



LEASEHOLDER HANDBOOK

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Introduction

The Commonhold & Leasehold Reform Act 2002 introduced changes for Magenta Living leaseholders about consulting you on major work and contracts, and explaining how we spend the money you pay. This handbook includes information about new policies that Magenta Living has developed, and changes we have made to the way we do things.

The handbook contains sections on:

- How we will deal with a service charge complaint
- How we organise our Leasehold Management
- A list of useful terms
- Property Chambers
- Helping with payment difficulties.

Leasehold Management is a complicated area governed by the terms of the lease, by the law and by regulation.

We hope this handbook helps you understand your rights and responsibilities as a homeowner, and our rights and responsibilities as a leasehold manager.

The handbook is not meant to decide the law. Only the courts and Property Chambers can do that.

If you are unsure of your rights or responsibilities, you should seek advice.

A handwritten signature in black ink, appearing to read 'Brian Simpson', written in a cursive style.

Brian Simpson
Chief Executive

Section 1

What are Leaseholders and Freeholders?

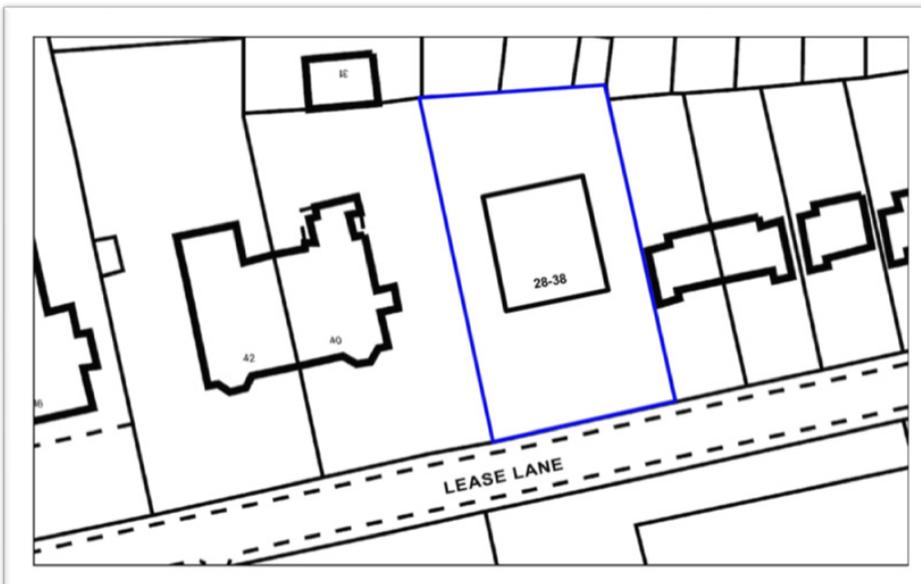
As a leaseholder, you have bought the right to live in your property for a fixed time, initially up to 125 years. The lease is a binding contract, enforceable in law, which states your rights as a leaseholder and our (Magenta Living's) rights as the freeholder (the owner of the building).

As the freeholder, we own the whole of the building you live in (the block) and are responsible for looking after the structure, exterior and common areas of the block.

As a leaseholder, you have to pay your share of our costs for maintaining your estate and providing services.

The service charge is your share of these costs.

Your estate is shown by a blue line drawn on the plans that are attached to your lease. See the example below.



Section 2

Our Vision and Values

As an organisation, we are dedicated to providing homes and building communities where all can thrive.

For our 2020 Vision, we have set ourselves four priorities:

- **DIVERSIFYING** to create a resilient business
- **SERVING** our current and future customers
- **ADDING** value to resource our aspirations for the benefit of our stakeholders
- **LEADING** by example

In order to achieve our Vision and to meet our priorities, we will provide homes and build communities through:

- **ADAPTABILITY**
- **ACCOUNTABILITY**
- **AMBITION**
- **ENGAGEMENT**
- **INTEGRITY**

We are committed to giving you good quality services. We expect our staff to be courteous and competent when they deal with you. We have standards that we aim to meet every time you contact us to make sure you always receive a polite and professional response.

Our commitment to you

We are committed to ensuring our tenants and leaseholders have the opportunity to influence the decisions that affect their homes and communities.

As part of this commitment, we give leaseholders the opportunity to comment on our performance and services, to help us achieve excellence.

Being professional, accessible and open to your views

We will:

- Respect and protect your rights as a leaseholder, and will expect you to respect our rights as the landlord.
- Provide an efficient housing and leasehold management service.
- Treat you fairly, equally, and with respect, courtesy and consideration.
- Do all we can to deal with neighbour nuisance problems in your block, and will expect you not to cause nuisance or annoyance to others.

Equality and Diversity

In accordance with our Diversity Strategy, we will:

- Use plain language in a format appropriate to your identified needs.
- Promote and provide equality and fair treatment for every one.
- Translate our publications into your preferred language, on request.
- Make our publications available in alternative formats such as audio, Braille and larger print size.
- Offer you a home visit on request if, for any reason, you can't visit our office.

When you have bought your flat

We will:

- Give all new leaseholders a welcome pack containing useful and relevant information within five working days of us receiving official notification of the sale.
- Continue to insure the structure of the building against destruction or damage by fire, lightning, explosion, earthquake and other reasonable risks. You will continue to be responsible for insuring the contents of your home.
- Continue to maintain the appearance, structure and outside of your building, its communal areas and services such as communal lighting and door-entry systems. You will be responsible for all repairs inside your home.
- Continue to maintain common garden areas and paths and maintain their boundaries, such as walls and fences, if we are responsible for doing so.

Performance Targets

Our aims include:

- To maximise recovery of all outstanding monies by adopting a firm but fair approach.
- Meeting all the published timescales set by Housing Regulations, the law and our service standards (such as sending ground rent demands, replying to letters and answering the telephone).

Your service charge

We will:

- Recover the full cost of the services we provide to leaseholders while ensuring that we make no profit when doing so. The Leaseholder Service Charges Policy* also includes the management fee as part of the total direct costs for providing leaseholder services (see Section 3 for more information on the management fee).
- Send you a rent demand notice for your ground rent by the end of February.
- Send you an estimate of your annual service charge in March of each year, with a leaflet to explain how the charges have been calculated.
- Send you a statement of the actual annual service charge for the previous year by the end of September each year.
- Send you a statement of your service charge every three months, plus your bill. We will send you a statement even if you are not due a bill.
- Assess service charges in a fair and clear way.
- Send you details of any of the services or repairs which you have been charged for in your Certificate of Expenditure within ten working days of your request.
- Consult you fully before doing any major repairs or improvements to the block you live in, within the timescales set by law, and also any qualifying long-term agreements.
- Offer you the option of paying for major work by instalments or, in certain circumstances, by offering you a loan.
- Offer you convenient ways of paying, including Direct Debit, standing order, direct bank transfer, by post or in cash.

*A full copy of our Leaseholder Service Charges Policy is available on request.

Communication and Customer Care

We will give all our leaseholders and residents excellent customer care, and our staff will be friendly, polite and keen to help you, dealing with your enquiry in a sensitive, discreet and professional way.

We will:

- Reply to all written correspondence within five working days.
- Acknowledge formal complaints within two working days and respond within 15 working days.
- Reply to all emails within 48 hours.
- Use delivery by hand or first-class post for all legal notices (unless your lease requires us to use registered post or equivalent) and second-class post as standard for routine correspondence.
- Include a named person, phone number and email address on all correspondence.
- Listen and respond to all enquiries fairly, consistently and confidentially.
- Resolve any problems using our disputes procedure (see Section 6 for further details).
- Liaise with leaseholders, residents and our staff to resolve any estate issues.
- Work with leaseholder groups, other resident groups and our officers as appropriate, to improve the services we offer to leaseholders and residents.
- We currently aim to answer 90% of calls within 20 seconds.
- Make sure all staff and representatives introduce themselves and always wear photo identification badges.
- Do our best to offer you information and advice about other local services that we do not provide, including services provided by Wirral Council and other relevant agencies.

Leasehold Services

We will:

- Offer you an appointment to discuss what owning a lease means at Section 125 Offer Notice Stage if you are a tenant and want to become a leaseholder.
- Offer you help and advice about any issues that may affect you.
- Communicate with solicitors and legal advisors within five working days of any flat sales that take place, to aid smooth transfer of ownership.
- Send all our leaseholders a newsletter twice a year.
- Send all our leaseholders a copy of the tenants' newsletter.
- Conduct a Leaseholder Satisfaction Survey from time to time, and report the results and findings in the leaseholder newsletter. The results of the survey will be used to improve the services we offer you.
- Send our leaseholders an updated leaseholder handbook periodically.
- Offer you a private interview room when you call into our office if your enquiry is confidential or sensitive, or if you need to make a private phone call to another organisation about your lease or service charge.

