

SERVICE CHARGES

Alicia Mortlock



Am I liable for service charges?

Secure council tenancies transferred to a housing association on or after 15 January 1989, will have become an assured tenancy, even if you did not vote for or agree with the transfer of housing. However, you could have some 'preserved rights' which might be almost the same as you had in your original tenancy. These can preclude the payment of service charges.

As someone who has only ever been a housing association tenant I have an assured shorthold tenancy with variable service charges.

However, these must be set out in your tenancy agreement which you will have signed.

Services

We will provide the services shown in charges above as set out in the service charge schedule.

If your heating and hot water comes from a system which heats the building your home is in, you will pay for your heating and hot water as set out on your rent notification. We may turn the heating and hot water off if we need to make important repairs and will give you reasonable prior notice except in an emergency. If we have to turn the heating and hot water off we will try to provide other forms of heating or hot water supply.

- (b) Each year, at the end of February, we will estimate the sum we are likely to spend in providing services to you over the coming year. We will also consider the position of service charges as part of the Total Weekly Cost of renting your home. We will then set the service charge for the year.
- (c) We will give you a summary of what is included in your service charge. Within six months of receiving your summary, you have the right to examine the service charge accounts, receipts and other documents relating to them and to take copies or extracts from them. We may make a small charge to cover the cost of any copying.
- (d) If we introduce a new service to you or to a housing scheme of which your home forms part, we may introduce a new service charge. For example, if following consultation with tenants, we decided to introduce a communal grass cutting scheme, we would share the cost between properties benefitting from it.

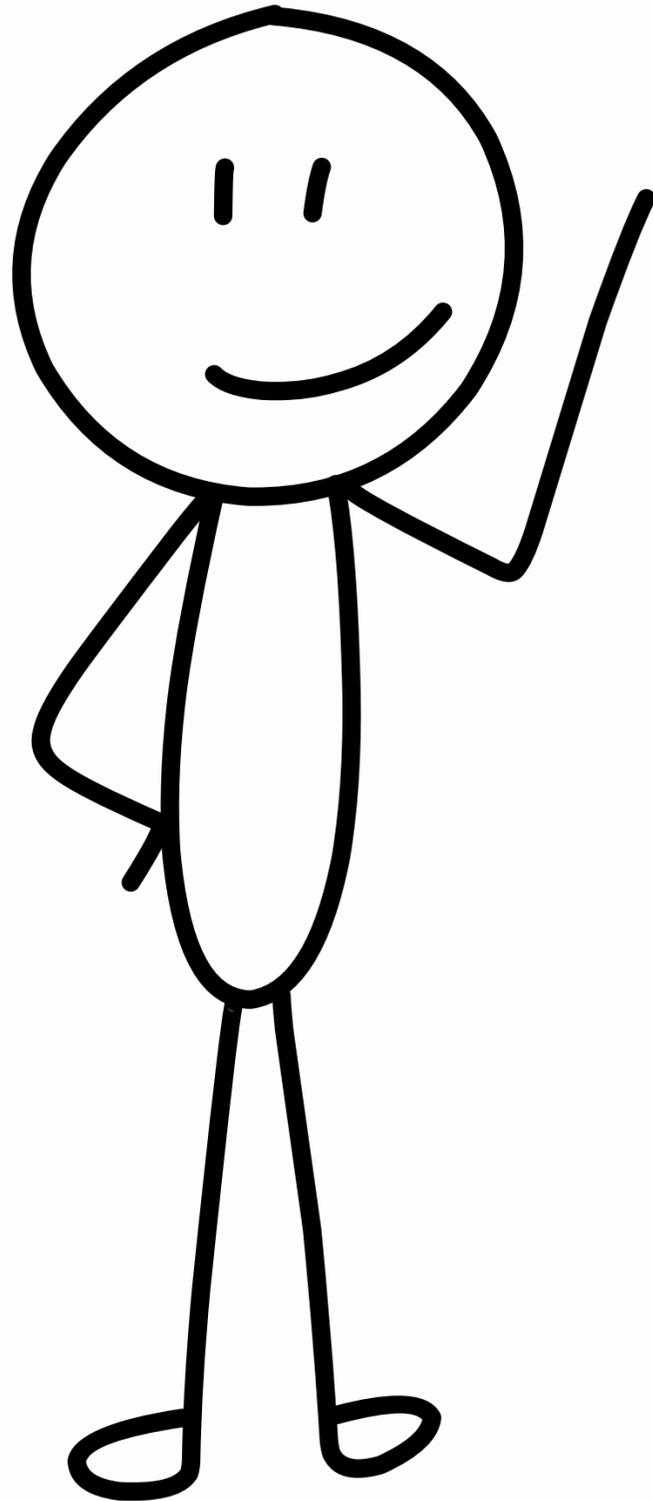
In the event that your home is on a sheltered scheme with warden service, then you will be required to pay for any service which we provide.

