

RIGHT TO BUY/ RIGHT TO ACQUIRE POLICY



MONITORING INFORMATION:

POLICY/PROCEDURE/STRATEGY:

RIGHT TO BUY/ RIGHT TO ACQUIRE POLICY

DATE APPROVED:

JULY 2021

UPDATED:

JANUARY 2023

EXPIRY DATE:

JULY 2024

OWNER:

LEGAL EXECUTIVE

APPROVAL ROUTE:

BOARD

Right to Buy/ Right to Acquire Policy

Introduction:

Subject to statutory exemptions, Teign Housing is required to continue the sale of properties under the Right to Buy scheme for any of our tenants who have a Preserved Right to Buy from the point of transfer from Teignbridge District Council (TDC).

Subject to statutory exemptions, any new tenants or tenants who did not have a Preserved Right to Buy at the point of transfer from TDC are able to apply for the Right to Acquire. The Right to Acquire discount is significantly lower than that of the Right to Buy.

Scope of the Policy:

This policy defines our policy on:

- Right to Buy Scheme
- Right to Acquire Scheme
- How we deal with any discretionary powers contained within the Housing Act 1985.

Policy Statement:

Right to Buy/Right to Acquire

- We will ensure that our Right to Buy scheme allows any eligible tenant, who lives in a qualifying property and had a Preserved Right to Buy following the large scale voluntary stock transfer from TDC, to purchase their home at a discount from its open market value using their preserved Right to Buy.
- We will ensure that our Right to Acquire scheme allows any eligible tenants who have lived in a qualifying property for a period of three years to purchase their home at a discount.
- We will provide all customers interested in Right to Buy or Right to Acquire with the relevant information or current schemes and their eligibility within the timescales set out in the Housing Act 1985.
- We will ensure sales receipts from Right to Buy and Right to Acquire will be treated in accordance with the transfer agreement and current legislation.

- We will advise our customers to seek legal and financial advice when purchasing their homes to ensure that they fully understand the implications and responsibilities of becoming a homeowner.

Discretionary powers

- All properties, purchased in designated Rural Areas or National Parks under the Right to Buy Scheme, contain a covenant which restricts any subsequent re-sales, to purchasers who have lived or worked in the Devon area for a period of three years. Teign Housing, as a provider of affordable local housing, supports this principle and will not release this covenant under any circumstances.
- Teign Housing will always require repayment of the maximum discount possible under current legislation when a former customer disposes of their property purchased under a Right to Buy or Right to Acquire scheme.
- Only a) the tenant's spouse, or b) the tenant's civil partner or a member of the family that has been living in the property for a period of twelve months, will be allowed to share the Right to Buy application with our tenant.
- Where Teign Housing has a Right of First Refusal on a property sold under the Right to Buy or Right to Acquire, these requests will be considered in accordance with the Acquisitions and Disposals Policy

Links to

We will monitor and improve value for money by:

- Keeping our costs to a minimum and maximising our income.
- Ensuring that as soon as a customer applies for a Right to Buy or Right to Acquire, only essential repairs are carried, and planned improvements are put on hold. If the Right to Buy or Right to Acquire does not proceed, repairs and maintenance will be reinstated.

Monitoring and Performance Standards:

All Right to Buy and Right to Acquire sales are reported to the Board and our funders on a quarterly basis.