

A guide to buying your council or housing association home

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Part 1: Checklist to buy your council or housing association home

1. Look at the information about who is eligible to buy their homes from landlords before you decide which of the following schemes is most appropriate for you:
 - i. [Right to Buy](#)
 - ii. [Right to Acquire](#)
 - iii. [Social HomeBuy](#)
2. Check that:
 - Your individual personal circumstances mean that you can apply
 - Your property can be sold under the scheme
3. Unless you are paying for your property with a one-off payment, check to make sure that you can:
 - Arrange a mortgage
 - Afford to keep up repayments
4. Once you've decided that you want to buy your home, contact your landlord who will give you the application forms, alternatively you can also find some of the forms online.
5. Fill in the application forms and send them to your landlord, keeping a copy of the forms for yourself.
6. Once your landlord has received your completed form they will tell you:
 - If you can buy your property
 - How much it is worth
 - The price you will need to pay, including what discount will apply
7. If you disagree with the landlord's valuation of your home, you must arrange for a district valuer to value your home – their decision is final.
8. Once you've had the final valuation, you have a limited time to reach a decision about buying your home. If you do decide to go ahead, you must let your landlord know.
9. Once you've agreed to continue with the purchase you will need to:
 - Arrange a [survey](#)
 - Contact a [solicitor](#)
10. The sale then continues following the same procedure as if you were buying your property on the open market rather than from your landlord.

Please note: whilst The contents of this guide apply to England. There are different rules which apply if you live in Wales, Scotland or Northern Ireland. *reallymoving.com* makes every effort to guarantee the accuracy of information contained in this document, it accepts no liability for any inaccuracies and visitors who rely on this information do so at their own risk.

Part 2: Right to Buy scheme guide

What is the Right to Buy scheme?

The Right to Buy scheme allows council house tenants to buy their home provided you meet the application criteria (see below). The sale includes any land which is part of the property (such as gardens or garages). As a tenant, you will also be entitled to a discount because you have rented the property.

Who can apply for the scheme?

Being eligible for the Right to Buy scheme is quite complex but means that:

- **You** have the right type of landlord and tenancy
- Your **personal circumstances** mean you can apply
- The **property** you want to buy is one that can be sold to you

As of 1st September 2016 you can apply for the scheme if you meet (can say yes to) **ALL** of the following application criteria.

(1) About you and your tenancy:

- **your landlord is a Right to Buy landlord.** You can see if this applies to your landlord by checking the list at the back of this guide. (It mainly includes current council tenants OR people who were council tenants until their home was transferred a housing association landlord) and
- **you have been a tenant for 3 years or more** (it doesn't have to be 3 years in a row, just a total of at least 3 years) of a "public sector landlord". "Public sector landlords" include all of the "Right to Buy landlords" but also includes housing associations and or government bodies like the armed forces and NHS

(2) About your personal circumstances:

- **you don't have any legal problems with debt.** You won't be able to apply if you are an undischarged bankrupt, have a bankruptcy petition pending against you or have made an arrangement with people you owe money to (creditors) and have not paid it off. If you were previously bankrupt but have now been discharged, this should no longer be a problem. However, it could make it more difficult to get a mortgage.
- **you have not been given a possession order for your property.** A possession order is a formal Court document which would mean that you **MUST** leave your home (be evicted).

(3) About the property you want to buy:

- The property you want to buy must
- be your only or main home. If you are applying to buy jointly with other tenants, only one of you needs to live in the property as your only or main home
- be self-contained and not "shared". For example, you can't apply if you have a shared kitchen
- not be due to be demolished (i.e. you have not received a letter from your landlord in the last 7 years telling you it will be demolished).
- not be an "excluded" property (for more details of excluded properties see below)

What types of properties can be bought under the Right to Buy scheme?

Whilst there are many types of property which you can buy under the Right to Buy scheme, some types of property are excluded which means that

- they can't be sold under the Right to Buy scheme and
- your landlord can refuse to sell the property to you.

Your landlord must explain why they are refusing to sell.

