



A GUIDE TO BUYING YOUR HOME

The Southway Housing Trust guide to buying your home using the
Right to Buy or Right to Acquire

CONTENTS

Introduction	Page 1
The Right to Buy / Right to Acquire Process	Page 1 – 2
Service Standards	Page 2 – 3
Delays to the sale	Page 3
Getting a solicitor	Page 3
Getting a mortgage	Page 3
Getting a Home Purchase Plan (faith specific mortgages)	Page 3
Getting a survey	Page 3 – 4
Proving your identity	Page 4
Other Home Ownership Scheme	Page 4 – 5
Information Booklets available from us	Page 5 – 6
Advice for people from Minority Ethnic Communities	Page 6
Frequently asked questions	Page 6 – 10
Comments or Complaints	Page 10 – 11
Useful Contacts	Page 11

INTRODUCTION

Thank you for your enquiry about purchasing your Southway Housing Trust home. Did you know there are several schemes available to help you get on the housing ladder? To give you the best possible service we have put together this pack which includes all the information you will need to help you decide what you want to do.

If, after reading the information enclosed, you want to use the Right to Buy or Right to Acquire scheme to purchase your home [contact](#) us for an application form. Return it to us as soon as possible. We'll do the rest.

If you want to find out more about (or want to apply for) the other homeownership schemes available simply contact plumlife on 0161 447 5151, email them at enquiries@plumlife.co.uk or visit their website www.plumlife.co.uk. Southway Housing does not run either the Shared Ownership or Homebuy Scheme and we cannot give you advice on them.

Buying your home is a major financial commitment and you should make sure that you receive advice from reputable companies. If you have decided to buy your home using the Right to Buy or Right to Acquire schemes, we will contact you to discuss your application, at this point you can ask us any questions you may have and we will give you any advice we think you may need.

Remember that any advice you get from us is **free**, however we cannot give you legal or financial advice. You will need to employ a solicitor to get legal advice and pay their fees and you may need to get independent financial advice.

Be wary of any company asking you to make payments upfront or pay for application forms. All the forms you need to be able to buy your home are included in this pack free of charge, and any additional forms you require, will be sent to you for free. Just tell us what you need. If you are concerned that you have been approached by a company selling mortgages or other financial services inappropriately please contact the Financial Services Authority (see useful contacts page) to check if they are registered or contact your Local Citizens Advice Bureau. **If in doubt do not make any commitment unless you have sought independent advice.**

If you have any queries please do not hesitate to contact us on 0161 448 4224 or email us at rtbsales@southwayhousing.co.uk and we will be happy to help.

THE RIGHT TO BUY / RIGHT TO ACQUIRE PROCESS

There are several stages you go through when you buy your home. Some stages have deadlines within which we must send you certain types of information. You should carefully read the booklets "[Your Right to Buy Your Home](#)" or "[Guide to the Right to Acquire](#)". Each booklet takes you step by step through the process of buying your home under the Right to Buy or Right to

Acquire. If you have any questions after you have read these booklets please do not hesitate to contact us using the details at the back of this booklet.

SERVICE STANDARDS

In addition to the general service standards you can expect from all Southway Housing Trust Staff, the Right to Buy Sales team has some additional standards that we aim to achieve.

We will check how we are doing against these standards by asking our customers to give us feedback through online, paper or telephone surveys and we will publish the results on a quarterly basis so you can see just how well we are doing.

When you request an application pack we will:

- Send a pack out within 5 working days of your request
- Send you details on a range of homeownership schemes
- Tell you how to contact us by telephone, email or in person
- Tell you how to complain or comment on our service

When you submit your application for the RTB or RTA we will:

- Acknowledge receipt of your application within 5 working days
- Admit or deny your application within 4 weeks of receiving it (8 weeks if you have been our tenant for less than 2 years)
- Request any additional information that is needed to process your application within 5 working days of receiving your application

Once we have admitted your application we will:

- Contact you within 10 working days of admitting your application to answer any questions you may have and give you any important information
- Arrange to have your valuation carried out within 28 days of us admitting your application
- Send you your Section 125 (offer of sale) within 8 weeks of us admitting your application (12 weeks if you are buying a flat)
- Give you 3 months to respond to our offer

Our Section 125 Notice (offer of sale) will:

- Describe your property
- Tell you the sale price
- Give you estimates of service charge (where applicable)
- Describe any structural defects
- Contain terms and conditions of the sale

When you request information we will:

- Provide information in the language or format of your choice
- Provide information in Plain English
- Provide information within 5 working days or tell you if it will take us longer to send it

- Give you free, impartial advice about the RTB & RTA (***we cannot give legal or financial advice***)

DELAYS TO THE SALE

If we do not send you form RTB2 telling you if you have the right to buy, or the Section 125 Landlord's Offer Letter, within the times mentioned above, or we are otherwise delaying the sale, you may be allowed a reduction in the purchase price. **This does not apply to the Right to Acquire**

GETTING A SOLICITOR

Finding a list of solicitors in your area is easy using the Law Society's helpline or website. To start your search

- Call 0870 606 6575 or
- Visit www.solicitors-online.com,

The Law Society leaflet "Your Guide to using a Solicitor" can be obtained by contacting us or visiting the law society on line. **We cannot give you any legal advice so it is important that you speak to a qualified solicitor.**

GETTING A MORTGAGE

You can find mortgage advisers on the high street or online. Make sure they're regulated by the Financial Services Authority (FSA) or are agents of regulated firms. This means they must meet certain standards the FSA set so you can get the advice or information you need to help you make an informed choice. The FSA booklet "How Mortgages Work" can be obtained by contacting us or visiting the [FSA website](#). **We cannot give you financial advice so you must speak to a qualified Financial Advisor or Mortgage Broker in order to get the best deal for you.**

GETTING A HOME PURCHASE PLAN

Home purchase plans help you buy your home in a way that doesn't involve paying interest. So they may be of special interest to Muslims who want to buy a home in a way a number of scholars of Islamic law consider acceptable. The FSA booklet "How Home Purchase Plans work" can be obtained by contacting us or by visiting the [FSA website](#). **We cannot give you financial advice so you must speak to a qualified Financial Advisor or Mortgage Broker in order to get see if a Home Purchase Plan is the right choice for you.**

GETTING A SURVEY

We will arrange a survey of your home but this is for valuation purposes only and is **not a full structural survey**. You should have a survey of your home done. These can cost between £250 and £600, or more if your home has any special problems. You should consider one of these:

- **A RICS Home Buyers' Survey and Valuation** This is a report and valuation in a standardised format, to tell the buyer of all significant defects, but not minor ones. It is likely to be adequate for most

properties and provides a guide to value. It is likely to cost around £250-£500.

- **A Building Survey** This involves a detailed examination of all the visible parts of the property. It is a good idea to have such a survey done if the property is old, or obviously in need of repair, or if you are considering making alterations. It may cost £600 or more, and may not be available if your home is a flat.

You can get more information on Surveys and find a Surveyor in your area by contacting the [Royal Institute of Chartered Surveyors](#), see useful contact page 11.

PROVING YOUR IDENTITY

When you apply for the Right to Buy or Right to Acquire you may be asked to prove your identity or the identity of someone sharing your Right to Buy / Right to Acquire. The quicker you provide the information we require the quicker your application can be progressed. We are not responsible for any delays caused while we are waiting for you to provide us with supporting documentation.

We will tell you what information you need to provide but if you are unclear please speak to us. **Checking your identify protects you from fraud.**

The type of proof we may ask to see is:

- Birth certificate
- Marriage Certificate
- Decree Absolute
- Deed Poll
- Bank Statements
- Utility Bills / Telephone Bills
- Letters from the Inland Revenue
- Pay Slips

We need to see originals and we will return them to you using recorded delivery. If you are sending us any of the above documents you MUST send them recorded delivery or hand deliver them. You must also make sure your name and address is clearly shown on any items you send into us.

