

FAQs - What is a section 20 Consultation?

As a Leaseholder or Tenant paying a variable service charge, you are obliged under the terms of your lease / tenancy agreement to pay towards the cost of services, repairs, maintenance or improvements to the building your flat is in or the estate it is on. Section 20 of the Landlord and Tenant Acts (1985) requires us to provide you with details and ask for your opinions about the intended or proposed works/services being consulted on. Section 20 sets out the way we must consult, if we do not do this we may not be able to charge you the full cost of the works under the intended contract.

This leaflet is provided to assist you with understanding the statutory consultation and provide answers to some frequently asked questions.

This leaflet accompanies a statutory Section 20 Notice of Intention to enter into a Qualifying Long Term Agreement Pest Control Contract/s

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

Please Note:

- 1) If you are not the legal owner of The Property, please forward this Notice and the enclosures to the legal owner as soon as possible.
- 2) If you are in the process of selling your home, you should give a copy of this Notice and the enclosures to the prospective purchaser.

Why was the notice sent to me?

The notices are intended to be served on:

- Leaseholders named on the Lease agreements
- Tenants paying a variable service charge
- Secretaries of Recognised Residents Associations
- Leaseholders who have purchased off plan and may not yet have signed their Lease.

Why have you sent a S20 Notice?

As Landlord, we are obliged to serve you with a notice when we intend to enter into a Qualifying Long Term Agreement. We have served you the notice to ensure compliance with our legal requirements and the Commonhold and Leasehold Reform Act (2002) which will enable us to recover the full costs for works or services.

What is a Qualifying Long Term Agreement?

A Qualifying Long Term Agreement is where cost of services or works are likely to exceed more than £100 (one hundred pounds) in any accounting year for any Leaseholder. Most of our Service Charge accounting periods run from April 1 to March 31, some leases may vary. These contracts are also referred to as Long Term Agreements or QLTA's.

QLTAs are used because they provide an efficient way to get work done and which is more cost effective for our customers. Providing contractors with contract security for a longer period of time helps us to keep costs down and maintain our knowledge of our properties.

How will Metropolitan select the contractors?

Metropolitan will use a Competitive Dialogue procedure. Following the submission of an initial proposal, bidders (Contractors) will be invited to sessions in order to provide both Metropolitan and the bidders with the opportunity to discuss and develop the proposal.

Metropolitan will select contractors to enter into dialogue following the Public Notice using a pre-qualification questionnaire. Then, following selection, further tender documents will be issued with clearly defined evaluation criteria. The dialogue will be conducted in successive stages, with the option of reducing the number of proposal options (and therefore bidders) at each stage. Bidders will be eliminated on the basis of applying pre-agreed and clearly stated award criteria in the tendering documents.

The contract will be awarded on the basis of the Most Economically Advantageous Tender.

Can I nominate a contractor?

The notice we have served is a public notice which is subject to the rules of the European Parliament requiring us to advertise the contract across Europe. You can advise a contractor you may know of to look at the notice on the website of the Official Journal of the European Union (OJEU) and to express their interest through the official process.

If the contractor doesn't perform well, will they keep getting work?

The contract will clearly stipulate that if the contractor's service is not as expected or does not provide value for money, we can ultimately end the contract. The contractor will be aware of this so it will be in their interest to ensure they carry out works and services within acceptable parameters for standard and value.

How can I make my observation comments?

Observations must be received within the 30 day consultation period. Please note we allow an additional days to cover mail delays. The date of the notice this leaflet accompanies is 19 January 2015 and the closing date is 27 February 2015. Observations will only be accepted in hard copy in writing by post or by hand delivery to the stated office. Observations received after the consultation closure date and in any other form will not be accepted. In particular oral observations or by telephone will not be accepted.

You can send written observations about the consultation to: **Jo Hinton, Leasehold Manager, Metropolitan, The Grange, 100 High Street, Southgate, N14 6PW**. Alternatively, you can email your observations to: consultation@metropolitan.org.uk.

What do you do with my comments?

We will record your comments and discuss them at a specific meeting and our responses will be recorded in a summary chart which will be issued with the Notice of Proposal that will be sent to you following the tendering period and stored on our website www.metropolitan.org.uk/customers/leaseholders.

My block doesn't need any pest control?

If no works are required we will not undertake any. The Qualifying Long Term Agreement/s will be in place for a number of years and it is likely at some point in the future works will be required. At which point, the appointed contractors will already be in place to carry out the work.

How much do I have to pay?

At this stage there are no additional costs as a result of the consultation other than your general annual service charge and rent payments. Once the contract is in place, we will let you know of any works that will exceed £250 with a 3rd consultation.

Metropolitan are not the Freeholder of my building?

If Metropolitan are not the freeholder, then it is possible that the responsibility for maintaining the structure and the fabric of the building and common parts 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 the communal hallway of a block but not the external common parts, in which case this notice will be of relevance to you. If you are unsure if the notice 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.

A Managing Agent provides services to our block / estate?

If your estate or block is managed by a third party Managing Agent such as Trinity, Residential Management Group (RMG) or Countrywide or any other block managing agents, Metropolitan may not be responsible for the structure and fabric of the building and ensuring the decorative order is to a desired standard, and or maintenance of the estate. If this is the case please ignore this notice and letter. If you are unsure if the notice 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.

I live in a house or a DIYSO (Do it yourself Shared Ownership) property, does this notice apply to me?

If you have a lease you may be obliged to contribute towards the works/ services to the estate and any building that your house is part of (or benefits from). Your lease will state your obligations. If you have no obligations under the terms of your lease to contribute to, then please disregard this notice

What happens next?

The s.20 Notice of Intention is the first stage of the process. Once all comments have been responded to, we will close off the consultation and proceed to the tendering stage. The OJEU public notice will be served ahead of the tendering and may run concurrent with the consultation.

Once the tender stage is completed, we will proceed to the second stage of consultation – Notice of Proposal. At this point, we will advise of our contract proposals and provide details and costs of the associated works, services or goods. Sometimes this information is too large to send in which case, we will make this available to you to view at our local offices. You will be made aware of how and where to view any Notice of Proposal contract documents. Where we cannot provide you with costs, we will let you know why and when these will be made available to you. You will have a further chance to comment during the Notice of Proposal Stage and we will again consider and respond to your observations. You will receive a copy of the full summary of observations from the first consultation stage.

Whilst servicing aspects of a contract may commence along with the contract start, planned / responsive works or purchases of goods may not be carried out until they are identified as being required.

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](mailto:contactus@metropolitan.org.uk). marking your email 'Leasehold Consultation'