



**Citizens Advice Southwark: Council Homeowners Advice Project**

**01/07/2019 to 30/09/2019**

# Southwark Citizens Advice Council Homeowners Advice Project

01/07/2019 to 30/09/2019

## Background

The project provides information and advice to Southwark Council leaseholders and freeholders. The project workers support clients in areas such as negotiations to pay service charge debts to the local authority, advocating with the Department for Work and Pensions to pay charges and income maximisation advice including welfare benefits. A holistic approach is taken to supporting leaseholders to stay in their homes and the help and advice provided also includes debt management plans (including all their debts) employment, relationship, discrimination and disrepair issues as needed. Referrals within the CAB are also made for specialist, family law, debt and welfare benefits advice and energy saving support.

Clients can access the project directly by a dedicated phone number and email address as well as referrals from diverse sources including the Home Ownership Unit and local councilors. Homeowners can contact the service using one of the following ways:

Tel: 020 7237 9532

Email: Lholders@citizensadvicesouthwark.org.uk

Online: <http://www.citizensadvicesouthwark.org.uk/projects-and-services/homeowners-advice/>

Write to: Leasehold  
Citizens Advice Southwark  
8 Market Place  
Southwark Park Road  
London  
SE16 3UQ

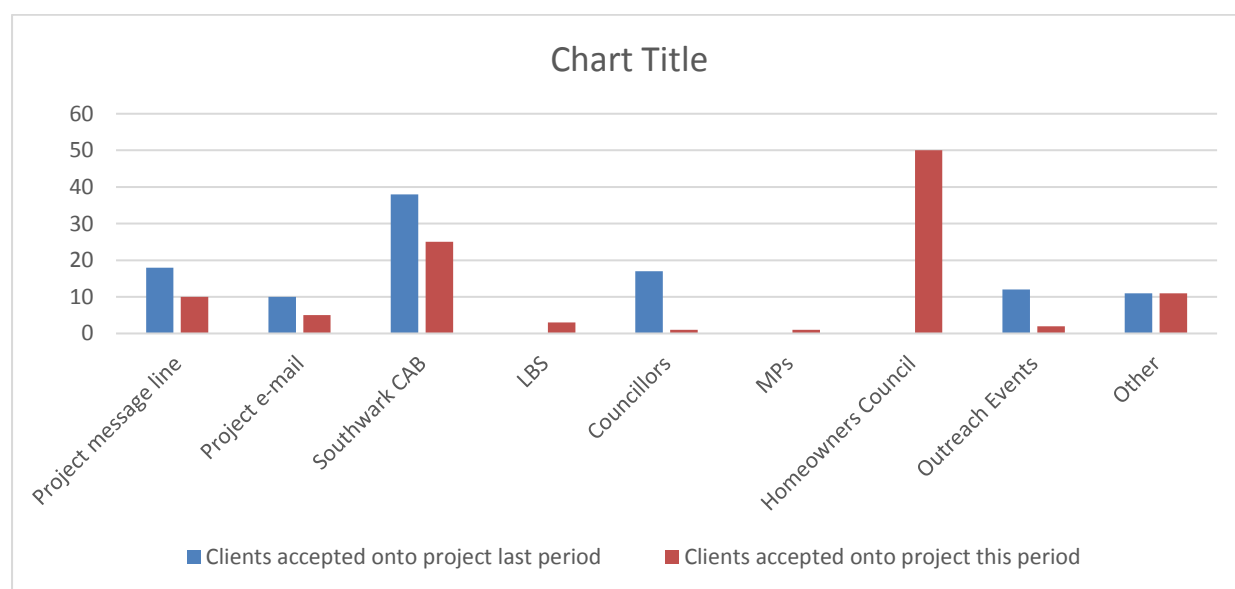
### 1. Key statistics

- 173 clients were assisted on the project this quarter
- 127 of these clients were new to the project
- 19 were repeat clients
- 35 cases were on-going from previous quarter

## 2. Access to Project new clients

First Contact Method/ Referral Source	This period	Apr – Jun	Jan – Mar '19	Oct – Dec'18	Jul – Sep '18	Apr – Jun '18	Jan – Mar '18	Oct – Dec '17	Jul – Sep '17	Apr – Jun '17
Project message line	22	18	12	10	15	21	13	21	15	17
Project e-mail	17	10	15	5	8	9	15	15	14	12
Southwark CAB	30	38	19	25	34	24	10	36	33	30
LBS	0	0	0	3	3	0	0	0	2	0
Councillors	0	17	1	0	0	11	2	0	0	0
MPs	0	0	4	1	1	8	0	0	0	0
Homeowners Council	0	0	61	50	0	3	70	0	5	25
Outreach Events	58	12	2	5	12					
Other				6	16	6	10	16	29	12
<b>Total</b>	<b>127</b>	<b>95</b>	<b>114</b>	<b>105</b>	<b>89</b>	<b>82</b>	<b>120</b>	<b>88</b>	<b>98</b>	<b>96</b>