What we expect from you

You can help us by:

- Treating your home, surroundings and our staff with respect.
- Reading your lease carefully to make sure you understand your obligations and responsibilities.
- Keeping us informed if your contact details change.
- Contacting us as soon as possible if you have difficulty paying your service charge, as we may be able to help.
- Telling us if you decide to sell your lease, as this will help the sale go through more smoothly. This is an absolute obligation within the first 10 years if you, or the tenant who exercised a right to buy your flat, applied on or after 18 January 2005.
- Telling us if you decide to rent your flat to someone else (subletting).
- Reporting any repairs that we are responsible for as quickly as possible.
- Ensuring your gas installation is serviced annually by a qualified gas safe engineer.

You must:

- Obtain our written permission before you make any alterations to the structure of your flat. Please see the Repairs and Maintenance Section for further details.

Leaseholder Service Charge Policy

The Home Ownership Team manages services according to the Service Charge Policy, which sets out what we plan to do to help us make decisions and achieve our Visions and Values.

The policy includes information on the lease, service charges, consultation, investment works (major building work), disputes and equality and diversity.

If you would like a full copy of the policy, please contact the Home Ownership Team. Please see section 13 for all of our contact details.

Section 3

The Service Charge

Your service charge is the money you pay Magenta Living for the services we provide.

Your lease sets out your share of the cost, and what services it helps pay for.

You only pay for services that are set out in your lease, which mainly benefit all residents.

Depending on your block, the service charge could cover:

- caretaking or estate warden services
- heating, lighting and cleaning shared areas and stairways
- window cleaning
- centrally supplied heating and water systems
- communal television aerial maintenance
- fire-safety equipment
- bulk refuse containers
- security access systems
- day-to-day repairs to the structure of the building and communal areas
- maintenance of shared gardens
- maintenance of boundary walls and fences
- maintenance of other buildings within the estate, such as outhouses and garages
- lift maintenance
- management costs
- investment works
- buildings insurance
- eligible new services.

Please see your lease and your Certificate of Expenditure for a list of the services your estate receives.

How is the service charge worked out?

These are two types of costs which are contained in your service charge:

- direct costs, such as for repair work carried out by a contractor
- indirect costs, such as our management costs.

Your estate may contain other blocks or buildings as well as the block your flat is in. The share you pay usually depends on the number of flats in the estate. For example, if there are three blocks of 12 flats in your estate as shown by the blue line on the plans (36 flats altogether), the landlord's costs will be divided by 36, and you will pay one thirty-sixth part of the costs.

Some leases have different conditions about the share of the costs the leaseholder must pay, based on the size of the estate. If you have this kind of lease, we will adjust your contribution so that you pay an appropriate and reasonable share and are not overcharged.

We are not allowed to alter your lease without your agreement. If you would like to amend your lease to show the correct share of costs you must pay, please contact the Home Ownership Team.

When do I pay?

Every year, we estimate the cost of repairs and services for each estate for the next financial year (1 April to 31 March), and charge leaseholders a share through the service charge.

Every March, we will send you a summary showing the estimated service charge that you will have to pay for any services provided to your estate covering the next twelve months. You must pay your service charge bill in four equal amounts, on 1 April, 1 July, 1 October and 1 January.

Before the end of September, we will send you a Certificate of Expenditure. This shows the actual costs of services provided to your estate during the previous financial year.

If these costs are lower than we estimated and you have paid too much, we will credit your estimated service charge account in April with the difference.

If the costs are higher than we estimated them to be and you have not paid enough, we will add this amount to your estimated service charge bill in April. We may ask you to pay this as a lump sum, or we may arrange a suitable payment plan with you.

Your Certificate of Expenditure will also include the cost of any major repairs or improvements carried out to your estate, which you will have to pay as part of your service charge.

Major repairs or improvements might include:

- roof repairs or replacement
- lift repairs
- window replacement
- communal or external redecoration
- maintenance of communal areas in the building
- overhaul of common services, such as grass maintenance.

The Section 125 Notice

If you bought the lease of your flat through the Right to Buy scheme, you will have received a Section 125 Offer Notice informing you of the purchase price. This document lets you know about major work that might be carried out within the first five years of your lease, and how much this might cost.

This document protects you against having to pay more than a set amount towards the cost of any unforeseen major work. For that five year period (called the reference period), we cannot

charge you more than the amount shown in the document, except for an allowance for inflation.

If you are affected by the Section 125 reference period, we will explain this to you when you receive your service charge bills.

Paying the service charge

When you receive your annual service charge invoice, you can arrange to pay by:

- Direct Debit
- standing order
- BACS (direct bank transfer)
- card payments by telephone. We accept all major credit and debit cards. Telephone (0151) 606 3196 to pay by card
- cheque or postal order made payable to Magenta Living, and sent to Partnership Building, Hamilton Street, Birkenhead CH41 5AA.

If you have difficulty paying your service charge, please speak to us straight away. If you contact us quickly, we will try our best to help you plan your payments. If you have a mortgage and have not paid a bill, we must tell your lender before we start legal proceedings. They may pay it and take action against you to recover the money.

If you are on a low income, you may be entitled to Income Support and help with your payments. Contact the Pension Service on 0800 731 7898 or call Textphone (for those with speech or hearing difficulties) on 0800 731 7339. They are open Monday to Friday, 8.00am to 6.00pm.

Pension Credit

There are two parts to Pension Credit. You may be eligible to receive one or both of these.

Guarantee Credit tops up your weekly income to a guaranteed minimum level set by the Government.

Savings Credit is extra money for people who have an income higher than the Basic State Pension, or who have a small amount of savings.

Can I claim Pension Credit?

- The minimum age to qualify for Guarantee Credit is gradually rising from age 60 to 66. It is currently 61 years and six months. The current minimum age for Savings Credit is 65.
- Pension Credit is means-tested, so your income and savings are taken into account when it is worked out.

Pension Credit includes help towards mortgage payments and service charges for home owners, and extra money for people who receive Carers Allowance or disability benefits.

It is worth claiming Pension Credit even if you are only entitled to a small amount, as it can help you qualify for other benefits.

How to claim Pension Credit

Call the Pension Credit Claim Line on 0800 99 1234. They will ask you questions over the phone and fill the form in for you. You can also visit the www.gov.uk/pension-credit website to download a claim form. See the Council Services Section for other agencies that may be able to help you with your finances.

Service Charges – Summary of Rights and Obligations

Whenever we send you a demand for payment of service charges, we must also send a document called a Summary of Rights and Obligations. The wording of this summary is set by law. If we fail to send this summary, you are entitled to withhold payment for service charges until the summary is sent to you.

Ground Rent

Ground rent is a one-off annual payment you have to pay for leasing the land your flat is built on. Your ground rent to Magenta Living is fixed at £10.00 a year, due on 1 April each year. In February of each year, we will send you a document called a Notice of Demand to remind you to make this payment.

Building Insurance

When you buy your flat, we provide buildings insurance cover for the structure of the block. Magenta Living's properties are now insured by Aviva Insurance Ltd. Our broker is Arthur J. Gallagher Housing Limited. If you wish to make an insurance claim, please contact the Claims Manager. Their details are:

Address: 27-30 Railway Road,
CHELMSFORD
CM1 1QS

Telephone: 01245 341 235

If you claim on our insurance policy for damage to the structure of your flat, you will have to pay the first £250 of the repair costs (excluding subsidence) and the first £1,000 of each and every material damage loss for subsidence. If you sub-let your flat, you may wish to ensure this issue is covered in any sub-lease or tenancy agreement.

Home Contents Insurance

You must arrange your own contents insurance to cover your belongings and the fixtures, fittings and decorations that you are responsible for. If you would like more information about our Contents Insurance Scheme, contact the Home Ownership Team.

The Home Contents Insurance leaflet can be viewed and downloaded from our website. Please visit www.magentaliving.org.uk/publications

Management Fee

As a leaseholder, you must pay us a management fee, which forms part of the service charge. The management fee is your share of the cost of us running our leasehold flats and other general expenses, such as premises costs (heating, lighting etc), salaries and office expenses.