Excluded Properties – the properties which you can NOT buy under the Right to Buy scheme

This includes any property which is:

- on a long-term fixed lease of 21 years or more
- provided for specific purposes, for example, police houses
- let from a private landlord
- sheltered housing (homes that include a warden and common room for all residents) for older or disabled people
- particularly suitable for occupation by elderly people (you may have a right of appeal - see later)
- owned by a charity that doesn't receive public funds
- part of agricultural premises or a business, such as a flat above a shop
- in the grounds of a public building, for example, a school
- rented to you so you can study full-time at a college or university provided that you have been notified that the property is excluded from any "Right to Buy" and you are not still a tenant 6 months after you have stopped attending the college or university
- temporarily rented whilst you look for a permanent home as you move from one area to another to take up a job, provided that you have been notified that the property is excluded from any "Right to Buy" scheme and you are not still living there after a year
- rented to you as a temporary letting whilst your own property is being repaired and/or improved
- rented to people who used to be squatters but have now been given a licence to occupy a home.
- on land, that has been purchased for development
- subject to a demolition notice which is served after you have applied under the "right to Buy" scheme. If this happens you have 3 months to claim compensation for any legal fees you've already spent trying to buy your home

Do some properties have special rules which apply to them?

Yes, there are some types of properties that have special rules when it comes to being eligible for "Right to Buy".

(1) Properties more suitable for older people

A landlord doesn't have to sell you a property that is "particularly suitable" for older people or has been let to you by a person over 60 years of age but, if they give you this as the reason for not selling, you can appeal their decision.

A property may be "particularly suitable" for older people if:

- it has easy access e.g. a lift
- all rooms are on one level
- there are no more than two bedrooms
- there is heating for at least a living room and one bedroom
- there is easy access to local shops and public transport

BUT the landlord must ignore any "features" you have provided, for example, if you have installed central heating.

If your landlord refuses to sell to you because of this reason, in most cases you can contact the Residential Property Tribunal office who will advise you which regional panel (where your home is located) can make a final decision about it. The panel may

- decide that the landlord can refuse to sell
- determine that you can go ahead with your Right to Buy

If you want to appeal your landlord's decision you must act quickly because there are strict deadlines – you must make sure your appeal is received within 56 days of your approach being rejected by your landlord.

For more information visit <https://www.gov.uk/courts-tribunals/first-tier-tribunal-property-chamber>

(2) Properties in the Countryside

If your home is in the countryside, in:

- an area of outstanding natural beauty or
- a national park or
- an area the Government says is rural (in the countryside) in relation to the Right to Buy scheme

Special rules apply which mean that you landlord can set rules (restrictions) about who you can sell your home to at a later date (for example, you may only be able to sell it to someone who has lived and worked in the area for at least five years). These rules can make it more difficult to arrange a mortgage.

(3) Defective dwellings

Your landlord MUST tell you if your home is a “defective dwelling” because

- there are problems with its design or how it was built and
- its value is reduced because of this

Before you buy, you should

- think carefully whether it's a good idea to buy; you may have problems getting a mortgage and also selling the property at a later date
- always have a professional (usually a surveyor) tell you about the condition of the property
- make sure that the price you pay reflects the fact that the property does have problems, if you decide to buy

Can I share a Right to Buy application with other people?

Yes, in most cases you can apply for the “Right to Buy” with

- anyone who is a joint tenant with you (their name is on the tenancy agreement)
- your spouse or civil partner
- up to 3 adult members of your family who
- live at your address as their main home and
- have done so for at least the past 12 months

Is a discount available on the price of my home?

Yes. If your application for the Right to Buy scheme is successful you will receive a discount on the market value of the property. The market value is the price your home would attract if it were sold on the open market.

The amount of discount depends on the type of tenancy and the home you're buying and is subject to a maximum which is set in April of each year. This discount is calculated by taking into account:

- how long you've been a tenant
- where you live
- the type of property you are buying
- whether you've previously had financial help to enable you to buy your council home (the amount you were awarded will probably be taken off your new Right to Buy discount)

As an example only, some tenants qualify for at least 35% discount after 3 years tenancy.

Will my Right to Buy application go through quickly?