### Progress against previous quarter



### 3. Client Profile Information

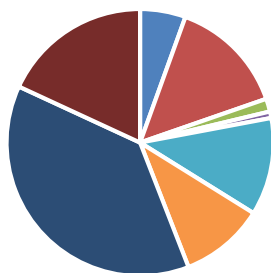
Of the clients accepted onto the project in this period:

- 42 are in receipt of welfare benefits
- 57 male, 70 female

#### Ethnicity of new clients accepted onto project this period

Where Clients are from				
Ward	Clients accepted onto project this period	Apr – Jun '19	Jan – Mar '19	Oct – Dec '18
Borough & Bankside	0	0	0	5
Camberwell Green	2	1	2	6
Champion Hill	3	2	2	18
Chaucer	3	3	5	3
Dulwich Hill	2	1	2	1
Dulwich Village	0	0	1	7
Dulwich Wood	53	0	2	5
Faraday	3	3	5	2
Goose Green	1	2	1	6
London Bridge & West Bermondsey	2	1	5	6
Newington	4	5	8	10
North Bermondsey	2	7	5	2
North Walworth	3	5	2	0
Nunhead & Queen's Road	5	2	4	3
Old Kent Road	4	8	10	1
Peckham	2	3	4	1
Peckham Rye	5	14	2	1
Rotherhithe	3	4	4	2
Rye Lane	0	3	1	0
South Bermondsey	7	19	2	1
St George's	0	0	0	4
St Giles	6	3	7	1
Surrey Docks	0	0	0	6
Unknown / other	17	9	27	13
<b>Total</b>	<b>127</b>	<b>95</b>	<b>114</b>	<b>105</b>

### Ethnicity of new clients accepted onto project this period



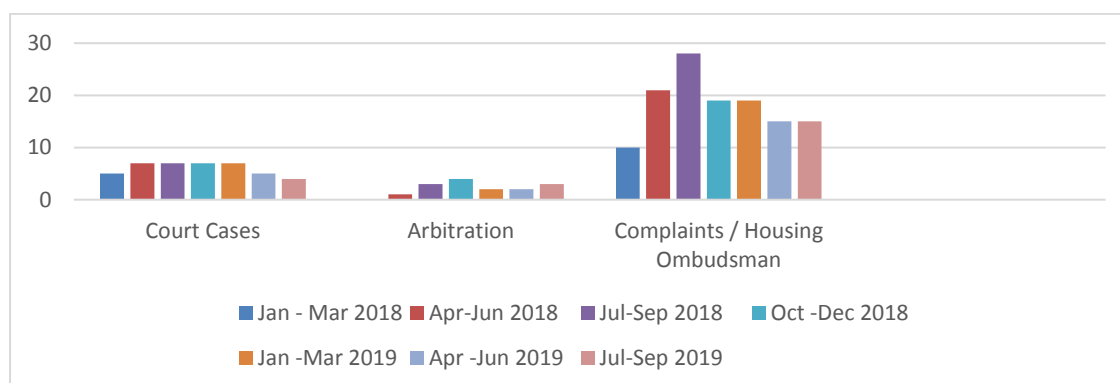
- Asian
- Black African
- Black Caribbean
- Mixed
- White British
- White Other
- Unknown / Declined to Answer
- Other