If we have to pay extra costs on major work, such as for agents' or architects' fees, where appropriate we will charge for them separately.

The management fee is based on 1.6 members of the Leasehold Team and 20% of a manager's salary. The management fee includes:

- Working out the estimated leaseholder bills (including ground rent and insurance).
- Working out the actual leaseholder bills.
- Consulting leaseholders about improvement work.
- Investigating and resolving all customer complaints and disputes about the cost and standard of work and services.

- Dealing with phone enquiries from leaseholders.
- Replying to correspondence from leaseholders, within time scales set by our policies and the law.
- Liaising with leaseholders, residents and office staff to resolve estate issues.
- Working with leaseholder groups, other resident groups and Magenta Living officers, as appropriate, to improve our services to leaseholders and residents.
- Doing our best to offer you information and advice about other local services that we do not provide, including services provided by Wirral Council and other relevant agencies.
- Providing a newsletter twice a year to all our leaseholders.
- Section 20 formal consultation.
- Conducting a Leaseholder Satisfaction Survey from time to time, and provide feedback. We will use the results of the survey to improve our services.
- Sending our leaseholders an updated leaseholder handbook periodically.
- Offering leaseholders help and advice about any issues that may affect them.
- Organising and holding Challenge Events to ensure our policies and services meet our customers' needs.

Section 4

Repairs and Maintenance

This section gives a brief guide on what we are responsible for repairing and what you are responsible for repairing. Full details are set out in your lease.

Our responsibilities

We are responsible for repairing and maintaining the structure, exterior and shared parts of your estate. These could include:

- exterior walls
- roof
- foundations
- timbers and joists
- beams
- chimney stacks
- rainwater and soil pipes
- sewers and drains
- gas, water and electricity pipes up to the flat
- communal heating
- communal hot water systems
- lifts
- external decoration
- decorations to internal communal areas
- communal windows and doors
- communal gardens, paths, walls and fences
- communal grounds and parking areas.

Window repairs

Magenta Living will comply with the law and maintain the exterior of your block, which includes windows and glass. If we carry out any work, you must pay your share of these costs according to the terms of your lease. We will also replace any double-glazed units that have failed.

Your responsibilities

You are responsible for repairing the inside of your flat. This may include:

- fittings, such as kitchen units and sinks
- floorboards
- internal non-structural walls
- plaster or other surface material on interior walls and ceilings
- internal doors and door frames
- toilets, baths and showers
- radiators, cisterns, tanks, boilers and pipes in the flat
- gas, water and electricity installations in the flat
- fixtures, fittings and internal decorations
- leaks or burst pipes.

We will not carry out any repairs to the inside of your flat that you are responsible for.

How to report repairs to us

To report a repair that is our responsibility, call 0808 100 9596 or email housingrepairs@magentalive.org.uk. Please do not use this email address for emergency repairs. Telephone 0808 100 9596 instead.

When reporting a repair, we will ask some questions to help us find out exactly what the problem is. To help us, we will also ask you to give us your phone number.

If a repair or maintenance problem is our responsibility and non-urgent, we will offer you a convenient appointment for the work to be done. Appointments are offered as morning, afternoon, first call of the day (8am) or around the school run. Also, if an appointment between 8am and 5pm Monday to Friday

is not convenient, we can offer appointments for Tuesday and Thursday evening or Saturday morning. These will be for minor repairs only.

If the repair is urgent, then we will attend the same day.

We give all our repairs a priority rating depending on how urgent they are. We aim to attend and complete repairs as follows:

Emergency repairs	Made safe within 3 hours, and completed within 24 hours
Out of Hours emergency	Made safe within 3 hours, and completed within 24 hours
Priority 1 (urgent repairs)	Attended and completed within 24 hours of being reported
Priority 2 (routine repair)	Attended and completed within 5 working days of being reported
Priority 3 (non urgent)	Attended and completed within 15 working days of being reported
Planned response	Attended and completed within 30 working days of being reported
Snag	If a repair is not carried out to a satisfactory standard, we will call back and rectify within 5 days
Vulnerable	If a resident is vulnerable (e.g. elderly or has a disability), we will carry out a repair within 3 days

Our Contact Centre advisors will usually be able to tell you the priority of the job when you speak to them.

If you report a repair that is our responsibility and it is not attended to, or is done badly, please call our Contact Centre on 0808 100 9596.

Planned maintenance

We do a lot of work on planned programmes. Four types of work fall under the planned maintenance section, subject to consulting residents and you contributing financially, as appropriate.

Programmed/planned maintenance – this corrects any disrepair and prevents the property deteriorating.

Improvements – this is work that will modernise your block and may include fitting double-glazing and installing CCTV.

Cyclical works – this includes regularly painting the outside of your block and communal areas, for example, every seven years.

Servicing contracts – this includes the servicing of communal installations such as heating systems, fire alarms, fire equipment and emergency lighting.

Estate walkabouts

An estate walkabout is a scheduled and publicised ‘walk’ around the estates and neighbourhoods managed by Magenta Living. They are carried out by officers from the Neighbourhood Management Team, and accompanied by local residents where possible.

The purpose of the exercise is to check the estates for signs of fly-tipping, graffiti, abandoned vehicles or anything else that spoils the appearance of the neighbourhood. Action is then taken to resolve any problems that are discovered.

The teams carry out walkabouts in the majority of areas where Magenta Living manages properties. Approximately 20 walkabouts are carried out each month, and usually take place mid morning or mid afternoon.

Details of each walkabout can be found on our website www.magentalive.org.uk/ourservices

If you are interested in joining us, please telephone our Contact Centre on 0808 100 9596. We are always happy to see new faces on the walkabout, and would welcome a fresh perspective on what we do and how it might be improved.

Do you have concerns about the way your estate is managed?

Housing staff deal with the day-to-day management of our properties including:

- standard of cleaning
- warden service
- rubbish clearance
- garden maintenance and estate appearance
- complaints about anti-social behaviour
- giving permission for alterations
- keeping pets
- any other estate management issues.

If there is a problem with the quality of a service, please report it on 0808 100 9596.

Gas servicing

We have a legal responsibility to carry out annual gas safety inspections in all our properties with a gas supply. As a leaseholder, if you have a gas supply or gas appliances, you are responsible for ensuring they are checked and serviced annually to ensure safety in your own home and the block you live in.

As we have almost 12,000 properties with a gas supply, we have been able to obtain some very competitive rates from new contractors to carry out our gas work. We are able to offer leaseholders the opportunity to benefit from these savings.

If you have a gas supply or gas appliance in your home and would like a quotation for an annual service and gas safety check, please contact the Gas Team on 0808 100 9596.

If you agree to the quotation, we will agree an annual service date with you, and you will receive an invoice from us once the service and safety checks are complete. All the work and costs for the annual gas safety check are in addition to your normal annual service charge.

If, as a result of the inspection, further work to your appliances is needed, you are responsible for ensuring the work is done as soon as possible by a Gas Safe Engineer.

Can you smell gas fumes or do you think you have a gas leak?

Call National Grid on freephone number 0800 111 999 immediately. The gas emergency reply line will take details and give safety advice. They will then call out within an hour and isolate (turn off) the gas supply.

Our right to access your property

From time to time, we may need to access your property to carry out work with contractors and partners to neighbouring or adjoining buildings. We will tell you when we will need access and agree a convenient time for the visit. It is important that you keep appointments.

It is a condition of your lease to allow us access to your property, as long as we give three days' notice in writing or, in an emergency, without notice.

Permission to improve your home

You can redecorate the inside of your property and replace fittings in your property. However, you must not carry out any structural work or alterations, for example, building an extension, removing walls or fitting new windows, without first obtaining our formal written consent. If you carry out alterations without our consent, we may take legal action, which could put your home at risk. You will find it hard to sell your flat if you cannot show this written consent.

To obtain our permission, you need to write to the Home Ownership Team, giving as many details as possible about the work you want to do. We usually do not refuse reasonable requests, unless the work is likely to affect the safety of the building or cause a nuisance to neighbours.

You will also need to check if you need planning permission or building regulation approval before you begin. For advice about this, contact Building Control:

Tel: (0151) 606 2020

Address: Metropolitan Borough of Wirral
Building Control
North Annexe
Wallasey Town Hall
Brighton Street
Wallasey
CH44 8ED

Email: buildingcontrol@wirral.gov.uk

Section 5

Consulting You

The Commonhold & Leasehold Reform Act 2002 changed the way landlords need to consult leaseholders.