Yes, it's usually straightforward and there are legal deadlines which have to be met as part of the process - please see below.

If your landlord doesn't comply with the deadlines or is delaying, you might even be able to ask for a further reduction in the sale price – download and complete form RTB6.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/222564/dg_201349.pdf

However, there may be things you choose to do which delay the process, such as if you don't agree with the landlord's valuation and opt for an independent opinion.

How do I apply and what happens next?

Applying for the Right to Buy scheme is very straightforward – you do not have to pay someone to help you. You'll only need a solicitor later on in the process to handle the legal aspects of the sale.

Step 1 – complete the application form

Your landlord can send you an RTB1 application form which you must fill in and return. Alternatively, you can download one online from <https://www.gov.uk/right-to-buy-buyingyour-council-home/applying>. Make sure that you complete all sections of the form and keep a copy of the form

Step 2 – wait for the landlord’s response

Your landlord will then send you an RTB2 (Section 124 notice) which tells you

- if you can buy
- how much of a discount you will receive.

You should receive this within 4 weeks, unless you’ve been with your current landlord for less than 3 years, in which case they have 8 weeks to send it.

If you’re unhappy with the response you can appeal– talk to the Citizens Advice Bureau (CAB) or a solicitor who can help you.

Step 3 – Formal Offer

Within 8 weeks (if you are buying a house) or 12 weeks (if it is a flat) of your RTB2 form, your landlord will also send you a formal offer (Section 125 notice). This important document gives you

- a full description of the property and its condition (look for any defects)
- the price you have to pay
- estimates of what service charges you have to pay for the first 5 years of buying and
- the terms and conditions of sale – this may include a draft of the legal documents to be used

If you disagree with the valuation you need to tell your landlord within 3 months of receiving the Section 125 notice, that you want a “Determination of value”. You then have a further 4 weeks to put your case to the District Valuer for an independent valuation. The District Valuer’s valuation, which may be higher, will be final.

Step 4 – Accepting

You then have 12 weeks after you get the formal offer (Section 125) to write and tell your landlord whether you want to buy your home.

If you have had a District Valuer’s valuation, the 12 weeks start once you have received the valuation.

Step 5 – Completing the sale

Assuming you want to buy your property your sale will proceed as for any other property. You should now arrange

- your [mortgage](#) (unless you have enough money to buy)
- your independent [survey](#)
- the [solicitor](#) who will complete the legal procedure to finalise the sale on your behalf.

How do I raise the money to buy my home?

Unless you can buy your home without borrowing money, you’ll need to apply for a mortgage.

A mortgage is a particular type of loan to help buy property which is available from banks and other lenders (mortgage provider) and is secured on your home (often called a legal charge). This means that if you do not keep up with the monthly mortgage repayments the mortgage provider can apply to the Court to evict you (take possession) and sell your home to pay off the mortgage. If this happens, the council does not have to find you another home because you will no longer be a tenant.

It is therefore very important that you obtain some advice and carefully go through your finances to make sure you can afford to buy your home.

What happens if I want to sell my home purchased through the Right to Buy scheme?

(1) If you sell your property within ten years of buying it through the Right to Buy scheme, you must first offer it to

- your original landlord or
- another social landlord in the area.

The landlord must pay you the full market price agreed - if you can't reach an agreement with the landlord then the District Valuer will provide a free evaluation and set the price.

(2) If your chosen landlord doesn't agree to buy your home within 8 weeks then you will be free to sell to anyone.

(3) If you sell your home within 5 years of buying it under the "Right to Buy" scheme you will usually have to pay back

- all of the discount if you sell within the first year and
- some of it if you sell within the first 5 years

Are there any extra costs I'll have after I've bought my property?

Yes, once you own your property there are other costs to consider including:

- You must make the monthly mortgage payments (unless you pay for your property in cash). If you do not pay these you could lose your home and you may want to think about taking out insurance cover to ensure these will still be paid in the event of illness or job loss.
- Many properties, such as flats, also have to pay a service charge.
- You will want to pay to insure your property (buildings insurance) in case, for example, you have a fire (usually compulsory if you have a mortgage). Many people also buy "contents" insurance which protects your belongings inside your home.
- Maintaining your property will now be your responsibility. So if there is a problem - for example, you need a new toilet - you will have to pay for it.
- Some council tenants pay one rent which includes council tax and water. If you buy your property you'll have to pay these costs separately.