<b>Leasehold Issues</b>	<b>This Period – 283</b>	<b>Apr – Jun '19</b>	<b>Jan – Mar '19 - 186</b>	<b>Oct – Dec '18 - 193</b>	<b>Jul-Sep '18 - 124</b>	<b>Apr-Jun '18 - 117</b>	<b>Jan-Mar '18 - 177</b>	<b>Oct-Dec '17- 96</b>	<b>Jul-Sep '17- 102</b>	<b>Apr-Jun '17- 124</b>
Reasonableness / Liability – Annual Service Charges	89	21	51	29	10	20	50	12	7	15
Reasonableness / Liability – Major Works Charges	76	39	37	31	25	21	30	36	34	25
Ability to Pay	21	22	21	18	25	25	30	14	15	15
Disrepair	16	10	11	17	10	10	9	3	20	6
Forfeiture	0	0		15	0	0	10	9	0	20
Interpretation of Lease	72	55	52	45	30	15	42	14	17	40
Right to Buy	1	3	2	0	2	5	2	2	3	2
Neighbour Disputes	8	2	9	18	9	5	4	6	6	1
Fire Safety	0	0	2	10	10	13	0	0	0	0
Buying Freehold	0	6	1	10	3	3	0	0	0	0
<b>Other Issues</b>	<b>82</b>	<b>158</b>	<b>61</b>	<b>52</b>	<b>47</b>	<b>51</b>	<b>33</b>	<b>54</b>	<b>51</b>	<b>42</b>
Mortgage Arrears	24	10	14	15	15	9	10	7	5	5
Debts (Excluding service charges, major works and mortgage arrears)	7	20	27	11	11	12	7	8	15	11
Claiming Benefits	24	59	16	16	20	12	6	17	17	15
Housing - Homelessness	0	0	1	5	0	9	5	16	7	5
Repossession (non-forfeiture)	11	6	0	5	10	9	4	7	5	5
Relationship Breakdown	2	1	3	0	2	0	1	0	2	1
Other	14									

<b>Total number of issues</b>	<b>365</b>	<b>253</b>	<b>247</b>	<b>245</b>	<b>184</b>	<b>168</b>	<b>210</b>	<b>150</b>	<b>153</b>	<b>166</b>
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#### 4. New Issues

##### Ongoing cases from previous quarters



<b>Advice / assistance</b>	<b>Jul – Sep ‘19</b>	<b>Apr – Jun ‘19</b>	<b>Jan – Mar ‘19</b>	<b>Oct – Dec ‘18</b>	<b>Jul – Sep ‘18</b>	<b>Apr – Jun ‘18</b>	<b>Jan – Mar ‘18</b>	<b>Oct – Dec ‘17</b>	<b>Jul – Sep ‘17</b>	<b>Apr – Jun ‘17</b>
Advice / information	89	37	51	50	25	32	66	41	44	38
Advice & Casework / Advocacy	30	29	54	32	39	40	43	30	44	48
Advice & Referral	32	29	9	23	25	10	11	17	10	10
<b>Total</b>	<b>127</b>	<b>95</b>	<b>114</b>	<b>105</b>	<b>89</b>	<b>82</b>	<b>120</b>	<b>88</b>	<b>98</b>	<b>96</b>