We can only make reasonable service charges and the service work we do must be of a reasonable standard. If you believe that your service charge is unreasonable (in terms of amount charged or standard of work), you may be able to apply to the Leasehold Valuation Tribunal for a decision as to what is reasonable. Further details are given in the Tenant's Handbook.

THE FOCUS OF MY COMPLAINT

- Grounds maintenance
- Flytipping
- Broken and vandalised door entry systems





We can consider complaints about the management of your rent or service charge account such as:-
how a fee has been worked out
a refund request
the level of service provided for a fee
a landlord's handling of your enquiry about rent or service charges.

THE
OMBUDSMAN
SAYS

We can consider complaints about the management of your rent or service charge account such as how a fee has been worked out a refund request

the level of service provided for a fee

a landlord's handling of your enquiry about rent or service charges.

In other words...

Charges for services which haven't been carried out to an acceptable standard

Charges you have been incorrectly charged

Last year's
estimate of
service charges

Service Charges For: _____

Account Description	Your Portion of Costs (Per Annum)
Your Charge Amount	
Costs Eligible for Housing Benefit	
Communal Electricity	
Door Entry System	
Communal Repairs - Type 1 - All Residents Pay	
Electrical Testing/Emergency Lighting	
Grounds Maintenance	
Tree Maintenance	
Eligible Management Fees	
Eligible (Surplus)/Deficit	
Total Eligible Costs	
Total Eligible Cost per week	
Total Costs for your home	
Total Cost per week	

Those charges related to our block are divided by four;
those related to our immediate area are divided by 20.

Your 19 Digit Payment Reference: [REDACTED] 2023/24

Costs for 139-177 (Odds) [REDACTED]	Costs for 171-177 (Odds) The [REDACTED]	Property Adjustments [REDACTED]
You Pay 1/20	You Pay 1/4	You pay all costs
Costs Eligible for Housing Benefit		

SECTION
21(1) OF THE
LANDLORD
AND TENANT
ACT 1985,

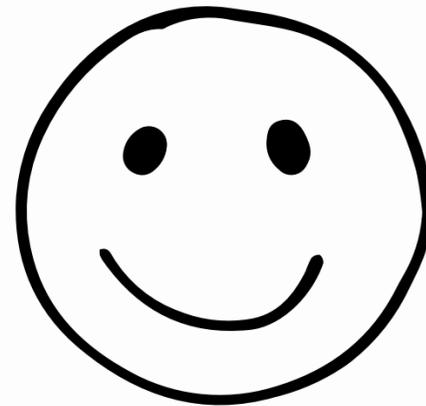


Under section 21(1) of the Landlord and Tenant Act 1985, a tenant can request a landlord to provide a summary of service charge costs. Once the request is received the landlord must provide the information within one month or within six months or the year end, whichever is later. Failure to meet these deadlines is a criminal offence.