Will buying my property affect my housing benefit or universal credit?

Benefit rules are changing and you may still qualify for universal credit or a separate housing benefit.

Dependent on your circumstances you may get help to pay the interest on a mortgage or loan secured on your home.

You will need to take this into account when you consider how you will fund your home purchase.

What options do I have if I can't use the Right to Buy scheme?

Secured tenants or those with assured tenancy and a registered social landlord may be able to use the Right to Acquire scheme. You can find out if you are a secured tenant or have assured tenancy by looking at your tenancy agreement.

If you are a Social housing tenant on a low income and can't afford to buy your home outright then you may be able to use the Social HomeBuy scheme, which allows you to buy a share in your home.

Part 3: Right to Acquire scheme guide

As at September 2016, there are 2 schemes which apply to tenants of housing associations and other social housing

- the Right to Acquire scheme
- the Voluntary Right to Buy scheme

If your landlord is one of the 5 housing associations below who are taking part in a “pilot” to test out the new scheme please see Part 4:

L&Q – London Borough

Riverside – Merseyside and Wirral

Saffron – South Norfolk

Sovereign – Oxfordshire and Vale of White Horse District Council

Thames Valley

What is the Right to Acquire scheme?

The Right to Acquire scheme is similar to the Right to Buy Scheme except that it primarily applies to current tenants of housing association and certain other “public sector” landlords such as government bodies like the armed forces and NHS. It means that provided you meet the application criteria (see below), you can buy your home at a discounted price.

Remember that if you do buy there are different types of properties

- Freehold properties and the land they are built on will be owned permanently by you
- Leasehold properties (mainly flats) give you the exclusive right to use the property for a set amount of time, such as 100 years, but you will not own the land.

Provided you meet the application criteria (see below) the Right to Acquire scheme allows tenants who rent from most Housing Associations to buy their homes at a discount because they have been a tenant. This includes the actual property but also any land (like gardens or garages) which you also let will be included in the scheme.

Being eligible is quite complex and sometimes you will need to check whether you have a Right To Buy instead of the Right to Acquire. If you

- are now a housing association tenant but you were a secure council tenant and
- were living in your home when it was transferred from the council to the housing association and
- you still live in that property

you may have a “Preserved” Right to Buy – check with your housing association. If you have a “Preserved” Right to Buy, please check the Right to Buy Scheme.

Remember, you will either have a

- Right to Buy OR a
- Right to Acquire

NOT both

Who can apply for the Right to Acquire scheme?

- **You** have the right type of landlord and tenancy AND
- Your **personal circumstances** mean you can apply AND
- The **property** you want to buy is one that can be sold to you

As of 1 September 2016 you can apply for the scheme if you meet (can say yes to) ALL of the following application criteria:

(1) About you and your tenancy:

- **you don’t have a “Right to Buy”**
- **your landlord is a Public Sector Landlord registered with the Homes and Community Register** which includes most Housing Associations, NHS and Foundation Trusts and Armed Forces. Ask whether your landlord is a member of the Homes and Community Register or check online at
- <https://www.gov.uk/government/publications/current-registered-providers-of-social-housing>

- **your landlord is not a part of the Voluntary Right to Buy Scheme** (see Part 3)
- **you have been a tenant for 3 years or more** (it doesn't have to be 3 years in a row, just a total of at least 3 years) of a "public sector landlord". "Public sector landlords" includes all the "Right to Buy" landlords but also includes housing associations and or government bodies such as the armed forces and NHS

(2) About your personal circumstances:

- **you don't have any legal problems with debt.** You won't be able to apply if you are an undischarged bankrupt, have a bankruptcy petition pending against you or have made an arrangement with people you owe money to (creditors) and have not paid it off. If you were previously bankrupt but have now been discharged, this should no longer be a problem. However, it could make it more difficult to arrange a mortgage.
- **you have not been given a possession order for your property.** A possession order is a formal Court document which would mean that you MUST leave your home (be evicted).