Under Section 20 and 20ZA of the Landlord and Tenant Act 1985 (as amended by S151 of the Commonhold and Leasehold Reform Act 2002) and by the requirements laid down in The Service Charges (Consultation Requirements) (England) Regulations 2003, we must consult leaseholders before we carry out work or enter into specific agreements for work or services (or both) above a certain value. The kind of work we need to consult you on is called 'qualifying works'. This is also commonly known and referred to as 'major works'. The agreements we need to consult you on are called 'qualifying long-term agreements' (QLTAs).

Qualifying Works

We must consult leaseholders about any work we want to do that is going to cost any leaseholder in the block or estate more than £250. Examples of qualifying works are work to the outside of your block or repairing the structure, such as the roof.

Qualifying Long-Term Agreements (QLTAs)

A QLTA is an agreement entered into, by or on behalf of the landlord, for more than 12 months, where a leaseholder's contribution is more than £100 in a financial year. An example of this type of agreement is a grounds maintenance contract.

European Union Procurement Rules

Depending on the value of contracts, Magenta Living sometimes has to follow certain rules for employing contractors. This is to ensure that contracts are advertised widely and we (and you) receive the best value. These are called the European Union (EU) procurement rules.

What we take into account when assessing and choosing tenders (offers from contractors to do the work), includes whether the contractors:

- are suitably experienced
- have proven records
- can do the work required to acceptable quality standards
- can do the work at a competitive price.

The rules require us to advertise the contract in the Official Journal of the European Union (OJEU). Because of this advertisement, the rules we must follow for consulting you are different.

How will we consult you on qualifying works/QLTAs when the EU procurement rules apply?

We will send all leaseholders affected, and any formally recognised tenant and residents associations, up to three notices.

The first notice explains:

- What work is going to be done or where you can see a description of the work
- That there will be an advertisement in the OJEU inviting contractors to tender for the works. Under the EU procurement process, leaseholders cannot nominate contractors
- Why the work is needed.

The second notice explains where you can see a copy of the proposal to enter into a contract, which includes who the contractor will be and an estimate of the cost of the work or services (if possible). If the agreement is a QLTA, the notice will also state how long the agreement will last.

The third notice is only sent if the consultation is about work that will be done under a QLTA. If this is the case, the notice is sent before the work is done. This notice will include an estimate of the total amount of the cost of the work.

The notices will invite leaseholders to make written comments on the proposed work or agreement. The second notice and the proposal will include a summary of any comments made on the first notice (if any), and what we think about those comments. If we receive any comments on the proposal or on the third notice, we must respond in writing to each leaseholder who has made a comment.

How will we consult you on major work/QLTAs when the EU procurement rules don't apply?

If we wish to carry out major work where EU procurement rules do not apply, we must still serve notices to you, notifying you of the work and estimated costs, and why we wish to do the work.

We will follow a similar procedure of sending out notices to you as if we were following the EU procurement rules, but:

- You will be able to nominate contractors to do the work
- We must obtain at least two quotes for doing the work
- If you have nominated a contractor, we will seek to obtain an estimate from that contractor

- If we do not award the contract to the cheapest contractor, we must send you a notice telling you this and explain why. If we have to send you this notice, it will include a summary of any comments we've received about the proposal, and what we think about those comments.

Urgent work

Sometimes we do not need to consult you about major work, for example, if something needs to be done urgently for health and safety reasons. We can only make a charge to you if the Property Chamber (Formerly Leasehold Valuation Tribunal) has given us authority to do so. There is more about the Property Chamber in Section 7.

Further guidance

For more information about major work and the process we use for consulting you, please contact the Home Ownership Team on 0808 100 9596 or contact The Leasehold Advisory Service (LEASE) on 020 7374 5380. You can also visit their website www.lease-advice.org.uk for a complete guide to consultation. Full contact details are under Section 13 of this handbook.

Other ways of consulting you

Magenta Living works with leaseholder groups and local tenants' and residents' groups to improve our services to leaseholders and residents.

For more information on all tenant and resident groups, contact our Resident Involvement Team on 0808 100 9596.

The Home Ownership Team also holds Challenge Events where leaseholders are invited to give us their views to help shape our service.

Ways to pay your bill for major works

If you need help to pay your major-work bill, here are some payment options we offer:

- When we bill you for the work, you can spread the payment over 12 monthly instalments. You may be able to spread the payments over a longer period - up to six years - interest free. Please contact our Finance Team on 0808 100 9596 to ask about this.
- If you receive Pension Credit, you may be entitled to help with your payments from the Pension Service (see page 17). Their phone number is 0800 99 1234.
- You can seek independent financial advice.
- If you bought your property through the Right to Buy scheme within the last 10 years (not the Preserved Right to Buy), you may qualify for a loan from the Homes and Communities Agency. We will let you know if you are eligible when we send you the bill for the work.

Leaseholder Loan Scheme

At the discretion of Magenta Living, we may give financial help to leaseholders over 60 years of age who receive means-tested benefits. We may also help any other leaseholder if there are exceptional circumstances as to why they cannot obtain a loan from a bank or other financial institution.

Magenta Living will lend you the money to pay the major works as part of your service charge bill, in exchange for a 'charge' on your property. This is a kind of mortgage on your home, and means that you will not have to repay the loan and any interest until you sell your home or you die.

We cannot disregard charges that are lawfully due to us. If you do not make payments that are due, we could take legal action to recover the debt, which may result in a county court judgment or even put your home at risk. At the back of the handbook, there is a list of agencies that may be able to advise or help you if you do have difficulties paying your service charge. Please also contact our Finance Team on 0808 100 9596 for help.

Section 6

Disputes, Disagreements and Complaints

The service charge disputes procedure

We are always keen to improve our services. We welcome suggestions from you on how we can do this. However, we know there will be times when you will want to tell us about things you are not happy about.

If you disagree with some part of your service charge and are thinking of withholding payments while we are resolving the matter, please continue to pay the parts of the charge you agree with.

To dispute (formally disagree with) any part of your service charge, you must go through each stage of our service charge disputes procedure. If you need help at any stage, for example with writing a letter, we can help you.

Stage 1

If the dispute is about repairs, major work, or estate management issues, the complaint will go to one of those teams to deal with, and we will tell you who is dealing with it. Magenta Living will send you a reply within 15 working days. If it is not possible to reply to you within 15 days, e.g. due to the complex nature of your enquiry, we will send a letter saying why this is not possible and when you can expect a reply.

If your complaint covers several service areas, the Home Ownership Team will co-ordinate a response from the different teams. If this cannot be done within 15 working days, they will send you a letter telling you why.

Escalation to Stage 2

If you disagree with the response given to your initial enquiry, you can appeal. You will need to state why you wish to escalate to Stage 2. The matter will then be reviewed by the Policy & Home Ownership Manager, and a decision made whether the dispute is valid and whether further investigation is needed. If your escalation request is not upheld, you will have to pay your service charge.

Stage 2

The Assistant Director of Strategy and Regeneration (or the Executive and Strategic Director in their absence) will consider whether your dispute is valid and what further investigation is needed. If further detailed and technical investigation is needed, your dispute will go to a leasehold dispute group to be decided. This group includes a member of the Senior Leadership Team, plus a specialist legal advisor and an independent structural surveyor, if appropriate.

More complex cases can take several months to investigate. You will be told how we will look into your dispute and be kept informed of progress. The Assistant Director of Strategy and Regeneration/Executive and Strategic Director will send you the full reply when everything has been investigated. You will be given the opportunity to reply, or meet our officers, within a certain time. The time given may be longer for more complicated disputes.

If the situation has not been resolved by the end of this process, we will consider other ways to resolve it, such as mediation.

Applying to a Property Tribunal

Property Tribunals can decide on anything to do with your duty to pay service charges for repairs, improvements and services. This includes decisions on whether the service charges are reasonable, the standard of work is reasonable and whether leaseholders have been properly consulted. Your Property Tribunal application may be dealt with on paper via documents and letters at a hearing, if the parties request one. The hearings are independent and impartial. Hearings are semi-formal and normally consist of three members – a lawyer, a valuer and a lay-person (a person with no specialist knowledge).

To apply to the Property Tribunal, go to your local panel office who will give you the right forms to complete and guidance notes on the procedure. There is a fee of £50 – £350 (depending on the amount in dispute) for applications, plus a hearing fee of £150 if the case cannot be resolved at an early stage. If you or a partner receives certain benefits, you can apply for the fees not to be charged.

