

# LEASEHOLD MANAGEMENT POLICY

## Home Ownership

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A charitable Registered Society under the Co-operative and Community Benefit Societies Act 2014

GENERAL - EXTERNAL

## 1. Purpose

- 1.1. Riverside aims to provide high-quality customer focussed leasehold management services; these include tenancy, block and estate management; income collection; day to day repairs; asset management; building safety and compliance and, accounting services.
- 1.2. Our leasehold portfolio includes flats, house and bungalows and services are provided to a range of leaseholders including open market leaseholders, shared owners and those who bought homes through Leasehold Schemes for the Elderly, Right to Buy and Right to Acquire.
- 1.3. We may be the freeholder and landlord of a property (i.e. own the building and the land it is built on) or be the landlord by way of a headlease, i.e. have the right to grant sub leases for a fixed period. In some schemes, we provide services to some leaseholders via a management agreement and in such cases, Riverside is not the landlord. We also have blocks where a Management Company is employed by the developer of the properties and services are provided by this third party. Obligations to leaseholders are defined in the lease and/or management agreement, which is specific to each scheme.
- 1.4. The purpose of this policy is to set out our approach in fulfilling its obligations to leaseholders in accordance with their lease or management agreement and to ensure compliance with relevant legislation and regulations and Group standards.

## 2. Scope

- 2.1. This policy applies to all Riverside shared ownership and leasehold properties in England, and to properties where we are employed as the managing agent. Where relevant e.g. in mixed tenure schemes, this policy also applies to market and intermediate rent homes managed by us. For rental homes, obligations of both landlord and tenant are prescribed in the tenancy agreement.
- 2.2. Government legislation impacts how we manage our communities and implement our Leasehold Management Policy. The legislation set out below helps us to deliver this Policy:
  - Law of Property Act 1925
  - Landlord and Tenancy Act 1985 and 1987
  - The Leasehold Reform, Housing and Urban Development Act 1993
  - Housing Act 1996
  - Commonhold and Leasehold Reform Act 2002
  - The Service Charges (Consultation Requirements) (England) Regulations 2003
  - Regulatory Reform (Fire Safety) Order 2005
  - Housing and Planning Act 2014
  - Building Safety Act 2022
  - Requirements proposed by the Leasehold and Freehold Bill and subsequent legislation

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2.3. In Scotland, different legislation governs how we implement our Leasehold Management Policy:

- The Tenancy of Shops (Scotland) Act 1949
- The Leases Act 1449
- Registration of Leases (Scotland) Act 1857
- The Land Registration etc. (Scotland) Act 2012
- The Bankruptcy (Scotland) Act 2016
- The Planning (Scotland) Act 2019
- The Title Conditions (Scotland) Act 2003

These apply to commercial lettings in Scotland. A separate policy exists for residential leases (Factoring).

### 3. Principles

3.1. We will:

- Treat all customers with fairness and respect.
- We will take action to deliver fair and equitable outcomes, using data to understand the diverse needs of our customers and assess our service.
- Our communications and information will be clear, accessible, relevant and appropriate to the needs of our customers.
- We will support customers to use our service, ensuring that our service is accessible to all, including enabling our customers to be supported by an advocate or representative.
- When reviewing and updating this policy, we will engage with customers, giving them a meaningful opportunity to influence our service. We will tailor these opportunities to meet the needs of the customers wishing to participate.
- We will keep customers up to date on progress, next steps and outcomes on services that affect them.
- Our decision-making criteria will be clear and set out in the Roles and Responsibilities section below.
- We will provide customers with information about how we are performing against this policy and the actions we are taking to improve performance if required. Details of how we will do this will be set out in the Associated Procedure(s) section below.
- If we fail to meet any of these principles in a material way, we will self-refer to the Regulator of Social Housing and put improvement actions in place to minimise recurrence.

3.2. Services to leaseholders are provided by Riverside through a 'shared services' operating model whereby the customer is 'owned' by a specialist Home Ownership team within the Customer Services Directorate and services are provided by Group functions including Asset Management, Building Safety and Finance and, third-party Management Companies where relevant. The responsibilities of both the leaseholder

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(the lessee) and Riverside, as the landlord, (the lessor) are specified within the lease and/or management agreement between parties. Within this legal framework, we will:

- Take a proactive approach by providing clear, transparent and relevant information to leaseholders to promote understanding of respective responsibilities, enable leaseholders to 'self-serve' and, to reduce the potential for disputes.
- Develop positive relationships with third party managing agents to ensure that service charges are accurate, invoiced in a timely manner and, when necessary, advocate on behalf of our leaseholders to challenge charges.
- Ensure that the Regulator of Social Housing Consumer Standards (2024) and accompanying Code of Practice in respect of leaseholders of low-cost home ownership accommodation are complied with.
- Comply with the GLA Service Charge Charter in respect of leaseholders within the London region.
- Collect fees due under the terms of the lease including administration fees and any fees that can be recovered for additional services carried out by us.
- Set service charges that are allowed under the terms of the lease, which are reasonably incurred on services or works of a reasonable standard (as defined by the Landlord and Tenant Act 1985).
- Recover all service charges permitted under the lease, provided that statutory consultation has been carried out and that the correct demand has been issued.
- Provide leaseholders with budgets and year-end accounts in accordance with legal requirements and provide opportunities for feedback.
- Regularly review services in conjunction with leaseholders to ensure quality is maintained and they provide value for money.
- Meet statutory requirements in consulting leaseholders about contracts and works as prescribed in Section 20 of the Landlord and Tenant Act 1985 (as amended).
- Take appropriate action to remedy breaches of the lease e.g. non-payment of rent or service charge, unapproved improvement works, anti-social behaviour, failure to allow access for inspection or repair.
- Assist leaseholders in financial difficulty by signposting to money advice services and other relevant support.
- Provide opportunities for leaseholders to be involved in the management of their homes both as individuals and group members.
- Work with leaseholders to identify and develop effective methods of communication that reflect their preferences and needs.
- Ensure that leaseholders are aware of their right to complain if they are dissatisfied with the services they receive from us or any third party (e.g. a management company) providing services to their home or estate. See section 7 Appeals & Complaints below.

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#### 4. Further Information & Support

- 4.1. Customers and other stakeholders can access our Policies through the Riverside website at [Our policies - Riverside](#) and [Our policies - Riverside Scotland](#). Internally, Policies are available on the Policy Management System at [Riverside Policies](#).
- 4.2. This Policy conforms to our Customer Care Policy. We aim to deliver high quality customer service across all business streams, operating areas, and subsidiaries, and within all activities whilst meeting all legal and regulatory requirements. This involves putting the customer first, respecting their rights, needs and views.
- 4.3. This Policy conforms to our Tailored Services & Reasonable Adjustment Policy. We aim to identify and support customers who, because of a protected characteristic, vulnerability or diverse need require extra support or an adjustment to access our services, in line with our organisational values of 'We Care', 'We are Inclusive' and 'We are Trusted'.
- 4.4. This Policy has been written in collaboration with our customers through our approved customer panels. Reviews will be undertaken every three years, or as required when new legislation or regulatory requirements are published, and customers will be given the opportunity to influence the way we work within the requirements set out in the relevant housing law and regulations described above, and in conjunction with our Customer Involvement and Engagement Strategy and Policy.
- 4.5. Here we share a passion and a vision to make a difference for our customers by transforming lives and revitalising neighbourhoods. To achieve our vision, we consistently look for ways of improving the way we work, and how we deliver our services so we can always put our customers first. Our Riverside Way represents who we are, what we stand for and guides how we work, treat our customers, and each other.
- 4.6. Data Protection and Privacy are at the heart of the services we offer and are the foundations of our relationships with our customers, colleagues, partners and stakeholders. Personal data is valuable, and we must always act fairly, ethically and with integrity when dealing with it. The fair and lawful handling and protection of personal data is critical to developing trust and confidence and building and sustaining long term relationships with those we provide homes to, and care for. We are dedicated to safeguarding the personal data under our care and to the continual development of a Privacy and Data Protection framework that is effective, fit for purpose and demonstrates an understanding of, and appreciation for Data Protection and the opportunities it brings. We are committed to the continuous cycle of improvement and enhancement of our compliance and governance framework.
- 4.7. We are looking into how we can make our Procedures more access to Customers and other stakeholders, in the meantime requests for information can be made through the CSC (processed as a STAIRS request). Internally, associated Procedures are available on the Processes and Procedures Hub at [Riverside Processes](#).
- 4.8. Other Strategies, Policies and Procedures that support this Policy are:
  - Community & Livelihoods Strategy
  - Customer Experience Strategy
  - Shared Ownership Sales Policy
  - Tenanted Sales Policy

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- Flexible Tenure Policy
- Buy Back Policy
- Rent Setting Policy and Framework
- Service Charge Policy and Framework
- Neighbourhood & Estate Management Policy
- Community Safety Policy
- Responsive Repairs Policy
- Damp and Mould Policy
- Aids and Adaptations Policy
- Building Safety Policy
- Asbestos Management Policy
- Water Safety Policy
- Electrical Safety Policy
- Gas Safety, Heating and Ventilation Policy
- Fire Safety Management Policy
- Mechanical Equipment (including lifting equipment) Policy