(3) About the property you want to buy:

The property you want to buy must

- at any date after 31st March 1997 have been either built and bought by a housing association with a social housing grant provided by a local council or housing corporation OR transferred from a local council or a housing corporation
- be your only or main home. If you are applying to buy jointly with other tenants, only one of you needs to live in the property as your only or main home and
- be self-contained and not "shared". For example, you can't apply if you have a shared kitchen
- not be due to be demolished (i.e. you have not received a letter from your landlord in the last 7 years telling you it will be demolished).
- not be an "excluded" property (for more details of excluded properties see below)

Excluded Properties – the properties which you can NOT buy under the Right to Buy scheme

Properties which can not be bought under the Right to Buy scheme include any property which is provided to people

- who are aged 60 or more OR
- who are disabled or have special needs OR
- as part of their job

There are other types of property that don't qualify for the scheme. Your landlord can provide you with more details.

Can I share a Right to Acquire application with other people?

Yes, in most cases you can apply for the "Right to Acquire" with

- anyone who is a joint tenant with you (their name is on the tenancy agreement)
- your spouse or civil partner
- up to 3 adult members of your family who
 - live at your address as their main home and
 - have done so for at least the past 12 months

How do I apply for the scheme and what happens?

Applying for the Right to Acquire scheme is very straightforward – you do not have to pay someone to help you. You'll only need a solicitor later on in the process to handle the legal sale.

Step 1 – complete the application form

Your landlord can send you an RTA1 application form (often called an expression of interest form) which you must fill in and return. Alternatively, you can download one online from <https://www.gov.uk/government/publications/right-to-acquire-application-form-rt1>

Make sure that you

- complete all the sections of the form and
- keep a copy of the form

Step 2 – wait for the landlord's response

Your landlord will reply telling you whether you qualify under the Right to Acquire scheme.

If your application is successful, your landlord may give you the choice to buy

- your home or

- another empty property they own. This may be in another area and so will attract a different discount. You do not have to accept a different property.

Your landlord will respond within

- 4 weeks if you've been with your current landlord for more than 3 years or
- 8 weeks if you've been with your current landlord for less than 3 years

Step 3 – Formal Offer

Within 8 weeks (if you are buying a house) or 12 weeks (if it is a flat) of your landlord's response about your eligibility, your landlord will also send you a formal offer (Section 125 notice). This important document gives you

- a full description of the property and its condition (look for any defects)
- the price you have to pay
- estimates of what service charges you will have to pay for the first 5 years of buying and
- the terms and conditions of sale – this may include a draft of the legal documents to be used

If you disagree with the valuation you need to tell your landlord, within 3 months of receiving the Section 125 notice, that you want a "Determination of Value". You then have a further 4 weeks to put your case to the District Valuer for an independent valuation. The District Valuer's valuation will be final (and may be higher than the landlord's).

Step 4 – Accepting

You then have 12 weeks after you receive the formal offer (Section 125) to write and tell your landlord whether you want to buy your home.

If you have had a District Valuer's valuation, your 12 weeks starts once you have received the valuation.

If you don't respond, your landlord can serve notices (first an RTA5 and then an RTA6 if you still don't respond), which provides a reasonable time for you to complete.

Will I receive a discount and how much will I get?

You will receive a discount on the price of your property of between £9000 and £16000. The amount you receive will depend on where in the country you live. You can find out what discount you will receive here <https://www.gov.uk/government/publications/right-to-acquire-discounts-by-location>

What happens if I want to sell my home purchased through the Right to Acquire scheme?

You may be required to pay back some of or the entire discount you received.

How do I raise the money to buy my home?

Unless you can buy your home without borrowing money, you'll need to apply for a mortgage.

A mortgage is a particular type of loan, to help buy property, which is available from banks and other lenders (mortgage providers) and is secured on your home (often called a legal charge). This means that if you do not keep up with the monthly mortgage repayments the mortgage provider can apply to the Court to evict you (take possession) and sell your home to pay off the mortgage. If this happens, the council does not have to find you another home because you will no longer be a tenant.

