

Norwich Leaseholders uncover a web of secrecy and deception



The Norwich Leaseholders' Association has uncovered a web of secrecy and deception at Norwich City Council which affects some 2000 leaseholders whose leases were drawn up before 2001.

Our finding could save leaseholders up to £150 per year and they will probably be able to claim a refund on years of management fees.

In Wednesday's Community Pages (September 17th) Citizens Advice Bureau Advice Line reiterated that "a lease is a legal contract and you can only be charged for services if they are specified in the lease"

For years now, Norwich Leaseholders Association (NLA) has protested that a Leasehold Management Fee is not chargeable if there is no reference to it in the lease and in July we challenged the council to meet us at a Leasehold Valuation Tribunal (LVT).

The NLA has now discovered that at a Tribunal in May, the council **lost the case** against one of our leaseholders with a stinging rebuke from the Chairman. But the council is appealing and it hopes it will win. We don't believe it can win, but if it does we will start again with a different lease, using the knowledge we've gained from the current proceedings. If Richard Marshall wins outright, he should not be charged a flat fee in future and he can expect a refund of £160 for the period of his tenure.

Whatever the outcome, Richard Marshall's lease is standard, and around 2000 of our leaseholders stand to benefit from this case.

When we approached the council, it maintained that it could not give us any information because it was a private matter. But tribunals are public affairs, so was it a lie or sheer incompetence; and which is worse?

As things stand today, it would appear that the council went ahead with its ambitious housing plans hoping to increase a charge to leaseholders which was unlawful. While we wait for the appeal to go ahead, the council tells us that it will carry on charging a management fee but it won't alter the amount.

In July, the council was shamed into dropping its claim for £150, thanks to Charlie Ringwood and the Evening News. But it is still sending out statements of intention to increase the fee to all leaseholders despite the Tribunal's findings.

NLA will not work with the council to levy an unlawful fee. However, leases drawn up from around 2001 do provide for a Building management charge, and we will be working with the council to ensure that the levy is reasonable.

It's time the council admitted its mistakes and it must take the consequences. If the council genuinely wants community partnership it needs to stop telling and start listening. We have things to say, skills to offer and we insist on being heard.

Our Management Fee campaign continues – come to our meeting at City Hall on 3rd October 2007 at 7.30pm and hear more.

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Strength in Numbers