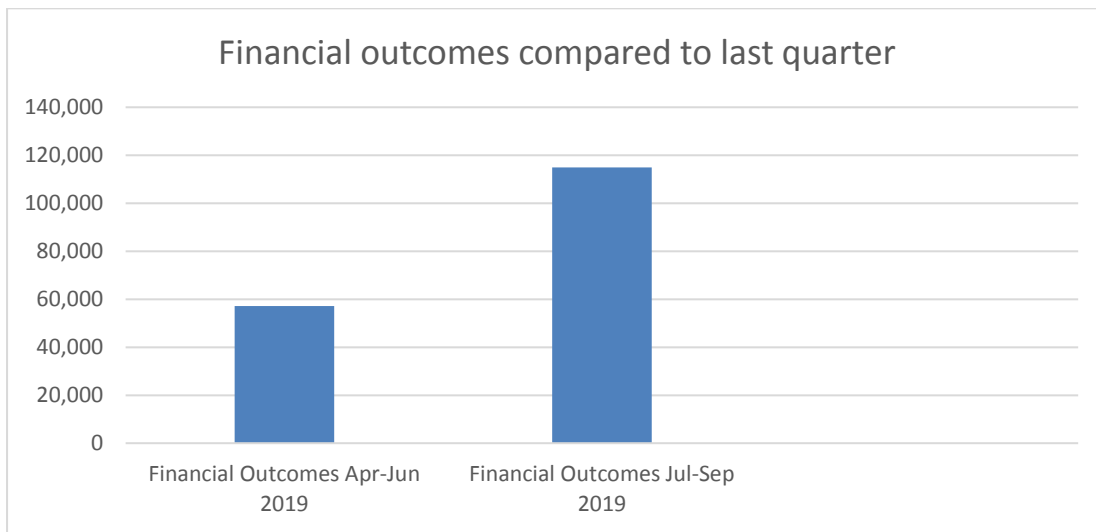
#### 5. Level of Support Provided

#### 6. Financial Outcomes

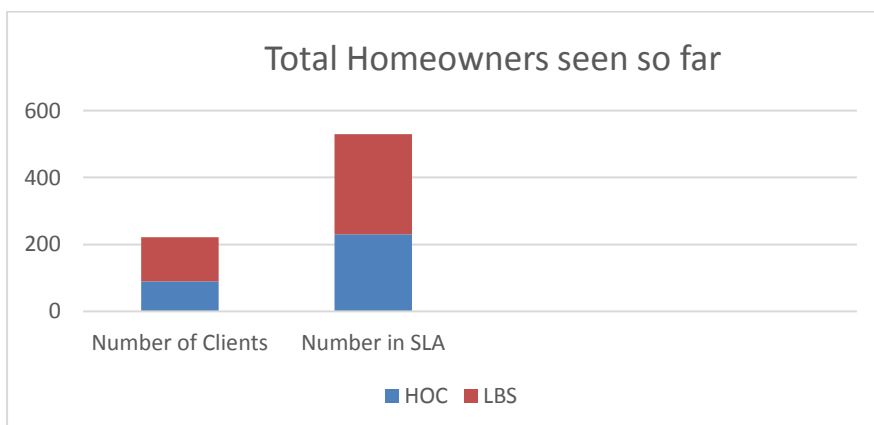
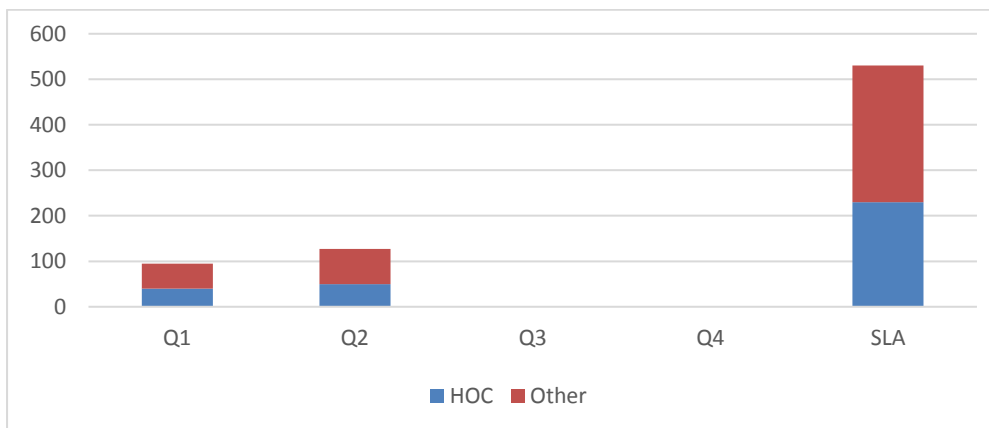
Financial Outcomes Recorded in reporting period is £114,882.40. This amount represents quantifiable benefits to clients such as:

- Award of welfare benefits
- Grants obtained for clients
- Service charges written off or reduced
- Awards from legal proceedings

## Progress against last quarter



## Progress against the SLA 2019-2020



## **7. Marketing and Communication**

We took part in a number of events across the borough over the summer including:

- In July, we attended an Event at Falmouth Surgery. Where we were able to promote all Citizens Advice Southwark Services.
- In August, we attended the Leathermarket JMB Fun Day. We met various residents including leaseholders to promote our services and provide information.
- In September, we attended the Bermondsey Festival at where we had a stall to promote Citizens Advice Southwark services. We were visited by approximately 30 people over the day 5 of which were LBS leaseholders. We also gave a presentation to carers in Southwark at Bell House's Learning to Care: Planning Ahead event. This was attended by 40 carers 5 of which were LBS leaseholders

We also continue to meet with leaseholder groups on their estates. We met with two large groups this quarter who are currently in the section 20 consultation process for major works.

## **8. Case Studies**

### **Case Study 1**

Client A is a single leaseholder with two children. Client A had Service Charges arrears of £1435.26. Client A received a Letter of Claim from Southwark Council saying that Client A had 30 days to pay off the arrears in full or respond to the letter, or they would commence court proceedings to recover the arrears.

Client A wanted her mortgage lender to pay off the arrears and add them to her mortgage payments, but when we contacted Southwark Council on Client A's behalf they said they would need to go through court proceedings before they get the mortgage lender to pay the service charges. Client A was also not permitted to deal with Service Charges account as it was in her partner's name. Client A's partner has been living in Africa for the last 9 years. Southwark Council agreed to give Client A more time to respond to the Letter of Claim in order to get authorisation from her partner.