OTHER HOME OWNERSHIP SCHEMES

Open Market HomeBuy is a government-backed scheme that aims to help certain groups of people who cannot afford to buy a home on the open market without assistance. These groups include key workers, social tenants, people in priority groups on a housing register, and priority first-time buyers.

The scheme provides access to extra money called equity loans, which run alongside a conventional mortgage loan.

Shared ownership was introduced to help people who cannot afford to buy a home outright and from April 2006 is to be known as **New Build HomeBuy**. It is one of three low cost home ownership (LCHO) products launched by the Government under the HomeBuy branding.

Through the scheme you buy an initial share of between 25% and 75% of the property and pay a rent on the remaining share you do not own. Gradually, you can buy further shares and, in most instances, own your home outright.

This product will be available in certain areas. **The First Time Buyer Initiative** (FTBi) is a shared equity product where you would purchase a minimum equity share of 50%.

Your equity share equates to 3 or 3.5 times your income and buyers cannot choose to buy a lower percentage share. You may acquire more equity in minimum purchases of 10%. You pay charges to English Partnership on the un purchased equity; 0% or the first 3 years which then increases from 1% in year 4 to 3% in year 6.

For more information on these schemes please contact Plumlife at www.plumlife.co.uk or by telephone 0161 447 5151.

We can provide you with a short guide to these schemes and information on eligibility but we are not able to provide full, comprehensive advice. If you want full advice on any of these schemes please contact Plumlife.

INFORMATION BOOKLETS AVAILABLE FROM US

Guide to the Right to Acquire

Available in English only

Your Right to Buy Your Home

Available in: Arabic, Bengali, English, Gujerati, Punjabi, Somali, Urdu, Welsh,

Residential Long Leaseholders

Available in English only

Thinking of buying a Council Flat

Available in English only

Have you heard about New Build Homebuy?

Available in English only

Open Market Homebuy

Available in English only

Your Guide to Buying a Home

Available in Arabic, English, Gujerati, Hindi, Punjabi, Somali

Home Purchase Plans

Available in Arabic, Bengali, English, Urdu, Welsh

Just the facts about mortgages
Available in English only

Just the facts about paying your mortgage
Available in English only

What to do when you can't pay your mortgage
Available in English only

Using a solicitor
Available in English only

Just the facts about proving your identity
Available in English only

These booklets are also available from Communities and Local Government, The Financial Services Authority and The Law Society please see useful contacts on page 11

ADVICE FOR PEOPLE FROM MINORITY ETHNIC COMMUNITIES

Link Workers deliver advice in a range of languages (as well as English) to members of Manchester's black and minority ethnic communities at locations across the city and over the telephone.

They have female and male advice workers who speak a range of different languages spoken within minority ethnic communities within Manchester.

They can help you with:

- benefits housing tax credits
- debt
- consumer problems
- enquiries about any Council service
- help to access health services
- basic immigration problems (not asylum)
- health services
- legal services
- access to education and training

For more information please visit www.manchester.gov.uk, or call **0161 234 5600**

FREQUENTLY ASKED QUESTIONS

What is the Right to Buy?

The Right to Buy (RTB) scheme was introduced by the Government in 1980. It means that you can buy your council home at a discount to the full market

value. Many changes have been made to the scheme from 18th January 2005 (see page 4 of the booklet “Your Right to Buy Your Home”).

If you are a secure tenant of a local authority, and your home is transferred to a Registered Social Landlord (for example, a housing association) and you become an assured tenant, you may still have the Right to Buy, although on slightly different terms.

Do I have the Right to Buy?

You may be eligible for the **Preserved Right to Buy** (PRTB) if you are the tenant of a Southway Housing Trust home and you were a tenant of Manchester City Council before your home was transferred to us in November 2007 (this means that you have a protected tenancy - Check your [Tenancy Agreement](#) if you are not sure if you have a protected tenancy)

If your tenancy was in existence before 18 January 2005, or you were a public sector tenant before 18 January 2005 (and you have been a public sector tenant continuously since that time) you do not have the Right to Buy until you have spent at least **2 years as a public sector tenant**. For anyone else you do not have the Right to Buy until you have spent **5 years as a public sector tenant**.

