

## **Voluntary Right to Buy (VRTB) Pilot**

### **Riverside Summary Eligibility & Exclusions Guidance**

Riverside tenants and their property must meet certain rules to be accepted onto the Voluntary Right to Buy pilot scheme. Not all tenants and properties will qualify.

This guide will explain which tenants are eligible to apply and the types of property that are excluded from the scheme. Further information is given in the Voluntary Right to Buy information booklet.

As you know, the plans for the Voluntary Right to Buy (and other legislation all of which relates to the sale) are currently going through parliament and we can only sell you your home when those laws have been put into force and we have the necessary permissions consents and agreements we need from the Homes and Communities Agency.

### **Tenant Eligibility Criteria**

#### **Qualifying Period**

- You must have been an undemoted tenant of a housing association or public sector landlord, such as a local authority, for at least 10 years. The 10 years do not need to have been in one go, but it is down to you to prove your total length of tenancies as part of your application. For example, you can send us copies of your old tenancy agreements or request a confirmation letter from your previous landlord(s) and send it to us.

#### **Tenancy**

- You must be an undemoted secure, assured, or assured shorthold tenant. Check your tenancy agreement if you are not sure which type of tenancy you have. Licensees are not eligible to buy.
- You will not be eligible if you are still in a probationary or 'starter' period with your tenancy.
- If you already have the Preserved Right to Buy (because you were a local authority tenant at the time your home was transferred to Riverside) you cannot apply for the Voluntary Right to Buy.

#### **Arrears**

- We will not accept applications from tenants who are in arrears with rent and /or service charges. Your rent account must also be kept up to date during the application process or you may lose your place in the scheme.
- If your arrears relate to housing benefit/Universal Credit payments, you can apply if the arrears are less than 4 weeks' rent.

#### **Bankruptcy**

- We will not accept applications from tenants or other people buying with them who are currently bankrupt.

#### **Breach of tenancy**

- Applications will not be accepted from tenants who are in material breach of their tenancy conditions or where Riverside or a statutory body is taking any court proceedings against them, for ASB (anti-social behaviour) for example.

## **Family members**

- All family members who wish to join in the Voluntary Right to Buy must have lived in the property for at least 12 months up to and including the date of application. They will need to prove this as part of the application.
- Family members can only purchase as joint owners with the tenant.
- Family members must be residing at the property on the day of completion.

The funding for discounts and number of sales allowed under the pilot is limited. Applications will be dealt with on a first come-first served basis, in date order.

You will only secure a place in the queue when you have sent us a fully completed application including all of the supporting evidence and paid the application fee. If your application is incomplete or you do not send the supporting evidence, your form will be returned to you.

## **Property Exclusions**

Certain types of properties are excluded from the Voluntary Right to Buy.

We will not sell:

Supported housing, housing for disabled people, and homes grouped in schemes for older people and any other housing which fulfils any of the following descriptions

- Properties that are designated specifically for disabled people or are usually let to disabled people and wheelchair users.
- Properties where significant disabled adaptations have been made, such as through the floor lifts and property extensions.
- Properties occupied by tenants where housing related support is provided.
- Properties designed for older people, grouped in a scheme with significant shared facilities.

## **Properties below the Net Debt or affected by the 'Cost Floor' Rule.**

- Properties cannot be sold if the net debt/the costs of Riverside building or providing it, including land purchase and associated costs, plus the costs of subsequent improvements (less any grant received) are greater than its market value.
- Properties below the cost floor rule, which creates a minimum price depending on the amount of costs over the previous 15 years.

## **Properties under a legal covenant or planning or funding restriction**

- Housing where a legal restriction prevents Riverside from being able to sell it.
- Housing where a planning restriction states it cannot be sold, or that it must remain as affordable housing.
- Housing that cannot be sold due to conditions of any lending that Riverside has secured against it

**Housing in regeneration areas where our Board has decided that it is due for demolition or part of agreed redevelopment plans**

**Charitably funded or donated properties**

**Properties with shared facilities or services, such as a kitchen or bathroom, where the property isn't fully self-contained**

**Other properties that would be inappropriate to sell, or would compromise a scheme if sold**

**Properties that are excluded under the Right to Buy**

These include:

- Homes where we do not hold a long term interest in the property.
- Houses let in connection with employment
- Certain dwelling-houses for the disabled
- Certain dwelling-houses for persons of pensionable age
- Dwelling-houses held on Crown tenancies

When you submit your application we will tell you if your property is excluded. Usually this will be right at the start of the process, although sometimes we won't find this out until much later when the legal process has started. There may be a reason why we can't sell it to you that isn't covered here.

If your property is excluded from the Voluntary Right to Buy, we will refund any application fee you have paid and explain why.

**If you are not sure if your property is excluded, please contact us.**