It is therefore very important that you obtain some advice and carefully go through your finances to make sure you can afford to buy your home.

Are there any extra costs I'll have after I've bought my property?

Yes, once you own your property there are other costs to consider including:

- You must make the monthly mortgage payments (unless you pay for your property in cash). If you do not pay these you could lose your home and you may want to think about taking out insurance cover to ensure these will still be paid in the event of illness or job loss.
- Many properties, such as flats, also have to pay a service charge.
- You will want to pay to insure your property (buildings insurance) in case, for example, you have a fire (usually compulsory if you have a mortgage). Many people also buy "contents" insurance which protects your belonging inside your home.
- Maintaining your property will now be your responsibility. If there is a problem - for example, you need a new toilet - you will have to pay for it.
- You will be responsible for other payments such as council tax and water.

Will buying my property affect my housing benefit or universal credit?

Benefit rules are changing and you may qualify for universal credit or a separate housing benefit.

Dependent on your circumstances you may get help to pay the interest on a mortgage or loan secured on your home.

You will need to take this into account when you consider how you will fund your home purchase.

What options do I have if I can't use the Right to Acquire scheme?

If your property is provided by the council you may be able to apply for the Right to Buy scheme.

If you are a Social housing tenant on a low income and can't afford to buy your home outright then you may be able to use the Social HomeBuy scheme, which allows you to buy a share in your home.

Part 4: Voluntary Right to Buy

As at September 2016, a new scheme being introduced, known as the Voluntary Right to Buy. For the time being, only 5 housing associations are taking part in a “pilot” to test out the new scheme and see how it will run.

These are

L&Q – London Borough

Riverside – Merseyside and Wirral

Saffron – South Norfolk

Sovereign – Oxfordshire and Vale of White Horse District Council

Thames Valley

Who can apply?

This is a pilot scheme and you can only apply if you

- are a tenant of one of the housing associations listed above and
- have registered your interest at <https://righttobuy.gov.uk/voluntary-right-to-buy/>
- live in a local authority area listed above and
- you have been a public sector tenant (usually a tenant of a council or housing association) for at least 10 years (you can add up your previous tenancies)

What is the scheme?

This is a pilot scheme to enable housing association tenants to buy their homes. However, the scheme details are still being decided. At the moment

- you must apply to your landlord to see if you qualify and
- if you qualify you must pay an application fee of £250 which will be refunded if the landlord can't go through with the sale but will not be refunded if you breach any of the eligibility rules during the process.

Part 5: Social HomeBuy scheme guide

What is the Social HomeBuy scheme?

Sometimes lower paid tenants just can't afford to buy the home that they live in and this scheme is designed to make home ownership more accessible.

Provided that you rent your home from a housing association or local authority who is part of the Social HomeBuy Scheme you can buy a share of your home or can work towards buying it in all, but in gradual stages. So, instead of buying 100% (all) of your home, you can start by buying 25%. You are still entitled to a discount because you've been a housing association or local authority **tenant**.

So how does the Social HomeBuy scheme work?

The scheme is called a "staircasing" scheme:

- tenants start by buying at least a 25% share in their home - the price they pay is discounted by up to £16,000
- the landlord still owns/retains the balance of the home BUT the amount of rent (excluding any service charge) is reduced according to the shares the tenant buys (so, for example, if you buy a 25% share, your rent is reduced by 25%)
- tenants can gradually buy a larger share of ownership until they buy it all – but you don't have to
- if you want to sell or sublet (rent it to anyone else) within the first 5 years of part ownership then you have to pay back some of the discount you received.

Who can apply for the scheme?

You can apply if:

- your landlord has agreed to take part in the scheme and
- you are a "secure" or "assured" council or housing association tenant – you can find out what tenancy you have by looking at your tenancy agreement
- you live in a property that qualifies for the scheme
- you have been a tenant for 3 years or more (it doesn't have to be 3 years in a row, just a total of at least 3 years) - you can include all tenancies with public sector landlords including councils, housing associations and public bodies such as the NHS

Who can't apply for the scheme?