There must have been no breaks in your tenancy since transferring from Manchester City Council.

What is the Right to Acquire?

The Right to Acquire is a scheme giving eligible tenants of Registered Social Landlords the legal right to buy the home they currently rent.

Do I have the Right to Acquire?

You may be eligible for the **Right to Acquire** (RTA) if you are a Southway Housing Trust tenant who has spent a minimum of 2 years as a secure tenant of a local authority, in armed forces accommodation, or as an assured tenant of a Registered Social Landlord (RSL) such as Southway Housing Trust (this period increases to 5 years if your tenancy started on or after 18 January 2005).

Check your [Tenancy Agreement](#) if you are not sure if you have a secure tenancy.

For both schemes you must occupy the property as your only or principal home and your home must be a self contained property

When wouldn't I have the Right to Buy?

There are certain circumstances where you would not have the Right to Buy or Right to Acquire. If you are in **Rent Arrears** and you have not kept to an agreement to pay your rent then we would not allow you to continue your Right to Buy or Right to Acquire. We will write to you if this affects your application.

If we are taking action against you for **Anti Social Behaviour** then you may not have the Right to Buy or Right to Acquire, again we will write to you if this affects your application.

There are other reasons why you may not have the Right to Buy or Right to Acquire and these are explained in the booklet "Your Right to Buy Your Home", if you are affected by any of the exclusion rules we will give you a full explanation of our decision and your right to appeal.

Can other family members buy my home on my behalf?

Family members can provide you with the money to purchase your property. However, the purchase will be in the name (s) of the tenant and any other family members who are living in the property with you for the required 12 months.

What if I am a joint tenant but only one of us wants to buy the property?

If the tenancy is joint then both people would normally purchase the property. If one tenant does not wish to purchase he / she must sign the form consenting to the other tenant purchasing in their sole name.

Can family members help me to buy?

You may be able to buy jointly with members of your family who have lived with you for the past 12 months, or with someone who is a joint tenant with you.

How long does the Process take?

Your application form (RTB1 / RTA1) will be acknowledged within 5 working days.

Within 4 weeks we will send you a RTB2 / RTA2 Notice. This tells you whether you have the Right to Buy or not. (This process takes longer if you have been a Southway Housing Trust tenant for less than 2 years)

At this time we will instruct our valuer to contact you to arrange an appointment to carry out a valuation on your property.

Once we have the valuation report, we will calculate your discount entitlement and send you your Offer Notice (known as the Section 125 Notice). This will be sent to you within 8 weeks of you receiving the RTB2 / RTA2 form or 12 weeks if your home is a flat.

You need to reply to the S125 form within 12 weeks. After this time you will be sent a reminder. If you do not reply within 28 days your application will be withdrawn.

How much discount will I get?

This is based on the number of years you have been a public sector tenant for Right to Buy applicants and is a set amount of £10,000 for Right to Acquire applicants.

The maximum Right to Buy discount for the North West is £26,000.

Do I need to arrange my own survey?

Yes, we recommend you have a full structural survey of your own carried out, see page 12.

Will Southway Housing Trust carry out repairs until I complete the purchase?

No, all programmed work will stop from the date the RTB1 form is received. We will still carry out emergency repairs.

Will improvements to my home be taken into account?

Yes, you will list all improvements you have made to your home and garden on the RTB1 / RTA1. The valuer will take these into consideration and will disregard any improvements you have made when she / he is valuing your home.

Can I appeal if I disagree with the valuation?

Yes, you can appeal to Southway Housing Trust who will then instruct the District Valuer to carry out another valuation. This must be requested within 12 weeks of you receiving the Section 125 Offer Notice.

How long do I have to complete the purchase?

If, within three months of us passing your case to our solicitors, the purchase has not been completed, we will send you a First Notice to Complete which will give you a further 56 days to complete the purchase.

