



Complaint Handling Guide
Residential Leasehold Management



Complaint Handling Toolkit

Residential Leasehold Management



APPROVED BY:



Department for Levelling Up,
Housing & Communities



1. Challenging Service Charges – A Guide for Leaseholders

Investigating the fairness of service charges, and the quality of services or works they are collected for, falls outside of the jurisdiction of The Property Ombudsman. Challenges must be referred to the First-Tier Tribunal (or in Wales, The Leasehold Valuation Tribunal).

The following provides some information on the process and the steps that are recommended.

1. Many disputes arise from a misunderstanding about the costs and services involved. Try to discuss the issue with whoever acts as your landlord, or their agent, and reach an agreement in the first instance. They should be able to give you information on the costs you are being asked to pay and what checks they undertake to ensure services are being provided to a reasonable standard.
It is not advisable to stop paying altogether – this may result in your account being passed to solicitors and the property manager or agent being advised to cease discussing your concerns.
2. If you cannot reach an agreement, your lease may set out a way of resolving the dispute, such as arbitration by a qualified surveyor. If all parties agree, you could consider mediation; this can be a quick and easy means of resolving the dispute as trained property professionals can suggest ways to resolve the situation. There is no obligation for you to agree but if all parties are satisfied the dispute will be formally settled.
3. If you have exhausted these options, you will likely need to apply to the Tribunal. They deal with a wide range of issues and some are more complex than others. When challenging service charges, legal representation is not necessarily required. It is still strongly recommended that you seek advice in the first instance about the information you will need to submit and whether a hearing may be necessary.
Groups of leaseholders may be entitled to a management audit by a qualified surveyor and this can help collect evidence for the Tribunal.
4. Complete the appropriate Tribunal form: <https://www.gov.uk/government/collections/residential-property-first-tier-tribunal-forms#leasehold-management>. Be as thorough as you can in describing your issues and supply supporting evidence.
5. The Tribunal can – where asked – examine a wide range of issues. They can investigate costs such as insurance, maintenance and repair charges, and management or administration fees. They can visit your site to check whether scheduled works such as cleaning or gardening have been done regularly or completed to a good standard. They can also give a view as to whether the property manager has responded to your concerns in an appropriate manner. Finally, they can make recommendations for improvements to the services, or appoint a new manager altogether.

In summary, although the Tribunal should be treated as a last resort, it allows for a comprehensive examination of your issues and provides a formal ruling about whether your service charges are reasonable in the circumstances, and whether the services they cover have been provided to the standard you are entitled to expect.

We recommend that you contact The Leasehold Advisory Service and view the Tribunal decisions on their website: <https://www.lease-advice.org/>

Please note that residents who own their Freehold cannot apply to Tribunal and must instead refer their dispute to the County Court.



Manor Coliving Limited

2. Complaints Procedure

We are committed to providing a professional service to all our clients and customers. If things go wrong we need you to tell us about them. This will help us to improve our service going forward and resolve issues as soon as possible.

If you have a complaint, please put this in writing (letter or email) to us. We will then aim to acknowledge and respond in line with the timescales and stages set out below. The process should take no longer than 8 weeks.

We consider the needs of the individual and, where appropriate, make reasonable adjustments for consumers who might be disadvantaged because of factors such as their age, infirmity, disability, lack of knowledge, lack of linguistic or numeracy ability, economic circumstances, bereavement or do not speak English as a first language.

Stage 1 – Your Complaint

Please put your complaint in writing either by letter or email and address it to:

Dr. Cyril Ogunmakin Managing Director (including role).

Please include as much detail as possible, including dates, names of any members of staff you dealt with, and where you are able to enclosing/attaching any supporting evidence.

Remember to include details for complaints from a 3rd party or contractor if they differ from your usual complaints procedure.

Email: cyril@manorcoliving.co.uk

Stage 2 – Our Acknowledgement

Your complaint will be acknowledged and we will start our in-house complaints process.

Timescale: We aim to respond within 3 working days of receiving your complaint.

Stage 3 – Our Investigation

Your complaint will be investigated and Cyril Ogunmakin (relevant member of staff if applicable) will provide a formal written response addressing your specific complaints and proposing resolutions where appropriate.

Timescale: We aim to respond within 15 working days of receiving your complaint.

Stage 4 – Our Final Investigation

If you remain unhappy, your subsequent complaint will be investigated and Cyril Ogunmakin (relevant member of staff if applicable) will provide a written response outlining our final position and proposing resolutions where appropriate.

Timescale: We aim to respond within 15 working days of receiving your subsequent complaint.

Stage 5a – Complaints about our obligations to you

For complaints about our obligations to you, you can refer your complaint to The Property Ombudsman:

The Property Ombudsman
Milford House, 43-55 Milford Street, Salisbury SP1 2BP
01722 333306 | admin@tpos.co.uk | www.tpos.co.uk

Timescale:
You must refer your complaint to The Property Ombudsman within 12 months of the date of our final viewpoint letter.

If we have not addressed your complaints within eight weeks, you can refer your complaint to the Ombudsman.
No charge will be made for any complaint we handle.

Stage 5b – Issues with your lease and service charges

For complaints about your lease and the services provided under your lease, you can refer to the First-Tier Tribunal. For example:

- Increases in service charges and estate charges
- The fairness of charges applied in line with your lease
- The quality of management services provided
- Consultation on major works and contracts

Operates 5 regional tribunals in England: <https://www.gov.uk/courts-tribunals/first-tier-tribunal-property-chamber>

If we have not addressed your complaints within eight weeks,
you can refer your complaint to the Ombudsman.

No charge will be made for any complaint we handle.