You cannot apply for the scheme if:

- you have an "assured shorthold" tenancy, sometimes also called a "starter tenancy"
- you already own other property
- you are being made bankrupt – if you have previously been made bankrupt you may still be accepted
- you have been ordered by a court to leave your home
- you are facing legal action for anti-social behaviour, breaking your tenancy agreement or for rent arrears (rent you owe which not been paid)

How do I apply for the scheme and what happens?

You can only apply for the Social HomeBuy scheme through your landlord (local council or your housing association) – you'll need to contact them directly for an application form. Once they receive your application your landlord will

- check your income, spending, and any debts you may have and
- will then tell you how much of a share you can afford, taking any discount and
- will give you estimates of the monthly applicable mortgage payments, the rent payments and any annual service charge, if one is payable
- usually give you information about Independent Financial Advisors (IFA) who can advise you about mortgages.

You have 4 weeks to accept the offer but your landlord will guide you through the procedure, which is then fairly similar to the Right to Buy and Right to Acquire Schemes.

What options do I have if cannot use the Social HomeBuy scheme?

If you can afford to buy 100% of your home (and not just a share of it) then you may consider

- from the council, looking at the Right to Buy scheme
- from a housing association, looking at the Right to Acquire scheme.

Part 6: Glossary

Definitions in this glossary have been provided to help readers better understand the information provided in the document as a whole. They are in no way exclusive or all-encompassing.

Assured shorthold tenancy – these are sometimes called a “starter tenancy” and tenants are given limited protection. Their landlord has the right to terminate the tenancy with a ‘section 21’ notice which can be served at any time and results in a minimum notice period of two months

Assured tenants – assured tenants may not be evicted without a reason and their rent will often fall under the supervision of a Rent Assessment Commitment. This protects them in the event of a dispute

Citizens Advice Bureau – a nationwide charity providing advice to citizens on a wide range of issues including finance and housing

Defective dwelling – homes classified as ‘defective dwellings’ may be badly built or in need of extensive repairs

District valuer – a representative of HM Revenue & Customs who has the final say on the valuation of a property being purchased in the event of a dispute between landlord and tenant

Landlord – the person from whom you rent your property, generally a Housing Association or the Council. Private landlords are not eligible for the Right to Buy, Voluntary Right to Buy, Right to Acquire and Social HomeBuy schemes

Residential Property Tribunal – an independent body that settles disputes between landlord and tenant

Secure tenant – secure tenants are tenants who have the right to stay in the property they let as long as they keep to the tenancy conditions agreed with the landlord. They can’t be removed unless ordered by a court of law but can be “demoted”, for example, because of anti-social behaviour. Check your tenancy agreement.

Service charge – if you buy your council flat you may be required to pay a yearly service charge which goes towards the upkeep of the building

Starter tenancy – see assured shorthold tenancy

Tenancy – refers to the contract between tenant and landlord

Tenant – the person or persons living in a property provided by the Council or Housing Association.

You have the right to be a tenant if your name appears on the tenancy agreement, rent book or rent card. If you are unsure whether you are a tenant, you should check with your landlord.

Part 7 - Right to Buy landlords

As at September 2016, the following are Right to Buy Landlords

- Any district council
- Any County council or county borough council
- A London borough council
- The Common Council of the City of London
- The Council of the Isles of Scilly
- A metropolitan county police authority
- The Northumbria Police Authority
- A metropolitan county fire and civil defence authority
- The London Fire and Civil Defence Authority
- A metropolitan county passenger authority
- The London Waste Regulation Authority
- The West London, North London, East London and Western Riverside Waste Disposal Authorities
- The Merseyside and Greater Manchester Waste Disposal Authorities
- A registered provider such as a housing association which is registered with the Homes and Communities Agency if
- you are a secure tenant; or a former secure tenant of a local authority or another Right to Buy landlord and
- your home was transferred to a registered provider
-
- You will NOT be able to buy your home if your landlord is
- a charity
- a landlord which has not received public subsidy
- a co-operative association
- The Homes and Communities Agency