If the purchase has still not completed within the 56 days we will then send you a Second Notice to Complete which gives you a further 56 days in which to complete your purchase. If the purchase has still not completed within the 56 days the application will be withdrawn.

If you are having difficulty completing your purchase you must let us know as we may be able to give you extra time.

How do I arrange a mortgage?

We recommend you shop around to find the best deal for you and your circumstances. You need to compare interest rates and the terms of the various Banks/Building Societies. An independent mortgage advisor may be able to help explain the wide variety of mortgages on offer. Some information is contained in this package at page 3 and the booklet "*Just the facts about mortgages*", available from the Financial Services Authority (see useful contacts on page) or from us free of charge, can give you more information.

When should I arrange my mortgage?

We cannot tell you when to arrange your mortgage; you will need to get independent advice on this. However some mortgage offers have an expiry date and if your RTB / RTA has not completed before the mortgage expires you may have to reapply for a mortgage.

More advice on mortgages is available from the Financial Services Authority (see useful contacts on page) or you can ask us for the booklet "*Just the facts about mortgages*" which we can send you free of charge.

Can I apply to buy if I have rent arrears?

Yes. But we don't have to complete the sale if you have not paid all the rent or any other payment within 4 weeks from the date you were asked to pay it. Also you may lose your secure tenancy and no longer have the Right to Buy if we have obtained a suspended possession order against your property, as a result of your rent arrears, which you subsequently breach.

Will I still get Housing Benefit?

If you lose your job and are unable to pay your mortgage you will not necessarily get any Benefits to help you. You may qualify for help 9 months after you become unemployed and if you do qualify for help any payments you get will only cover the interest part of the mortgage.

Whether you get help or not depends on your circumstances. If you are concerned or need some more information you should speak to Manchester Advice on 0161 234 5600 or contact your local Citizens Advice Bureau. If you cannot keep up your mortgage payments you may lose your home.

Information is also available from the Financial Services Authority (see useful contacts on page) or you can ask us for the booklet "*Just the facts about paying your mortgage*" which we can send you free of charge.

What costs do I need to consider?

- All Household bills
- Any structural defects mentioned in the Section 125
- Any programmed work for shared facilities
- Buildings and Contents insurance
- Mortgage payments
- Mortgage insurance
- Any Life Assurance
- Solicitors fees
- Structural Survey fees
- Service charges (where applicable)
- Any arrangement fees for mortgage lender
- All the expenses you currently have i.e. credit card payments

We recommended that you seek your own advice from appropriate professionals such as financial advisers, solicitors and surveyors as to the necessity and likely costs involved. Some information is contained in this package, pages 11-12

COMMENTS OR COMPLAINTS

Southway Housing Trust is committed to providing a professional and timely Right to Buy Sales service and takes its obligation to providing excellent service seriously.

If you are unhappy with any aspect of the service we provide please let us know by

Writing to us at

Right to Buy Team

Southway Housing Trust
Aspen House
825 Wilmslow Road
Disbury
M20 2SN

Emailing us at: rtbsales@southwayhousing.co.uk

Telephoning us on 0161 448 4224

Visiting our website www.southwayhousing.co.uk

If you need any information in alternative languages, in Braille or in LARGE PRINT please do not hesitate to contact us. We will do our best to provide the information you need in the format you need.

USEFUL CONTACTS

Communities & Local Government 020 7944 4400
www.communities.gov.uk

Financial Services Authority 0845 606 1234
www.money.made.clear.fsa.gov.uk

Homes & Communities Agency 0300 1234 500
<http://www.homesandcommunities.co.uk>

Law Society 0870 606 6575
www.solicitors-online.com

National Housing Federation 0207 067 1010
www.housing.org.uk

Plumlife 0161 447 5151
www.plumlife.co.uk

Royal Institute of Chartered Surveyors (RICS)
www.rics.org

Tenant Services Authority 0845 230 7000
www.tenantservicesauthority.org