After getting authorisation, we helped Client A complete the Reply Form and the Income & Expenditure Form and reply to the Letter of Claim with a proposed instalment plan. Although the plan was rejected, Southwark Council agreed to send the bill to Client A's mortgage lender who paid for the arrears. As a result, Client A avoided having a county court judgement against her and avoided the interest and legal fees involved.

### **Case Study 2**

Client B had £4646.72 mortgage arrears and her mortgage lender had started re-possession proceedings as a result of the arrears. Client B thought she would be able to get the money to pay off the arrears, but was anxious about the prospect of going



to court and potentially losing her home. Client B was told by the mortgage lender and its solicitors that they may also need assurance that she could keep up with payments in the future for them to adjourn the hearing, even if she pays off the arrears.

We contacted the mortgage lender's solicitors on Client B's behalf on a couple of occasions, while Client B attempted to pay off the arrears. When Client B was able to finally pay off the last of the arrears, the mortgage lenders and their solicitors agreed to adjourn the hearing without any further action required from Client B. Client B has now been made aware of what she needs to do going forward to ensure her mortgage lender does not commence re-possession proceedings again in the future.

### **Case Study 3**

Client C is a single male pensioner living in a Southwark leasehold property. He is still paying off his mortgage on his property.

Client C approached us because he was being threatened with eviction due to mortgage arrears. A suspended possession order had already been made, and Client C had breached this order by failing to keep up with the monthly repayments the judge had asked him to pay.

As a result, Client C's mortgage lender wrote to him stating that they were going to apply for a warrant for eviction. Once obtained, the warrant would allow the lender to send bailiffs to the property to evict our client.

During his appointment with us, we called Client C's mortgage lender to clarify the amount of the breach of the order, which was relatively small. We negotiated with them and they agreed that if he could clear the breach of the suspended possession order, and continue to maintain his mortgage and arrears repayments under the terms of the order going forwards, they would not evict him.

We then assisted Client C in producing a financial statement showing his income and outgoings, to demonstrate that he was able to clear the breach and continue making his agreed payments towards the mortgage and arrears.

As a result, Client C was able to clear the breach of his suspended possession order, and did not lose his home.

### **Case Study 4**

Client D has inherited her lease from her mother, who passed away when she was 12. Her grandmother and aunt were administrators of her mother's estate until she turned 18, and her grandmother pays the mortgage. Client D pays £150 per month towards service charges.

Client D came to us because she received a Letter of Claim from Southwark, for arrears of £6349.06 on a major works bill. The letter gave her 30 days to respond

before court action would be taken, which would incur interest and court costs on the debt. However, the letter was addressed to her mother.

Client D phoned her collections officer at Southwark to try and arrange a repayment plan. However, Southwark would not discuss the account with her because her mother's name was still the only name on the account, as they did not receive anything from the Land Registry stating that the leaseholder had changed.

During her appointment with us, we assisted Client D in calling Southwark's Collections Team. We managed to get their agreement to take no further action, to allow our client time to get a copy of her mother's death certificate to send to them. We assisted Client D in completing a Financial Statement and the Reply Form that came with the letter, in order to put forward her offer of repayment within the 30-day time limit. We wrote a note on the Reply Form stating that Client D was in the process of obtaining her mother's death certificate so she could be authorised to deal with the account.

After they received the death certificate, Southwark then agreed to Client D's repayments of £198 per month for the major works, in line with the Financial Statement we had helped her complete. Client D is therefore no longer under threat of legal action or the associated costs.

### **Case Study 5**

Client E is a retired leaseholder of a converted LBS house. She originally came to us because LBS was taking her to court for non-payment of her estimated service charge bill of £5000. She wanted to dispute costs on grounds that the costs were unreasonable and the works were done to an unreasonable standard. An independent surveyors report thought the works were not worth more than £2400.

We helped Client E to draft her defence and submit it to the county court. Sometime after, the poor works caused rain water to enter through the exterior wall and ceiling, causing damage to her property. We helped her to put in a late counterclaim for the money she would have to pay towards the costs of redecorating the room and replacing her curtains. We were due to have the hearing later this year but upon reviewing the evidence LBS instead offered to settle the counterclaim, offering her £5000 which would clear her service charges. We also asked them to pay the court fees she had to pay to file the late counterclaim and they agreed.

#### **Outcomes:**

Client E did not have to attend court hearing. She was in poor health at the time she was feeling very anxious about the hearing.

She had hoped not to pay more than £2400 towards the service charge bill. She actually did not have to pay anything towards the bill.

**Total financial outcome:**

**£5710**