The address of the Northern Region office (which covers Wirral) is:

Residential Property Tribunal Service
First Floor
5 New York Street
Manchester
M1 4JB

Tel: 0845 100 2614

Tel: (0161) 237 9491

Fax: (0161) 237 3656

Email: rpnorthern@hmcts.gsi.gov.uk

The Leasehold Advisory Service (LEASE) publishes many booklets about your rights, including applying to the Property Chamber, which you can order from them or download from their website. Contact details for LEASE are at the back of this handbook.

You can obtain your own legal advice at any time by using the services of a solicitor, which you will have to pay for. Your local Citizens Advice Bureau can give you free, impartial advice.

What should I do if I am unhappy about a decision?

If we have considered your complaint at all stages of our internal procedure, and have sent you a full and final decision but you are still dissatisfied, the next step is to contact an MP, a local councillor or designated tenant panel. These are the three types of designated person.

Designated persons are there to help to resolve disputes between tenants and their landlords. They can do this in whatever way they think is most likely to work. If the designated person cannot help, they can refer a complaint to the Ombudsman. Complaints to the Ombudsman do not have to be referred by a designated person but if they are not, there must be at least eight weeks from the end of the landlord's complaint process before the Ombudsman can consider the case.

Address: Housing Ombudsman Service:
 81 Aldwych,
 London
 WC2B 4HN

Telephone: 0300 111 3000 (lines are open Monday to Friday
 from 09:15 to 17:15)

Fax: 020 7831 1942

Email: info@housing-ombudsman.org.uk

How can I provide feedback?

You can give us your feedback in various ways:

- complete an online form at www.magentaliving.org.uk
- email us via our website: www.magentaliving.org.uk
- telephone us on 0808 100 9596
- write to us at Magenta Living, Partnership Building, Hamilton Street, Birkenhead CH41 5AA
- speak to a member of staff.

You can also ask another person to pass on your comments or complaints for you - for example, a friend, relative, carer or advocate. Feedback includes compliments, comments and complaints. It does not mean:

- an initial request for service, or
- a request for information.

We will not consider feedback if:

- it is made in an unreasonable, threatening or hostile way, or
- legal action on the issue has started.

If you do not wish to give your name and address, we will still record your feedback, take it into account and review what we are doing about it.

Complaints

See Service Charge Disputes Procedure in Section 6.

Compensation

In some instances you may be entitled to claim compensation. Details of how and when you can claim are outlined in our compensation policy which is available upon request. We will consider making a compensation award when we investigate the complaint.

Our promises to you

We will always:

- Do our best to resolve your complaint the first time you raise it.
- Record informal complaints that do not require a response as “customer feedback” so we can learn from them and improve our services.
- Ask you for the best way to contact you.
- Acknowledge your complaint in writing, or by whichever method suits you best, within two working days at each stage of the complaints process.
- Give you a reference number and the name and contact details of the manager who is dealing with your complaint, and aim to respond to your complaint within 15 working days at each stage of the process.
- Keep you informed of the reasons for any delay if, for any reason, we cannot meet this 15 day target.
- Let you know how to appeal after a decision has been made at each stage of the complaints process.
- Treat complaints confidentially at all times.
- Publicise any changes to services which result from customer feedback and complaints.
- Tenants from our Operations Committee and a Board Director will review your complaint and decide whether they agree with the decision reached at stage 1. In most cases, they meet with you to review their decision and will send you their response within 30 working days.
- Contact you at the end of the process to ask if you are satisfied with the outcome and the way we handled your complaint.

Section 7

Selling your Flat

If you applied to buy your flat, on or after 18 January 2005, for the first 10 years after you bought your flat we have the Right of First Refusal. This means you are required by law to first offer to sell your flat back to us before you sell on the open market. You must make this offer in writing. We will decide whether we wish to buy your flat from you, we will then send you a notice confirming our decision.

If you are selling your flat on the open market, your solicitor will want to know certain information to put together any Home Information Pack that may be required, and so that the transfer of ownership takes place easily. This information will have been sent to you at some time during the term of your lease, but if your solicitor needs more information, they should first go to the Magenta Living Home Ownership Team. We usually charge a fee for providing the information if we have previously supplied it to you or it is in addition to our legal obligations.

After the completion of the sale of your flat the buyer's solicitor must serve appropriate notice of assignment (and, if applicable, notice of mortgage), as set out in the lease. This is simply a legal document stating who the new owner is and which bank or building society (if any) the new owner has their mortgage with. A £10 fee (reviewable) must be paid for each notice served.

Once the Home Ownership Team has received this notice, they will then know who the legal leaseholder of the flat is. We will acknowledge the notice and provide a receipt for it only if, by the time of completion:

- you have paid all service charges, and
- you have kept to the terms of your lease generally.

Repaying any discount

If you plan to sell your flat, you may have to repay any discount you had when you bought it. You or your solicitor should first contact us to find out whether this applies to you.

The exact amount of discount repayable will depend on

- the percentage amount of discount you were given when you bought the flat
- the price of the flat when you bought it, and
- the price you are now selling the flat for.

The repayment of discount is calculated using the following principles:

- If you sell in the first year after buying, you must repay all of your discount.
- If you sell in the second year after buying, you must repay four fifths of your discount.
- If you sell in the third year after buying, you must repay three fifths of your discount.
- If you sell in the fourth year after buying, you must repay two fifths of your discount.
- If you sell in the fifth year after buying, you must repay one fifth of the discount.

Please note, the amount of discount you repay if you sell within five years of buying will be a percentage of the resale value of the property, disregarding the value of any improvements you have made.

Section 8

Letting your flat

If you wish to sublet your flat, your lease states that you **must** have written consent from Magenta Living. We will also require a copy of the sublease or tenancy agreement for our records. If you do sublet your flat, please give us your new contact details so we can keep you informed, or in case of an emergency. When you sublet your flat, we ask you to ensure that:

- Your tenant keeps to the terms of the lease, because you will be responsible for their actions
- All service charges, ground rent and insurance premium payments are paid and kept up to date.

As the landlord, you have a legal obligation to ensure the safety of your tenant. You must:

- Obtain a gas safety certificate for every gas appliance, issued by a Gas Safe Engineer and renewed every year
- Ensure that any necessary work identified by gas engineers is done
- Ensure the furniture meets fire-safety standards
- Ensure the electrical equipment is safe.

Your tenant can also ask you to fit and maintain carbon-monoxide detectors. Although these are not required by law, fitting them is in your best interest as well as the tenant's.

For more information on gas safety, contact our Cyclical Maintenance Team on 0808 100 9596 or the Health and Safety Executive on 0845 345 0055 or write to:

HSE Head Office
Health & Safety Executive
Rugrave Court
Merton Road
BOOTLE
L20 7HS

Section 9

Rights and Responsibilities

This section summarises the main rights and responsibilities of us, as freeholder, and you, as owner of a leasehold flat. Your lease will have the full details.

Our responsibilities

We have a duty to:

- Keep in repair the structure, exterior and common parts of your building, including drains and external pipes.
- Keep the building insured to the full cost of reinstatement (putting it back to its original condition).
- Manage your block or estate in a proper and reasonable way.
- Send you an interim service charge statement showing what you should pay.
- Provide a Certificate of Expenditure before the end of September showing the actual costs for services to your block over the previous year, and how much you need to pay.
- Consult you before doing expensive work to your block or before entering into a qualifying long term agreement (or both).

We have the right:

- Of entry to your home to do our duty in repairing, improving or inspecting the building (having given three days notice, except in an emergency).

Your responsibilities

As a leaseholder, you have a duty to:

- Pay ground rent, the service charge and major-work costs on time.
- Not make structural alterations or additions, including new windows, without our written permission.
- Notify us of any transfer of lease, mortgage, or sublet
- Keep your flat in good repair.
- Keep to all the terms and conditions set out in your lease
- Send us a copy of any notice affecting the property.
- Not play loud music or do anything that may cause a nuisance to residents or damage any part of the building.

You have the right to:

- Quiet enjoyment of your flat.
- Information on the service charge and the money spent on your estate.
- Be consulted on expensive work and qualifying long term agreements that affect your flat.

Mortgage Repayments

You are responsible for keeping up your repayments on your mortgage. If you fall behind, your home could be at risk.

