

The Problem

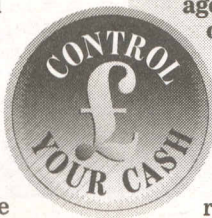
PROPERTY prices are picking up, but flat owner Andy N, 33, won't profit. He bought his flat for £230,000 five years ago, but he's a leaseholder who claims he is losing out on all fronts, because the company managing his block is neglecting it. Andy is charged more than £1,000 a year for services, such as gardening and cleaning, that he says are never carried out. When he and his neighbours complain, they are either fobbed off or ignored. He regrets not asking for more checks about the management before he bought the place, but is desperate to know what action he can take now.

The Solution

"ANDY can count on his property having lost at least 10 per cent of its value," warns Roger Southam of Chainbow, a property management company lobbying for legislation to improve industry standards.

The easiest, cheapest option is if Andy and his neighbours group together and take over the right to manage their block. This will allow them to appoint their own independent managing agent. To qualify, the building has to be self-contained, with more than two apartments and less than 25 per cent commercial space, and the action must be backed by more than 50 per cent of the leaseholders.

If Andy can't persuade his neighbours, he could take his case to a leasehold valuation tribunal (LVT). He will have to prove bad



Take action over poor flat services

Leaseholders unite, says Maisha Frost

- MANAGING** agents are not regulated, so there is no formal way of telling whether you are moving into a property that is well run. However, there are other measures and signs prospective buyers and tenants can take or look out for:
 - Get a clear account of the relationship between the agent and the landlord — do they share common or financial interests?
 - Do not rely on your solicitor to do all the management checks which are often the last

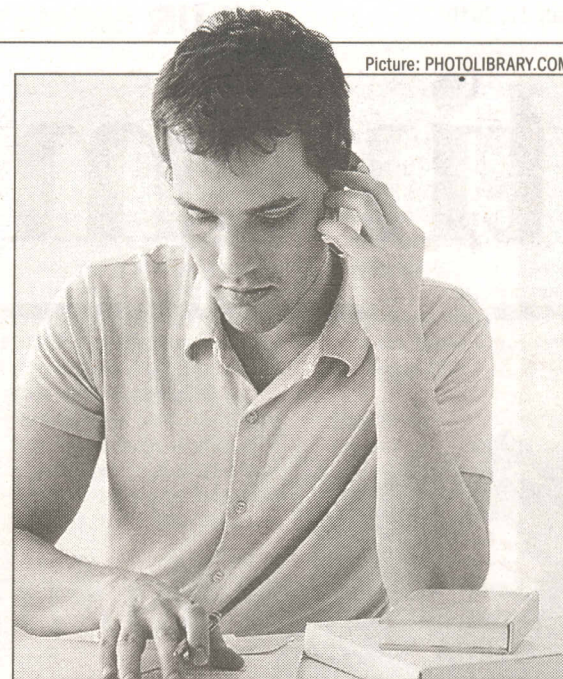
management, after which the LVT will appoint a replacement. "Gathering proof can be difficult, such as what cleaning was done to what standard, for example. The process can potentially cost thousands of pounds," says Southam. Andy needs to start compiling hard

thing to be considered during a property purchase. Ask clear questions, beware of vague answers and get the responses in writing.

- Well-managed properties have clean gutters, working lights, good door security, clean common interiors, attractive decoration and preferably a notice-board with recent information.
- Badly-managed buildings have agents that do not return calls or delay supplying information. They may feature in complaint blogs or forums on the internet.

evidence. Southam suggests demanding that the agents supply invoices of when work such as cleaning or gardening was done and matching that with time-tagged photographic proof. He must also obtain a copy of his block's accounts and turn detective, adds Southam. "He's looking for what's missing, but

is laid down as being included in the general service provision agreement. "When Andy challenges his agent he must be specific in his questions, so



Picture: PHOTOLIBRARY.COM

PROOF: Gathering evidence can be difficult

he leaves no room for half answers." Southam also recommends Andy check if he is owed money resulting from any underspend from the charges. "If there is no reserve fund agreed for maintenance, then any excess at the end of the year should be repaid. Even if there is a reserve, anything over should similarly go back," he explains. "If Andy is to succeed he has to document and question every detail."

● Chainbow: 020 7928 9944, www.chainbow.com.
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