## 5. Roles and Responsibilities

### Executive Director of Customer Service

- Responsible for overall policy implementation
- Ensuring adequate resources are available to enable policy objectives and outcomes to be met

### Director of Home Ownership

- Responsible for delivering key policy objectives, including design and implementation of procedures
- Ensuring policy is updated to reflect changes to legislative and regulatory changes

### Head of Home Ownership

- Responsible for the implementation of this policy and monitoring its operational effectiveness
- Ensuring all colleagues involved with delivering services to Home Ownership customers have appropriate levels of skills, knowledge and training

## 6. Risks

6.1. Customer satisfaction and income collection are key measures of the successful implementation of this Policy. Both present risks to us:

- Low customer satisfaction may result in reputational damage and loss of management fee income if leaseholders take up their statutory 'Right to Manage.'
- Reduced income may impact on our ability to deliver services, or complete investment works to properties, resulting in poor property condition.

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- 6.2. Leaseholder and shared owner's customer satisfaction scores are generally lower than those reported for Social Housing customers. Services to our leaseholders are delivered using a 'shared services' model which requires collaboration across a range of service areas including those delivered by the Asset Services and Finance directorates.
- 6.3. Our leaseholders are required to pay for services via service charge payments and sinking and/or reserve fund payments. Accurate and timely budgets and year-end accounts are essential to maximise income collection and ensure that the full cost of services is recovered. Charges must be 'reasonable' to comply with legislation, Homes England funding requirements and in London, the Greater London Authority (GLA) 'Service Charge Charter.'

## 7. Appeal & Complaints

- 7.1. As detailed in the Regulator of Social Housing's Transparency, Influence and Accountability Standard and by the Scottish Housing Regulator, customers are invited to hold us to account for the decisions we make, that impact upon them, under this Policy.
- 7.2. If a customer wishes to appeal a decision made under this Policy, this should be received and heard under our Right to Review Procedure.
- 7.3. If a customer wishes to complain about the service they have received under this Policy, this should be handled through our Complaints Policy and Complaint Handling Procedure, which is governed by the Housing Ombudsman's [Complaint Handling Code of Practice](#) and the [Scottish Public Service Ombudsman Service](#).
- 7.4. Leaseholders also have the right to apply to the First Tier Tribunal (Property Chamber) in respect of complaints relating to their lease e.g. reasonableness of service charges.
- 7.5. These associated Policies and Procedures are available on our website at:
- England: <https://www.riverside.org.uk/you-your-home/customer-feedback/> or <https://www.riverside.org.uk/about-us/our-policies/>
  - Scotland: [Customer feedback | Complaints | Riverside Scotland](#) or <https://www.riversidescotland.org.uk/about-us/our-policies>
  - and are also available by contacting our Customer Service Centre.

## 8. Equality, Diversity and Inclusion

- 8.1. We are committed to Equality, Diversity & Inclusion. We strive to be fair in our dealings with all people, communities and organisations, taking into account the diverse nature of their culture and background and actively promoting inclusion. This policy aligns with Riverside's Equality, Diversity and Inclusion Policy and has been subject to an Equality Impact Assessment.





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Policy Sponsor	Liz Fairburn – Chief Customer Officer
Policy Owner	Helen Reddington – Director of Home Ownership
Policy Author	Tracy Andrew – Business Assurance Manager
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Knowledge Tags	Lease, Leasehold, Leaseholder, Lessee, Lessor, Managing Agent, Service Charges, LCHO, Low-Cost Home Ownership, GLA Service Charge Charter, Statutory Consultation, Section 20, Breaches of the Lease, Unapproved Improvement Works, Anti-Social Behaviour, Failure to Allow Access, Communal Area Management, Right to Manage.

**Change Category (Internal Use ONLY)**

Category of Change	Tick Box
Minor Changes (Non-Strategic)	X
Major Changes (Re-Write)	
Summary of Changes Made	
Addition of transparency, influence and accountability statement to complete regulatory compliance. No material change to the principles of this policy or how it should be applied.	

**Quality Assurance and Approval (Internal Use ONLY)**

Consultation and Approval	Tick Box	Date
Associated Documents Reviewed	X	27/11/24
Consultees:		
<i>Customer Services Extended Leadership Team</i>	X	20/11/24
<i>London Scrutiny Panel</i>	X	26/11/24
<i>Customer Service Leadership Team</i>	X	12/02/25
<i>Executive Directors</i>	X	25/02/25
<i>Customer Experience Committee</i>	X	27/02/25
<i>Riverside Voice Task &amp; Finish Group</i>	X	05/03/25
<i>Scotland Service Improvement Group</i>	X	28/04/25
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