

Right to Buy Policy

Summary

We are committed to providing you with the right advice and support you to take your first steps to owning your own home. We will do this by processing all eligible Right to Buy applications fairly, accurately and in accordance with the legislative criteria and timeframes.

Effective date

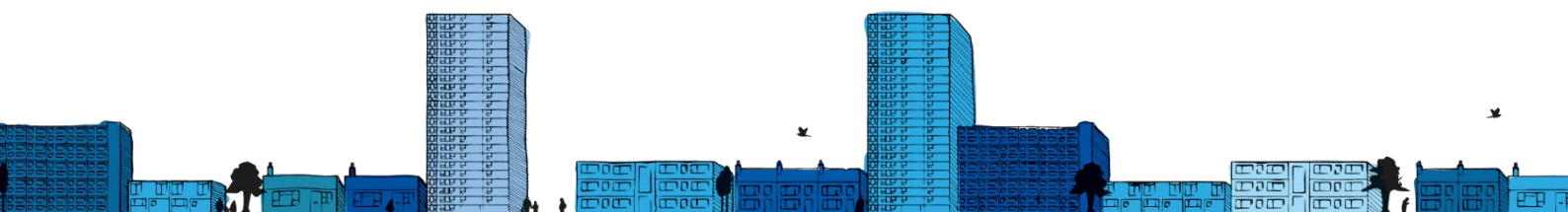
18 September 2024

Review

We will review this Policy every 5 years or when there has been an update to legislative, regulatory, best practice or operational changes.

Version

Version 1.0



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Scope

The Right to Buy Scheme is a scheme which the Government offers to help eligible council tenants purchase their home at a discounted price.

You could be eligible for the Right to Buy (RTB) if:

- You are a secure tenant of Portsmouth City Council, with a minimum of 3 years secure tenancy. Other public sector tenancies may count as qualifying tenancies (including other Councils, Housing Associations or Armed Forces) and the years spent in these tenancies, once verified, can be used.
- The property is your only or main home.
- You do not live in sheltered housing or other housing particularly suitable for elderly or disabled people.



- Your home is not due to be demolished.
- You do not have any legal problems with debt.
- You do not have any outstanding possession orders.

Any reference in this policy to, 'we', 'our' or 'us' refers to Portsmouth City Council, Local Authority Housing.

Any reference in this policy to 'tenant', 'customer' or 'resident' refers to Portsmouth City Council, Local Authority Housing Portsmouth Homes secure tenant.

Purpose

We are committed to supporting you in owning your first home.

The purpose of this policy is to:

- provide eligible customers with appropriate support and advice, including asking you to seek independent legal and financial advice to ensure you fully understand the implications and responsibilities of being a homeowner.
- process applications fairly, accurately and ensuring you are treated fairly during the process.
- support staff to give accurate advice in line with our regulatory and legal requirements.
- a robust approach is taken to identifying potential fraud and money laundering activities
- work in partnership with specialist agencies where appropriate

Eligibility check

If you qualify for the Right to Buy Scheme, you must meet the eligible criteria which includes (but is not limited to):

- You have no legal issues with debt
- You have no outstanding possession orders
- The property is your only or main home
- Your home is not due to be demolished

Certain council owned properties do not fall under the Right to Buy Scheme as they may provide support and services to other tenants. These include (but are not limited to):

- Specialist Housing for the elderly or disabled people
- A property that you have in connection with your job
- A property for which you do not have a secure tenancy (for example, an introductory or demoted tenancy)



To check your eligibility for the Right to Buy, we ask that you complete an 'Eligibility Pre-Questionnaire'. The Questionnaire will help you gather proofs around your eligibility, identity, and affordability.

When you have gathered the proofs and are happy to proceed you will be invited to attend a validation interview, to submit your proofs. Once the details are verified, we will provide you with a Right to Buy form (RTB1) and your official application can proceed.

Our aim is that by doing this validation up front, your RTB application will proceed without delay or problem.

Applying

1. In the first instance, please contact a member of the Right to Buy team on 02392 841421 / 841256 to complete our 'Eligibility Pre-Questionnaire'
2. When you have gathered the proofs and are happy to proceed you will be invited to attend a validation interview, to submit your proofs. Once the details are verified, we will provide you with a Right to Buy form (RTB1) and your official application can proceed.
3. Send it to the Right to Buy Team at Leasehold Services and Right to Buy, Civic Offices, Floor 2, Core 3, Civic Offices, Guildhall Square, Portsmouth, PO1 2AL.
4. We will let you know the outcome of the application, whether it be a yes or no, within 4 weeks of receiving your application (8 weeks if we have been your landlord for less than 3 years). If we say no, we will let you know why.
5. If we agree to sell, we will send you an offer. We will do this within 8 weeks of saying yes if you are buying a freehold property, or 12 weeks if you are buying a leasehold property.

