABLE AND IN NEED OF ASSISTANCE AND SUPPORT

The Council is also aware that there are leaseholders that have complex needs which make them vulnerable. We may be able to provide additional support to those leaseholders with complex needs that are assessed as being vulnerable and assist them with their move.

#### Criteria for vulnerability assessment

A vulnerable leaseholder for the purpose of this offer is someone that is “less able to safeguard his or her personal welfare or the welfare of any children in the household and will be in need of care and attention by reason of age, infirmity, or suffering from chronic illness or mental disorder, or substantially handicapped by being disabled”.

Detailed consultations will be conducted with social services and relevant health practitioners to obtain the necessary information and documentation (*e.g. care needs/packages*) regarding the needs of the household to assess and determine vulnerability. The assessment will be subject to an independent financial assessment.

If the outcome of the assessment is that the household is vulnerable, the leaseholder must meet all the following criteria to qualify for extra assistance and support:

- The leaseholder must have been exclusively resident in their property for the previous two years
- The leaseholder must not own any other leasehold or freehold interests in the UK or abroad; and
- The leaseholder is deemed by the Council to be in financial hardship and as result will not be able to rent or buy in the private sector.

Any request from vulnerable leaseholders for additional assistance not covered by this Options Document will require approval by the Corporate Director of Housing (see [Section 6.5](#)).

## 6.5 CORPORATE DIRECTOR OF HOUSING

The Corporate Director of Housing will assess the need for flexibility for leaseholders who wish to make a claim for assistance in respect of one or more of the following:

- **Additional financial support or assistance**
- **Being assessed as vulnerable and in need of assistance and support**
- **Early Buybacks.**

To assess a leaseholder's individual circumstances the following information will be requested:

- **The option you would like to take**
- **Your current financial situation, including monthly/annual housing costs**
- **The amount you can reinvest in your new property**
- **Any relevant supporting information relating to financial difficulty or vulnerability.**

A Project Officer will work with you to complete the required forms.

Based on the information provided by the leaseholder, and if required a social services representative, health practitioner or GP, the Project Officer will make a recommendation to the panel, which will then make the decision formally at a meeting. A representative of the Residents Association may be in attendance to present the case at the meeting.

The panel will:

- **Assess each case presented to it**
- **Consider the case in accordance with the criteria set out in this document.**

The panel will consider each case within four weeks of being provided with recommendations and supporting information. The leaseholder will be notified of the decision of the panel in writing within one week of the meeting.



## CROYDON

[www.croydon.gov.uk](http://www.croydon.gov.uk)

If you need help understanding this document,  
contact your **Independent Tenant and Leaseholder Advisers (ITLAs)**:

**Rob Lantsbury: 07961 532 761** or email [rob.lantsbury@publicvoice.london](mailto:rob.lantsbury@publicvoice.london)

**Christine Searle: 07764 421 981** or email [christine.searle@publicvoice.london](mailto:christine.searle@publicvoice.london)

Or you can write to **Public Voice** at:

Public Voice CIC, Tottenham Town Hall, Town Hall Approach Road, London N15 4RX

### UNDERSTANDING COMMUNICATIONS

If you, a family member, or neighbour would like us to provide this information in a different language, large print or audio format, please contact the team on [reginaroad@croydon.gov.uk](mailto:reginaroad@croydon.gov.uk) or call 020 8726 6100 ext. 44524.