



## Right to Buy

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# Right to Buy

If you have been a council tenant for at least three years, you may be eligible to buy your home at a discount under the Right to Buy scheme.

The maximum discount you can receive is capped by the Government, this is usually set every April.

## Who is eligible

You can apply for the Right to Buy scheme if you are a secure tenant of Welwyn Hatfield Borough Council and you:

- Live in a house, bungalow, flat or maisonette which the council owns or on which it holds an appropriate lease.
- Are buying either in your sole name or jointly with other people named on the secure tenancy. On a joint tenancy the Right to Buy belongs to all tenants so you can either buy jointly or individually where the other tenants agree to this.
- Occupy the property as your only or main home.
- Have the minimum qualifying tenancy period of three years public sector tenancy. A public sector tenant is someone whose landlord is a public body such as a council, housing association or government department. The three-year period can include your current tenancy and any previous public sector tenancy.

Reasons why you might not be able to buy the property:

- You or someone you hold the tenancy with is subject to an order of the court for possession of the property.
- You or someone who is joining in the Right to Buy with you has legal problems with debt.
- You live in sheltered accommodation or other housing suitable for elderly or disabled people.

## Applying for Right to Buy

Contact the **Home Ownership Team** on **01707 357 004** for an application form.

The date we receive your application is called the relevant date. This is the date we will use to work out the value of your home and your discount entitlement.



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If the value of your property changes while your application is being processed, for the purposes of the Right to Buy, the value will remain the same as it was on the relevant date.

You can cancel your application at any time. WHBC will not charge you for this but your solicitor and mortgage provider may charge you for any services they have provided.

### Calculating the sale price

The price you will pay for your home is based on:

- The market valuation of your property which we will arrange to be carried out free of charge.
- How long you have been a tenant in your current home and any previous public sector tenancies you have claimed that can be confirmed.
- The cost to the council of buying or building your property – if any work was done in the last 30 years the cost of this may reduce your discount.
- Previous Right to Buy purchases – you are only entitled to one Right to Buy discount in total so previous discounts given will be subtracted from any discount you may currently be entitled to receive.

### If there is a delay

If you delay the Right to Buy application process the council can serve a formal notice where:

- You have not responded to the formal offer letter within the 12-week notice period.
- You have not taken steps to complete the purchase within a reasonable time (the reasonable time period cannot be less than three months after the formal offer letter is sent to you).

If you do not meet the timescales set out in the formal notice, we can end your Right to Buy application.

If WHBC delays your Right to Buy application, you can:

- Send an Initial Notice of Delay which requires us to resolve the delay within a given time – this cannot be less than a calendar month.
- Send an Operative Notice of Delay – you can only do this if after the Initial Notice of Delay we have not rectified the delay within the response period allowed or served a counter-notice.

You may be entitled to a reduced purchase price if a valid Operative Notice of Delay is received by the council.

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You can ask us to provide you with the delay forms or you can download them at [www.gov.uk/right-to-buy-buying-your-council-home](http://www.gov.uk/right-to-buy-buying-your-council-home)

The notice is only effective once we have received it so you may wish to send it by recorded delivery or hand deliver it to us and get a receipt.

You can only use these notices while a delay is occurring. Once the delay has ended you cannot serve delay notices.

## Costs of owning your home

There will be initial costs for taking up your Right to Buy. These may include:

- stamp duty which is calculated on the actual purchase price of the home, so market value minus Right to Buy discount
- legal fees – a fee will be payable if you use a solicitor or other legal representative to help you
- land registry fees
- mortgage fees

As a homeowner you will also have regular ongoing costs. These can include payments for:

- a mortgage or loan on your property.
- building insurance
- contents insurance



- life insurance
- mortgage payment protection insurance
- council tax
- water, gas, electricity, broadband and other services
- repairing and maintaining your property
- service charge

*(This list is not exhaustive)*

### Remember:

- **you will not be eligible for housing benefit if you become a homeowner**
- **the value of your home can go down as well as up**
- **if you do not keep up with your mortgage payments, your lender may take possession of your home**

For more information about the scheme go to [www.ownyourhome.gov.uk](http://www.ownyourhome.gov.uk) or call a Right to Buy Agent on **0300 123 0913**.

The **Home Ownership Team** can be contacted on **01707 357 004** or [homeownershipaccounts@welhat.gov.uk](mailto:homeownershipaccounts@welhat.gov.uk).