Our offer

If you are able to buy your home and we agree to sell, we will provide you with:

- the section 125 offer notice, outlining the purchase price and details of the sale, including estimated service charges, planned works and any known problems with the property.
- your discount and how it was worked out
- a description of the property and any land included in the price
- estimates of any charges (for a flat or maisonette) for the first 5 years

Please note: If you are purchasing a Leasehold property, you will be contacted by an Officer who will arrange to meet with you, and they will talk you through Leasehold ownership and service charges.



Deciding to buy

You then have 12 weeks to confirm you want to buy your home. If you do not reply to the offer, we will contact you. If you do not then confirm you want to proceed, your application will be closed.

If you disagree with the purchase price in the section 125 offer notice, please contact us within 12 weeks by completing section B of the section 125 offer notice (you must provide supporting evidence).

Your case will then be referred to the District Valuer (external organisation). If necessary, a valuer will visit your home and set the property value. Their decision is final, and you then have 12 weeks from their decision to accept the offer or withdraw from the purchase.

You can pull out of the sale and continue to rent at any time. We will not charge you for this, however, please seek guidance from your solicitor and your mortgage provider as they may charge you for any services, they have provided up to the date you withdraw your application.

Complete the process

Once the offer has been accepted, you will need to arrange to pay for your property, usually by getting a mortgage. You also need to get a solicitor to do the legal work needed to complete the purchase.

Support

You can also get advice on Right to Buy from:

- Portsmouth City Council's Right to Buy Team on 023 9284 1421 or 023 9284 1256
- The [Right to Buy scheme](#)
- [Buying a home | MoneyHelper](#)
- [Citizens Advice](#)
- Your local [law centre](#)

Your voice

We provide tenants a wide range of meaningful opportunities to engage, influence and scrutinise the Landlord Strategies, policies and services, to include participation in regular resident meetings and give feedback on services and policies.

If you would like to be included in future resident engagement focus groups and would like to know how to get involved, please contact us for more information:



You can contact our team by:

- Email: housing.engagement@portsmouthcc.gov.uk
- Phone: 02392 834835
- Website: visit the [Resident engagement and community resources on our website](#)

What have we done to make sure this Policy is fair?

We completed an Integrated Impact Assessment (IIA) to consider the positive and negative impacts this Policy may have on people with protected characteristics under the [Equality Act 2010](#). This Policy should have direct and positive equality and diversity impacts.

Regulation and legislation

We recognise the variety of legislation, and we will continue to monitor relevant legal guidance. The list below reflects some of the existing legal framework and relevant publications:

- [Right to Buy scheme](#)
- [Housing Act 1985](#)
- [The Housing \(Preservation of Right to Buy\) Regulations 1993](#) (Statutory Instrument 2241)
- [Housing Act 2004](#)
- [Prevention of Social Housing Fraud Act 2013](#)
- [Data Protection Act 2018](#)
- [The Money Laundering, Terrorist Financing and Transfer of Funds \(Information on the Payer\) Regulations 2017](#)

Related documents

This policy should be read in conjunction with:

- Portsmouth Homes Landlord Policies, Strategies and Reports - [Housing policies, strategies and privacy notices](#)
- Tenancy Agreement / Leasehold Agreement



How to feedback

If you have any questions around the policy or would like to know more about its application, please contact the relevant service in the first instance.

You can get this policy in large print, braille, audio or in another language by contacting your Housing Office. More information is available [translation, interpreting and audio information](#).

Compliments

To help us provide the best service we can. We would like to hear customer views on the services that they use. If the customer is pleased with a member of staff or service, please let us know.

- Telephone: 02392 606383
- Email address: HNBLandlordComplaints@portsmouthcc.gov.uk

Complaints

If a customer is unhappy, they can refer to our Landlord Complaints Policy.

- Online complaint form at [Make a housing complaint](#)
- Telephone: 02392 606383
- Email address: HNBLandlordComplaints@portsmouthcc.gov.uk
- [Landlord complaints policy](#)

Housing Ombudsman Service

If a customer is unhappy, they can contact the Housing Ombudsman Service for advice and guidance at any time.

- Online complaint form on [the Housing Ombudsman Service website](#)
- Telephone: 0300 111 3000
- For more information, visit [Housing Ombudsman's Complaint Handling Code](#)

Tribunal

[First-tier Tribunal \(Property Chamber\)](#)