If you are having difficulty with your payments, ask for help straight away. The sooner you ask for help, the greater the chance of sorting it out and coming to an agreement with your lender.

The Council's Trading Standards or the Citizens Advice Bureau can offer help and advice in dealing with your mortgage company. Have a look at the list of useful contacts at the back of the handbook for details of agencies that may be able to help.

Permission to have pets

Under the terms of your lease, if you have a pet or are thinking of getting one, you need to apply for permission. Please contact your estate officer on 0808 100 9596 who will decide if permission can be granted. Permission will depend on what type of animal you intend to keep, the number of animals you intend to keep and the floor your flat is located on.

A copy of the Pet Policy is available on request or you can visit www.magentaliving.org.uk/our-services

Extending your lease

You have the right, in legislation, to extend your lease for 90 years. To qualify, you must have owned your flat for the preceding two years. To exercise this right you must serve a notice under the Leasehold Reform Housing and Urban Development Act 1993.

Information about your rights, duties and obligations can be obtained by contacting LEASE whose details are:-

Address:	149 Tottenham Court Road, London, W1T 7BN
Telephone:	020 7383 9800
Email:	info@lease-advice.org
Website:	www.lease-advice.org

You should note that once you serve the notice, you will be liable for our legal and surveyors fees. Your notice must state how much you propose to offer for your lease extension. It must be a realistic offer or your notice will be invalid. LEASE holds a list of surveyors and solicitors who have knowledge of this area from who you may choose to seek advice. There is a valuer listed on their website who is based in Liverpool.

On receipt of your notice, we will investigate your claim, and if it is valid, we will advise you of the amount we would accept to extend your lease, which would depend on how long your lease has left to run.

If you require further information, you will need to contact your legal advisor or visit the LEASE website.

Your right to enfranchisement

Enfranchisement is a collective right for a group of leaseholders of flats to buy the freehold of the building they live in.

Leaseholders have this right if they, and the building they live in, qualify. After buying the freehold, the leaseholders can decide how to manage the building – doing it themselves or appointing a manager to do it for them.

How do leaseholders qualify?

To have the right to enfranchise, you must be a 'qualifying tenant'. This means you must be a 'long leaseholder' (have a lease of an original term of more than 21 years).

How does the building qualify?

- There must be at least two flats in the building.
- At least two thirds of all the flats must be sold to long leaseholders.
- Less than 25% (a quarter) of the internal floor area may be in non-residential use or intended for non-residential use (e.g. as a shop).
- The number of leaseholders taking part must be at least half the number of flats in the block.

For example, in a block of 12 flats, at least eight must be sold to long leaseholders, and at least six of these would need to be in favour and take part in the enfranchisement process.

When leaseholders enfranchise, they buy the freehold of the building. Leaseholders may also have the right to buy other property and areas that the leaseholders' leases allow them to use when they enfranchise. This might include gardens, garages and parking spaces, if the leaseholders need to buy these to use them.

The freehold is owned by a 'nominee purchaser'. This is a person or company that leaseholders must name when they start the enfranchisement process, so it is important for leaseholders to decide how they want their building to be owned and run. No more than four people can be the joint owners of one freehold, so in a building with more than four long leaseholders, it may be better to set up a company to own the freehold, or choose a third party with no financial interest in the building. Please contact the Home Ownership Team for more information.

Your Right To Manage

The Right To Manage is the right for a group of leaseholders of flats (not houses) to manage the building they live in. To do this, the leaseholders must first set up a special company called a Right to Manage (RTM) company. The landlord's management of the building will transfer to that company.

How do leaseholders qualify?

To have the right to manage, you must be a 'qualifying tenant'. This means you must be a 'long leaseholder' (have a lease of an original term of more than 21 years). To have the right to manage, the number of leaseholders taking part must be at least half the number of flats in the building.

How does the building qualify?

- The building must be self-contained (or if part of another building, be capable of being redeveloped independently).
- There must be at least two flats in the building.
- At least two-thirds of the flats must be let to long leaseholders.
- It may be part-commercial, such as a shop, but the non-residential part must be less than 25% (a quarter) of the total floor area.

Once a RTM company has been registered, it must formally invite all qualifying leaseholders to join by giving them a Notice Inviting Participation. The RTM company then gives a Notice of Claim on the landlord, followed by several other formal stages. LEASE has produced a 25 page guide to the Right to Manage, which you can download from www.lease-advice.org. Alternatively, you can contact the Home Ownership Team on 0808 100 9596, and they will send one to you.

Section 10

Equality and Diversity

We believe all people should be treated with dignity and respect, regardless of their age, disability, gender reassignment, marriage and civil partnership, race, religion, belief or non belief, sex or sexuality or by association with someone with any of these characteristics or perception of having any of these characteristics.

We recognise that everyone has a contribution to make and that services can be improved by pulling together the skills and contributions from all sectors of the workforce and community. We will take steps to ensure that we create a culture that promotes equality and celebrates diversity.

When we make plans and policies, we will:

- Design our services to meet the diverse needs of all our communities.
- Ensure our plans and policies, practice and procedures do not discriminate unfairly or unlawfully against particular groups.
- Make sure all staff, customers, contractors and community groups are aware of our Equality and Diversity Policy. A copy is available on request.
- Try to involve customers as much as possible when we make decisions that affect them.
- Share information and involve everyone in our communities.
- Check on the outcomes of our policies and procedures, and take action where this shows we can improve.

When we work with other organisations, we will:

- Publicise our Equality and Diversity Policy widely and positively.
- Try to work with local businesses, including those led by people from ethnic minorities, women, people with disabilities and from the lesbian, gay, bisexual and transgender communities.
- Encourage our diverse communities to become involved with Magenta Living through partnerships, and provide ways for them to be involved.
- Actively consult all sections of the community in Wirral.

When we provide services, we will:

- Ensure they are relevant to all people and take into account people's different needs.
- Issue information about our services that is accurate, easy to read and easy to acquire.
- Treat all customers positively (regardless of their age, disability, gender reassignment, marriage and civil partnership, race, religion, belief or non belief, sex or sexuality or by association with someone with any of these characteristics or perception of having any of these characteristics).
- Adapt to meet the different needs of our customers. This could include adapting our offices, providing information in a different format or visiting you at home.
- Respond seriously to, and investigate, complaints of bullying, harassment, discrimination or victimisation.

Section 11

Problems you may find in your home

Damp

There are four main types of dampness that could affect your home:

Condensation

Condensation is caused by water moisture from inside the dwelling coming into contact with a colder surface, such as a window or wall. The resulting water drops (or condensation) may soak into the wallpaper, paintwork or even plasterwork, causing black mould to grow on its surface. Condensation mainly occurs during the colder months, whether it is rainy or dry outside, and is usually found in corners and north facing walls, on or near windows and in areas where there is little air circulation, such as behind wardrobes and beds, especially when they are pushed up against external walls. Below are ways to reduce condensation in your home:

Produce less moisture:

- Cover pans when cooking or, if you have one, use a microwave.
- Dry clothes outdoors in warm weather.
- Vent tumble driers to the outside.
- Do not use paraffin or liquid petroleum ('bottled') gas heaters. They are very expensive to run and produce a large amount of water vapour.

Ventilate to remove moisture:

- Always ventilate kitchens and bathrooms during and after use, and close other internal doors to prevent moisture spreading to other parts of the home.

- Open bedroom windows for at least one hour.

Wipe away excess moisture:

- Wipe windows and windowsills every morning to remove condensation. This is especially important in the bedroom.

Insulate and draught-proof:

- Draught-proof windows and external doors.
- If you are aged over 60 or on some form of income-related benefit, you may be entitled to grant aid assistance. Find out if you are eligible by visiting www.gov.uk

Heat your home:

- If possible, keep low background heat on all day. This is far more efficient than having the heating on in the morning, then again in the evening.

Rising Damp

This is caused by water from the ground rising into the home by penetrating or bypassing a defective damp-proof course (DPC). The DPC is the line of black material, usually seen between two rows of bricks about 6 inches (150mm) above ground level. Rising damp will only affect basements and ground floor rooms, up to a height of 12 to 18 inches (300mm to 450mm). It will be seen all year round (usually as a 'tide mark' low down on the wall) but is more noticeable in winter. If left untreated, it will lead to crumbling wall plaster in that area and lifting wallpaper.

