

Understanding Section 20 Consultations

As a leaseholder or tenant paying a variable service charge, you are obliged under the terms of your lease or tenancy agreement to pay towards the cost of services, repairs, maintenance or improvements to your flat, building and estate.

Section 20 of the Landlord and Tenant Act 1985 requires us to provide you with details and ask for your opinions about intended works and services. This is known as consultation. Section 20 sets out the way we must consult with you. If we do not do this, we might not be able to charge you the full cost of the works and services.

This leaflet is provided to help you understand the consultation process and provide answers to some frequently asked questions.

This leaflet accompanies a notice of intention to enter into a qualifying long term agreement.

This leaflet is not a substitute for the formal notice which should be read in full.

Frequently Asked Questions

Why was a notice of proposal sent to me? This notice is served on:

- leaseholders
- tenants paying a variable service charge
- secretaries of Recognised Tenants' Associations
- leaseholders who have purchased off plan, but might not yet have signed their lease.

The notice has been addressed to named Leaseholders where there are correspondence or forwarding addresses and addressed to 'the tenant' where delivered to the property address. If you have received the notice and you are not the leaseholder for the property please pass this notice on.

Why was a notice necessary? As your landlord, we are obliged to serve you with a notice giving you details of the proposed contractor for a qualifying long term agreement in excess of 12 months. We have served you the notice of proposal to ensure compliance with our legal obligations to enable us to recover the full costs for works and services.

What is a qualifying long term agreement? A qualifying long term agreement is one where the cost of services or works is likely to be more than £100 (one hundred pounds) for a leaseholder in any accounting period. Most of our service charge accounting periods run from April 1 to March 31.

A qualifying long term agreement is sometimes referred to as a 'long term agreement' or a 'QLTA'.

QLTAs are used because they provide an efficient way to get work done and are more cost-effective for our leaseholders and tenants. Giving contractors a longer contract helps keep costs down.

Metropolitan are not the Freeholder of my building? If Metropolitan is not the freeholder of your building, then it is possible the responsibility for maintaining the estate areas may rest with a third party. If this is the case, this notice may not be relevant to you. In some instances, we may still be responsible for maintaining some external areas of a block, in which case this notice will be of relevance to you. If you are unsure whether the s.20 notice of intention applies to you please, contact us or send in any observations that you may have about the consultation. Our contact details are at the end of this leaflet.

How did Metropolitan select the contractors? Metropolitan advertised the opportunity to bid for the QLTA in the Official Journal of the European Union. This was carried out under a procedure which restricts bidders based on their financial standing and technical and professional abilities.

Metropolitan used a pre-qualification questionnaire to select the contractors who were invited to tender for the QLTA. Following selection, tender documents were issued with clearly-defined evaluation criteria.

If the contractor doesn't perform well, will they keep getting work? The contract will say that if works or services are not delivered or are not value for money, we may end the contract. It will, therefore, be in the contractor's interest to ensure it carries out the works and services well and gives value for money.

How do I make observations? Observations must be delivered to the address below or by email on or before 13 August 2015. A reply form is included for your convenience.

Observations received after 13 August 2015 or sent to another address will not be considered.

You can send written observations about the relevant matters specified in the notice of intention to: **Jo Hinton, Leasehold Manager, Metropolitan Housing Trust Ltd, PO BOX 10262, Nottingham, NG8 9LE**

Alternatively email your observations to: **consultation@metropolitan.org.uk**
Please ensure you note your name and address with your observations and make reference in the title to 'Roundshaw Grounds Maintenance'.

What will you do with my observations? Regulations require us to have regard to your observations, which we will.

Contacting us: If you wish to have an informal discussion about the consultation please contact Customer Services on 020 3535 3535 or email us at contactus@metropolitan.org.uk