My template for a complaint



Elements of my complaint - what I am complaining about



My preferred outcome - what I want them to do about it



ELEMENTS OF MY COMPLAINT

Grounds maintenance

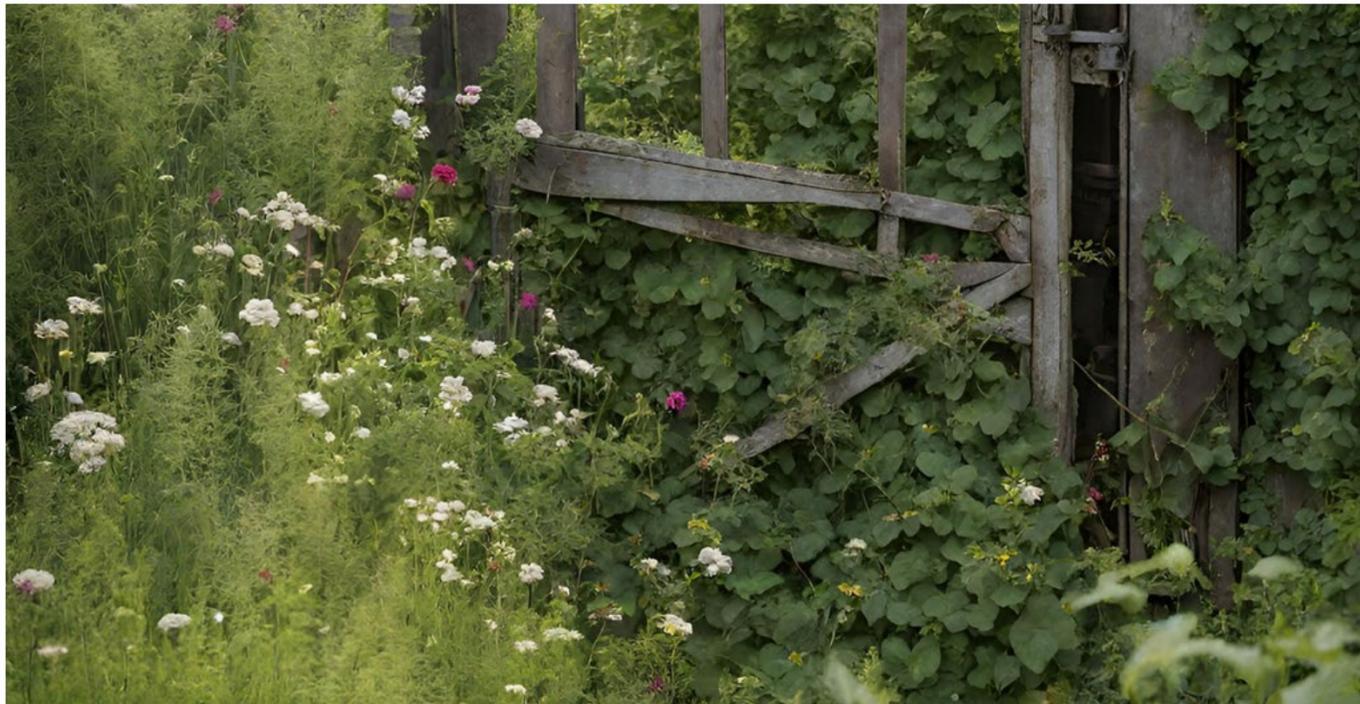
Flytipping

Broken and vandalised door entry
systems



Charges for services which haven't been carried out to an acceptable standard and charges I feel I have been incorrectly charged.

GROUNDS MAINTENANCE



I have been charged for grounds maintenance services that have not been carried out to an acceptable standard and you haven't been checking those standards.



FLYTIPPING

I have been incorrectly charged for services in relation to fly tipping and refuse collections, where I believe items have been dumped by others with no investigation to try to find the culprits.

I do not think that your approach to issuing and applying TORT notices is clear.

Notice

Torts (Interference with Goods) Act 1977

Location-

171-177



This is formal notice pursuant to the Torts (Interference with Goods) Act 1977

ALL ITEMS TO BE REMOVED

To be removed from the BOILER COUPONDS of FURT (177) by 15.11.23

If they are not removed, H [REDACTED] will remove and dispose of them without further notice.

