



The Havebury Housing Partnership Home Purchase Policy

Policy No. HS 025

Unique Policy Reference No	<i>HS 025</i>		
Relevant corresponding Policy <i>(procedures only)</i>	<i>N/A</i>		
Approved by (inc date)	<i>Leadership Team</i>		
Date Version Approved	<i>04/04/2024</i>		
Date due for review	<i>04/04/2027</i>		
Author <i>(Document Owner)</i>	<i>Head of Development</i>		
Accountable Director <i>(Relevant ED)</i>	<i>Director of Development and Assistant Chief Executive</i>		
Consultation	Consultee	Y / N	Date
	Resident Voice	N	N/A
	JNC	N	N/A
	Other	N	N/A
Equality & Diversity Impact Assessment Outcome	Approved 07/08/23		
Legal Advice (inc date)	Capsticks advice sought 31/10/23		

1. Policy statement

- 1.1 The objective of this policy is to effectively process the sale of properties to those who are eligible to buy their property in strict accordance with the rules, regulations and time limits set in the legislation.
- 1.2 A robust process will be put in place to ensure that only those that are eligible are able to proceed with the sale.
- 1.3 To ensure that Havebury accurately calculate the discount applicable for each sale.
- 1.4 Havebury will keep accurate records of all applications to purchase to ensure that it complies with the current legislation.

2. Purpose

- 2.1 Havebury will sell properties in accordance with the relevant legislation and regulation, in accordance with its status as a registered provider of social housing.

3. Scope

- 3.1 Transferred Preserved Right to Buy is only available to tenants that resided with Havebury on 24 June 2002 when transferred by the then St Edmundsbury Borough Council (now West Suffolk Council) to Havebury that meet the qualifying criteria.
- 3.2 Tenants who have been given an Assured Tenancy on and after 24 June 2002 may be eligible for the Right to Acquire for properties that meet the qualifying criteria.
- 3.3 Properties excluded from both the Transferred Right to Buy and Right to Acquire are sheltered and supported properties and those properties that have been significantly adapted for specific needs.
- 3.4 Havebury will deny the Right to Acquire for any rural property located in an area excluded by regulation.
- 3.5 The Right to Acquire will be denied where properties are built/provided through Havebury's own resources. (Only Grant Funded properties will be eligible).
- 3.6 Havebury will sell the freehold interest in its houses and bungalows and will sell long leasehold interests in its flats and in houses built over garages.
- 3.7 The legislation governing the sale of public sector property developed out of government policy in the late 1970s and is contained in several acts of parliament as well as in various orders and regulations. The legislation includes:
 - The Housing Act 1985
 - The Housing Act 1996
 - The Housing Act 2004
 - The Housing (Preservation of Right to Buy) Regulations 1993
- 3.8 The Home Purchase Policy will comply with the Homes England's Regulatory Code and Guidance and its Charter for Housing Association Applicants and Residents.
- 3.9 As the legislation is complex and subject to change, Havebury will engage legal advisors with appropriate experience to ensure it complies with the legislation and act on behalf of Havebury in the transfer of properties.

- 3.10 The necessary information and assistance will be provided to ensure applicants understand the operation of the Preserved Right to Buy or the Right to Acquire. This will include issuing information to tenants about their rights to purchase and information to applicants on the current legislation, regulations and rules applicable.
- 3.11 Havebury will manage the process of Right to buy or Right to Acquire within the current legal timeframes.
- 3.12 Havebury will provide information via websites, booklets, email and face to face to help buyers with the process of buying their home.

4 Responsibilities

- 4.1 Homes and Investment Committee is responsible for approval and oversight and the Head of Development, Home Ownership Sales Manager and delegated staff are responsible for delivery.

5 Aims and Objectives

- 5.1 The objective of this policy is to effectively process the sale of properties to those who are eligible to buy their property in strict accordance with the rules, regulations and time limits set in the legislation.
- 5.2 A robust process will be put in place to ensure that only those that are eligible are able to proceed with the sale.
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6 References

Related External Documents
Reference
The Housing Act 1985 The Housing Act 1996 The Housing Act 2004 The Housing (Preservation of Right to Buy) Regulations 1993
Related Internal Documents
P021 – Right to Buy V4

7 Document control

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