Once identified, and before calling us, it is well worth doing some preliminary investigations yourself. Ensure that any soil line is at least 6 inches below the DPC. Where the soil is up to or even over this line, it is essential that it is dug away. Similarly, paths should not rise more than 6 inches below the DPC. If none of the above applies, then it may be the case that your existing DPC has perished with age, and a new one has to be inserted. Call us

on 0808 100 9596 and we will investigate further.

Penetrating Dampness

This type of dampness will only occur on external walls and is due to a defect outside the home, such as defective eave gutters or down pipes, which are allowing water to pass into the home. This type of dampness is more noticeable following a period of rainfall. The affected area looks and feels damp to the touch.

Examine the exterior of your property in the affected area, looking for broken eave gutters, down pipes, missing tiles, poor chimney flashings or perished mortar or sealant around windows. More rarely, you may see areas of old perished brickwork and open jointed brickwork. Any of these defects could allow water to pass to the inside of your home. If you see any of these problems, call us on 0808 100 9596 and we will investigate further.

Defective Plumbing

Leaks from water and waste pipes, especially in bathrooms and kitchens, are relatively common. They can affect both internal and external walls and ceilings. The area looks and feels damp to the touch and remains damp whatever the weather conditions. A quick examination of the water and waste pipes serving the kitchen and bathroom will usually find the problem. If you need help in isolating and stopping the leak, please call us on 0808 100 9596.

Leaks from defective plumbing in flats may not affect you but can cause major damage to those below. It is essential that any leaks are repaired as soon as possible.

Blocked drains

You can significantly reduce the risk of blocked drains by only disposing of appropriate material down the toilet. Make sure you put nappies and other similar items in the bin.

Burst pipes

If you have a burst pipe:

- Turn off the water at the stopcock, which is usually located under the sink.
- Turn off your central-heating boiler and immersion heater.
- Drain the water from the pipes by turning on the taps.
- Do not use any electrical switches as they may be wet.
- Contact a qualified plumber.

In extreme emergencies, please call the Contact Centre on 0808 100 9596 and we will send out a plumber to isolate the leak. You will usually be re-charged for the call out.

Section 12

Other information

Nuisance and harassment – anti-social behaviour

We are committed to tackling anti social behaviour and helping tenants and residents live in their communities without fear.

We want you to be able to live in your home and neighbourhood in peace and comfort, free from nuisance, annoyance, harassment or any other acts of anti-social behaviour.

Anti-social behaviour can include:

- Abuse or insulting words or behaviour.
- Harassment on the grounds of age, disability, gender reassignment, marriage and civil partnership, race, religion, belief or non belief, sex or sexuality or by association with someone with any of these characteristics or perception of having any of these characteristics.
- Intimidation and assault.
- Violence or threats of violence (including domestic violence).
- Noise nuisance.
- Using and selling drugs.
- Using or allowing the premises to be used for illegal or immoral purposes, such as prostitution, handling drugs and handling or storing stolen goods.
- Rubbish dumping and misuse of communal areas (such as car repairs).
- Nuisance or annoyance caused by pets or other animals, such as dogs barking and fouling.

If you are suffering from anti-social behaviour, try talking to the person causing the behaviour. However, if you feel threatened or intimidated by them, don't put yourself at risk - stop the discussion and walk away.

If you cannot solve the problem by talking to the other person, contact the Magenta Living Tenancy Enforcement Team on 0808 100 9596. They will complete an action plan with you, which will set out how we intend to deal with the issues you have raised. After a thorough investigation, this should resolve the situation.

Mediation is also an option, if a satisfactory conclusion cannot be reached. You can report anti social behaviour to us 24 hours a day, seven days a week.

It's Your Call

'It's Your Call' is a Wirral-based action line for reporting anti-social behaviour. You can contact them on (0151) 606 2020. If you wish, your call can be anonymous.

'It's Your Call' is operated through Wirral Council's Corporate Call Centre, which is available Monday to Friday from 9am – 5pm. An answerphone service is provided out of hours, and calls will be returned the next working day. The service is also available through One Stop Shops in Wirral. Addresses and opening times are listed in Section 14.

To report a serious or life-threatening situation, ring Merseyside Police on 999. To speak to Merseyside Police when not urgent, call 101. All callers to 'It's Your Call' will receive a comprehensive Self-Help Guide, giving more detailed guidance on where to report each type of anti-social behaviour and what the relevant agencies can do to deal with these issues.

Safety and security

Each resident is responsible for the safety and security of their own flat. You can read practical advice about security from the Merseyside Police website www.merseyside.police.uk

If you are worried about the security of your block of flats or estate, please call Magenta Living on 0808 100 9596.

Leaseholder Satisfaction Survey – have your say!

We have previously commissioned a company to carry out a Leaseholder Satisfaction Survey to find out how satisfied leaseholders are with the service we provide and our standard of customer care. We may carry out more surveys from time to time so we can monitor our performance. Completion of any surveys is voluntary.

Training for residents

We offer various training programmes for tenants and leaseholders. If you are interested in attending a course, please contact the Resident Involvement Team on 0808 100 9596. Places on the course will be on a first-come-first-served basis, and will depend on the level of interest we receive. There will be more information in forthcoming issues of Spotlight, the twice yearly leaseholders' newsletter.

Membership to Magenta Living

One of the many promises made to tenants at transfer was that they could become members of the company.

Magenta Living is the trading name of Wirral Partnership Homes, which is a company limited by guarantee, which means there are no shareholders as we are a not-for-profit organisation (all the money we make goes back into the company).

Membership entitles a person to attend the company's Annual General Meeting (AGM), receive a copy of its Annual Report and Accounts and to vote on all resolutions (proposed decisions), including any changes to the company's constitution (Articles of Association). The constitution sets out the powers the company has and how it goes about its official business.

If you are interested in becoming a company member, please contact the Board Administrator on 0808 100 9596 for more information.

Leaseholders and Magenta Living Board

Leaseholders can be elected on the Board as Tenant Board Directors, with a maximum of one place being held by a leaseholder at any one time. Anyone interested in becoming a Tenant Board Director should contact the Board Administrator on 0808 100 9596.

Our policy on gifts to staff

Magenta Living staff and their families are not allowed to accept gifts from residents or residents associations. Refusal can often offend, so please do not offer gifts. If you wish to show your gratitude, we always welcome a letter of appreciation.

Information we hold about you

When dealing with your personal information, we will comply with the principles in the Data Protection Act 1998, which are:

- Personal data must be “processed fairly and lawfully”.
- Personal data must only be obtained and used for specified and lawful purposes.
- Personal data should be adequate, relevant and not excessive.
- Personal data must be accurate and kept up to date.
- Personal data must not be kept for longer than necessary.
- Personal data must be processed in accordance with individuals’ rights.
- Appropriate measures must be taken to ensure the security of personal data.
- Personal data should not to be transferred outside the European Economic Area.

So that we can run our business and do what we need to, you consent to us holding any personal information (including sensitive personal data) you have given us, or has been given to us by third parties, or will be given in the future. This may include showing your personal data to certain third parties, such as Wirral Council, if they can show that they are entitled to receive the information. No personal data will be sold to third parties.

Section 13

Useful contact details

Magenta Living

Address: Magenta Living
Partnership Building
Hamilton Street
Birkenhead
CH41 5AA.

Telephone: 0808 100 9596

Email: homeownership@magentaliving.org.uk

Website: www.magentaliving.org.uk

Facebook: [magentaliving](https://www.facebook.com/magentaliving)

Twitter: [@magentaliving](https://twitter.com/magentaliving)

BERT (Bulky Environmental Refuse Team)

This service is for Magenta Living residents who wish to dispose of bulky household items, such as white goods, carpets, furniture, beds, PC's and TV's etc. Please note, there is a small charge for this service; prices start at £10.00 for the first three items. Please log onto www.magentaliving.org.uk and search for BERT for the current collection rates, or telephone 0808 100 9596.