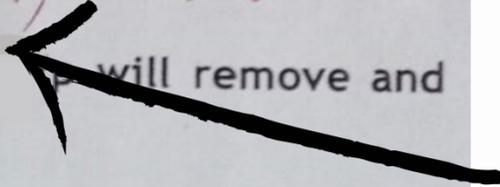
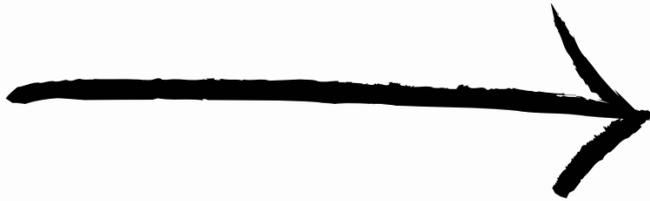
Signed

A red ink signature.

ESMAHA LAWAL

for Director of Operations

Date



DOOR ENTRY SYSTEM

I don't believe that you have responded appropriately to repairs needed in communal areas. I have been incorrectly charged, continuing to pay for the door entry system when it's not operational.





- Regular checks on communal doors and follow ups when issues are found.
- Record the costings of fly tips, items removed from communal spaces and bin collections separately in the service charge communications.
- Be more proactive in finding out who is responsible for the fly tips and for having items in communal areas.
- Better understanding and more appropriate use of TORT notices.
- Secured outside storage for bikes and mobility scooters
- Review of my service charges.

PREFERRED OUTCOME

GROUNDS MAINTENANCE

THEy appreciated that the service had not been up to standard there has still be a service provided and we have had to pay the contractor.

Every 12 weeks a member of the estate ranger team attends and completes an inspection which includes a check on whether external paved and parking areas are in good condition and well maintained? (slip/ trip hazards) and whether landscaped areas maintained in a condition that is safe to residents and passers by.

THEIR RESPONSE:





THEIR RESPONSE

FLYTIPPING

These are all recorded as fly tipping on the system and to record these separately would require changes to the system. We're unable to provide this level of granularity. We will always provide more information on request for anyone queries the charges. Very few ask for this level of detail.

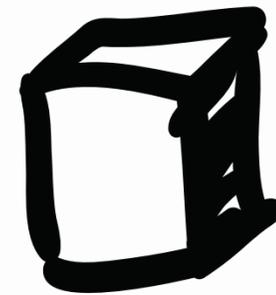
Following our conversations with you, we have been working on some principles of fly tip investigation. We are also looking to work with comms team to develop a flyer the estate rangers can take with them to provide to residents



Door entry system - **THEIR RESPONSE**

Through this, we have identified that the costs for door entry and emergency lights were the wrong way round, but we can assure you that overall, you have not been overcharged.

WAS IT
ALL
WORTH IT
AND WHAT
DID IT
ACHIEVE?



PERSONALLY

This year, my weekly service charge bill is down by 20% on last year.



Service Charges For:

Account Description	Your Portion of Costs (Per Annum)
	Your Charge Amount
Costs Eligible for Housing Benefit	
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Door Entry System	
Communal Repairs - Type 1 - All Residents Pay	
Electrical Testing/Emergency Lighting	
Grounds Maintenance	
Tree Maintenance	
Eligible Management Fees	
Eligible (Surplus)/Deficit	
Total Eligible Costs	
Total Eligible Cost per week	
Total Costs for your home	
Total Cost per week	

3

Your service charges

for the period 1 April 2024 to 31 March 2025

Service charges are the costs for providing and maintaining services associated with your home. This could include grass cutting, window cleaning or a door entry system in your block.

You may also have some service charges that only apply to your home, such as personal utilities for heating in schemes where we have communal heating systems.

Further information about how service charges are worked out can be found on our website at [\[redacted\]](#)

	Estimated cost for**	The share that applies to you	Cost to you
Service charges covered by housing benefit			
Estate			
Communal electricity		1/20	
Refuse collection/fly-tipping		1/20	
Grounds maintenance		1/20	
Tree maintenance		1/20	
Block			
Communal electricity		1/4	
Refuse collection/fly-tipping		1/4	
Door entry system		1/4	
Communal repairs - type 1 - all residents pay		1/4	
	Our €	The share that applies to you	
Fire safety		1/4	
Electrical testing/emergency lighting		1/4	
Grounds maintenance		1/4	
Tree maintenance		1/4	
Other			
Eligible management fees			
Eligible surplus/deficit			
Total estimated eligible cost for the year			
Total estimated eligible cost per week			



talking

listening

learning