

Shared ownership lease

Your key rights

You have rights under the law and further rights under the terms of your tenancy agreement with Stonewater.

This document sets out your key rights in these two areas. If you are unsure of your rights you can contact us at Stonewater or take independent legal advice from Citizens Advice.

Your rights under the law

You have rights under the following legislation:

- Landlord and Tenant Act 1985 and 1987
- Commonhold and Leasehold reform Act 2002
- Housing Acts (1985 and 1988)
- Localism Act (2011)
- Housing Act (1996)
- Schedule 2 Data Protection Act (2018) and General Data Protection Regulation (GDPR)
- Equality Act (2010)
- Housing Ombudsman Scheme
- Regulator of Social Housing Consumer Standards

These rights include:

The right to information about

- The terms of your tenancy
- Stonewater's obligations to repair your home
- Stonewater's policies and procedures on consultation
- Stonewater's policies and procedures on housing management
- Stonewater's policies and procedures on rent and service charge setting
- Stonewater's performance as a landlord.

The right to see your personal information

Stonewater has a policy on personal information and data protection. It explains how Stonewater uses, keeps and sometimes shares customers' personal information. You have the right to see your housing file and computer information held

about you, and to record in writing any inaccuracies or disagreements. Stonewater has the legal right to withhold some information, and a duty to give you the reasons why.

The right to consultation

Stonewater will consult with you before making any significant changes to the management of your home. We will write to you about the issue and will give you the opportunity to respond; we may also

hold drop-in sessions or consultation meetings. Once the consultation has closed, we will consider the responses we have received and let you know the decision we have made.

The right to repair and the right to a decent home

Everyone has the right to live in a home that is safe and in good condition. Stonewater has an obligation to ensure your home meets legal requirements, unless that disrepair was caused by you, your household or your visitors. It is your responsibility to report any repairs that need doing to Stonewater. We have a duty to do the repairs

we're responsible for within a reasonable period of time and with reasonable care and skill. We are required to do safety checks to be sure your home meets the Decent Homes Standard. This includes gas, electricity, water, repairs and heating. We will give you reasonable notice when we need access to your home, unless it is an emergency.

The right to occupy your home

You have a right to occupy your home without interruption or interference from Stonewater during your lease, as long as you keep to your lease agreement. Stonewater has some rights in law, for example if we need to access the building for urgent repairs, or if we legally need to repossess

the property. Normally, a right to occupy can only be ended by a court order. However, if you forfeit your lease and no-one is living in the property, Stonewater could regain possession without a court order.

The right to reasonable adjustments for people with disabilities

You have a right to ask Stonewater to make reasonable adjustments for people with disabilities, and we have a duty to make those adjustments. Reasonable adjustments can apply to our policies and practices, providing equipment or support, and

making limited changes to the physical features of a home. We will not unreasonably refuse permission for you to make improvements which you plan to pay for yourself to help a disabled person in your household to enjoy their home.

The right to challenge reasonableness of service charges and the right to consultation

You have a right to challenge the reasonableness of variable service charges. We will give you a notice every year which sets out a summary of your rights and the notice of proposed service charges. You also have a general right to be consulted on major works and the implementation of any long-term

contracts unless the First Tier Property Tribunal says there is no need to consult. Under Section 22, variable service charges customers also have the right to ask for further information and to inspect documents relating to their service charges within six months of receiving the summary.

The right to complain

Stonewater has a complaint procedure in line with the requirements of the Housing Ombudsman Service's Complaint Handling Code. We are keen to hear customer feedback about our complaint handling service, as we are always looking for ways to improve customer satisfaction. Please note that

you do not have the right to challenge any proposed rent increases. This is already covered by guidance issued by the social housing regulator, and your tenancy has a contractual rent increase clause and fixed service charges.

Your rights under your lease (also known as contractual rights)

The majority of our customers have very similar rights, but some rights depend on whether you rent or own your home and the type of agreement you hold with us.

Your key rights are:

The right to buy a greater percentage of your home (known as staircasing)

You have the right to buy a greater percentage of your home through a process known as staircasing. This will be up to either 100% of your home, or 75% or 80% where your home is covered by a restrictive

staircasing clause which ensures that the home always remains as designated affordable housing. If you would like more information, please ask our shared ownership team.

The right to sell

Leaseholders have a right to sell their home, which is done by assigning the lease. You will need to get our written approval before you do this.

Please note that there may be some restrictions on who can buy your property.

The right to sublet or part with possession of the whole

You have the right to sub-let your home and to part with possession of the whole of the property.

You will need our written permission beforehand; we will not unreasonably withhold permission.

The right to make alterations to the interior of the property

You have a limited right to make alterations or additions to the inside of your property. You will need our written permission beforehand; we will

not unreasonably withhold permission. You are not allowed to make structural changes.

The right to remortgage

You have the right to take out a mortgage for your home with whichever provider you choose. You will need to get consent from Stonewater at the time of entering into any mortgage agreement and

Stonewater will consider any further advance of borrowing as part of your application on a case by case basis.