Property Pool Plus

(Formerly Wirralhomes)

Address: Wallasey Town Hall
Brighton Street
Wallasey
CH44 8ED

Telephone: (0151) 639 8518 (to speak to an advisor)
0300 777 3022 (to place a bid for a property)

Leasehold Advisory Service (Lease)

Address: Maple House
149 Tottenham Court Road
London
W1T 7BN

Telephone: 020 7383 9800
Fax: 020 7374 5373
Email: info@lease-advice.org
Website: www.lease-advice.org.uk

Transco

(Gas emergencies or leaks)
0800 111 999

Trading Standards – Institute

08454 04 05 06

Crime Stoppers

(To report a crime anonymously)
0800 555 111

Merseyside Police

(General Enquiries)
101

Age UK Wirral (Head Office)

Address: Devonshire Resource Centre
141 Park Road North
Birkenhead
CH41 0DD

Telephone: (0151) 482 3456

Website: www.ageuk.org.uk/wirral/contact-us

United Utilities

(Water)

0845 746 2200

Disability Living Allowance

0345 712 3456

Attendance Allowance

0345 605 6055

Personal Independence Allowance

0345 850 3322

Wirral Welfare Rights Unit

Specialist advice and casework for the general public on welfare rights. Representation at First Tier Tribunal and Upper Tribunal appeal hearings in selected cases

Address: The Conway Centre
Conway Street
Birkenhead
CH41 6LA

Telephone: (0151) 666 4570

Website: welfarerights@wirral.gov.uk

Department for Work and Pensions

The DWP is responsible for welfare, pensions and child maintenance policy. It administers the State Pension and a range of working age, disability and ill health benefits. It can also assist leaseholders in paying their service charge.

Address: The Pension Service
PO Box 15
Chester
CH70 8BG

Telephone: 0845 6060 265

Citizens Advice Bureau

The Citizens Advice Bureau aim to provide the advice people need for the problems they face, and improve the policies and practices that affect people's lives.

They provide free, independent, confidential and impartial advice to everyone on their rights and responsibilities.

Telephone: 0844 477 2121
Website: wirralcab.org.uk

The Citizens Advice Bureau has offices across Wirral:

Arrowe Park Hospital

Main Corridor (Ground Floor)
Arrowe Park Road
Wirral
CH49 5PE

Moreton Library Outreach

Pasture Road
Moreton
CH46 8SA

Rock Ferry (One Stop Shop)

257 Old Chester Road
Rock Ferry
Birkenhead
CH42 3TD

Birkenhead Advice Centre

50 Argyle Street
Birkenhead
CH41 6AF

Wallasey Advice Centre

237 - 243 Liscard Road
Wallasey
CH44 5TH

Heswall Advice Centre

Hillcroft
Rocky Lane
Heswall
CH60 0BY

West Kirby Outreach

West Kirby One Stop Shop
The Concourse
West Kirby
CH48 4HZ

Section 14

Council services

Wirral Council has a network of community One Stop Shops in convenient locations throughout the borough. One Stop Shops provide a welcoming, comfortable environment where residents can access a wide range of Council and partner services in a single place. Their advisors are trained to take a wider approach when dealing with your enquiries. This means that they will also consider how other organisations outside of the Council, such as the NHS and Age Concern, may be able to help you. By taking this approach, they can offer a package of help and advice relevant to your circumstances.

Wirral Council Switchboard

Telephone: (0151) 606 2000

Bebington One Stop Shop

Pennant House
63 The Village
Bebington
CH63 7PL

Birkenhead One Stop Shop

Conway Centre
Conway Street
Birkenhead
CH41 6JD

Bromborough One Stop Shop

Job Centre Plus
Port Causeway House
Bromborough
CH62 4TG

Eastham One Stop Shop

Eastham Library
Mill Park Drive
Eastham
CH62 9AL

Heswall One Stop Shop

Heswall Library,
Telegraph Road
Heswall
CH60 0AF

Hoylake One Stop Shop

Jobcentre Plus
Town Hall Chambers
1 The Quadrant
Hoylake
CH47 2HR

Liscard One Stop Shop

Dominick House
St Albans Road
Liscard
CH44 5XS

Moreton One Stop Shop

Moreton Library
Knutsford Road
Moreton
CH46 8TN

New Brighton One Stop Shop

New Brighton Community Centre
1a Hope Street
New Brighton
CH45 2LN

Rock Ferry One Stop Shop

Tranmere Urban Village
257 Old Chester Road
Rock Ferry
CH42 3TD

Seacombe One Stop Shop

Wallasey Town Hall
Brighton Street
Wallasey
CH44 8ED

Upton One Stop Shop

Job Centre Plus
52 Arrowe Park Road
Upton
CH49 0UE

West Kirby One Stop Shop

The Concourse
West Kirby
CH48 4HX

You can contact the Council Tax Section:

By post:

Director of Finance
Housing and Council Tax Benefit Section
Metropolitan Borough of Wirral
PO Box 2
Birkenhead
CH41 6BU

By phone: Call Centre (0151) 606 2002

By email: counciltax@wirral.gov.uk

For advice on:

- bin collections
- recycling
- street cleansing
- street lighting
- road and pavement maintenance
- road signs
- bulk waste removals (Eric Service)
- abandoned vehicles

Telephone: (0151) 606 2004

Email: streetscene@wirral.gov.uk

For information and advice on:

- pest control (mice/rats, etc)
- registrars
- Council recruitment (jobs)
- It's Your Call (reporting anti social behaviour)
- building control
- contacting local MPs and Councillors

Telephone: (0151) 606 2020

Email: buildingcontrol@wirral.gov.uk

Merseyside Energy Efficiency Advice Centre

Telephone: (0151) 639 7537

Email: energyadvice@epplus.org.uk

Wirral Community Patrol

Telephone: (0151) 666 5265

Email: wirralcommunitypatrol@wirral.gov.uk

Section 15

An explanation of some terms used in this handbook.

Administration charge

An amount you pay, either directly or indirectly, for landlord's consents, information, transfers, sublets or breaches of covenant.

Block

Your block is the building described in your lease for which you are responsible for paying your share of Magenta Living's costs.

Breach of covenant

When a duty set out in the lease is broken.

Certificates of Expenditure

End-of-year accounts for each leaseholder provided by the landlord, clearly showing the annual charges due, and supported by receipts and other evidence available for inspection.

Commonhold and Leasehold Reform Act 2002

The law which gives leaseholders more rights to be consulted on work and contracts, and to be given information about money spent on the estate.

Consent

Written permission you need from us to do various things, such as make structural alterations, additions or keeping pets.

Consultation

Your right to be informed about major work and contracts and, in some cases, to suggest a contractor to carry out the work.

Demised premises

Demised premises are defined by a red line on the plans you were sent when you bought the lease to your property. This is the part of the building you have bought, and you are responsible for the interior parts, along with any gardens or outbuildings.

Enfranchisement

Your right to buy the freehold, under certain conditions, of the block you live in.

Estate

The estate is defined by the blue line drawn on the plans you were sent when you bought the lease to your property. This is the part that you must contribute towards the costs of maintaining. See Section 1 for an example of an estate.

First-tier Tribunal (Property Chamber)

Formerly the Leasehold Valuation Tribunal, an independent and impartial body given legal powers by the Government to settle service charge disputes instead of going to court.

Forfeiture

Ending the lease and repossession of the property by the landlord because the lease conditions have not been met.

Homes and Communities Agency

The Homes & Communities Agency (formerly The Tenant Services Authority/Housing Corporation) is the national government agency that regulates or oversees all housing associations.

Improvements

The provision of a new service to a building, e.g. wheelchair access or CCTV.

Inspection of accounts

Your right to see the documents and receipts used to work out your service charge.

Landlord & Tenant Act 1985

The original Act of Parliament, now changed by other Acts, which sets out what a service charge is, that it must be 'reasonably incurred', how you should be consulted and your right to inspect accounts.

Long-term agreement

A contract of more than 12 months to provide work or services, for instance the grounds maintenance contract or the lift maintenance contract.

Management Fee

The part of the service charge that covers Magenta Living's leasehold management costs.

Qualifying works

Work that costs you £250 or more, and on which you will generally be consulted in a specified way.

Recognised residents/tenants association

A group of residents who have been recognised by Magenta Living in writing for the purposes of the Landlord and Tenant Act 1985, or certified by the Rent Assessment Committee.

Residents

Tenants and leaseholders.

Right to Manage

Right to Manage is a group right for leaseholders of flats to manage the building they live in.

Section 125 Notice

The offer notice of the Right to Buy purchase price, which sets out the cost of major work for the first five years of the lease, and the most that Magenta Living can charge during this period.

Subletting

When you let your flat to someone else. If you do this, you become a landlord and are responsible for your tenant's actions. You must give Magenta Living all the details of the sublet within one month of it happening, otherwise this becomes a breach of covenant.

Magenta Living
Partnership Building
Hamilton Street
Birkenhead
CH41 5AA

0808 100 9596

www.magentaliving.org.uk

contactus@magentaliving.org.uk



magenta living



magenta live