

FAQs – S20: - Mechanical & Electrical Servicing and Repairs incorporating, Fire Equipment, Fire Alarms, Fire Fighting Equipment, Sprinkler Systems, Dry Risers and Automatic Smoke Vents.

What does the mechanical and electrical contract cover?

This is the service we provide for ad-hoc repairs of mechanical and electrical installations in all of our residential properties including communal areas. This contract will cover the planned servicing and safety inspection and repairs to fire alarm systems, fire fighting equipment, sprinkler systems and emergency lighting. You pay for this service via your service charge.

Haven't we already been consulted over this recently

Yes but there were some elements of the works where we didn't receive the required level of interest therefore we need to re-tender for these elements .

Who will you be using to carry out the works needed?

We are trying to engage with smaller local contractors in the regions to cover this work rather than larger contractors to cover multiple regions

Why are you changing it?

We are taking this opportunity to ensure that we have the most appropriate supplier providing the services required.

The preferred contractor(s) will undertake the programmed and ad-hoc repairs of mechanical and electrical installations in all of our residential properties including communal areas.

Does this contract cover the cost of repairs as well as testing the fire safety equipment and emergency lighting?

Yes

What are you doing around fire safety?

While we have no specific concerns about the safety of any of our buildings, following the tragedy in London we immediately carried out a proactive review of all of our communal properties to ensure the safety of our customers in the homes we manage and maintain.

We continue to work closely with local authorities, fire authorities, the National Housing Federation and other relevant bodies and where refurbishment work is being carried out to our buildings we are seeking assurance that all materials used comply with strict fire safety regulations.

How much will this cost me?

This is not a demand for payment at this stage. We will contact you again to let you know of any changes to your service charges as a result.

You say this is a legal consultation, are you now going to add legal costs to my service charges?

No. Although this consultation process is required by law there are no legal costs involved.

Please send more information about the services you are looking to provide

A description of the services to be provided under the agreement can be found on our website www.aster.co.uk – search for ‘Have Your Say’ or inspected by appointment at our main offices. Alternatively we can email this specification to you.

I am not happy with the current services provided

Under this consultation process we are unable to deal with complaints about quality of current provisions. Please visit our website or contact us to log any issues you are experiencing as a formal complaint.

What is a section 20 consultation and why does it affect me?

Anyone who pays a service charge whether they are a leaseholder, shared owner or tenant may be affected by a section 20 consultation.

Through your service charge you pay a proportional share for various services provided to your property or the estate in which you live, for example grounds maintenance.

If you are a leaseholder you have also committed to paying a proportional cost for repairs, maintenance or improvements to your home or to the building or estate in which you live.

The Section 20 consultation process (sometimes referred to as S20) was put in place to protect service charge payers and to make sure that landlords only carry out work or enter into service contracts that are necessary and at a reasonable cost.

The process also allows service charge payers the chance to comment on the works and sometimes to suggest contractors for the works depending on the value of the contract.

Because of the legal terminology we are required to include in our letters and notices by law, section 20 consultations can be quite difficult to understand. To help you to understand the process and what you need to do, we've included below some useful FAQs, these can also be found on our website.

When is the S20 consultation process used?

For any one-off work that will cost an individual service charge payer over £250 or for any new service (for example ground maintenance) that lasts longer than 12 months and will cost any service charge payer over £100, we need to let you know and give you the chance to comment on what we are planning.

Your comments form part of a formal consultation between us and you and it's our legal requirement under section 20 of the Landlord and Tenant Act 1985 to involve you.

How does the Section 20 consultation process work?

This may vary according to the type of work and the cost but it's usually along these lines:

1. We send you a legal Notice telling you what work or type of contract we are planning. This will include letting you know where you can find out more details and how you can provide your comments
2. We get some quotes from contractors, taking in to account any comments we've received
3. We send you a 'notice of estimates' which gives you the details of the estimated costs. You are able to provide feedback to us on the estimates
4. Taking into account any feedback we received we award the contract to a preferred supplier to carry out the work
5. If the contractor is not the cheapest we will write to explain why they have been awarded the contract.

Is there any time when I can't suggest a contractor?

Yes. If the overall value of the contract is over £4.1m it has to be advertised in the European Journal. This means that the tender process is significantly larger and as such we are not able to take into account contractors that are suggested as part of a section 20 consultation.

What is an observation?

You have a right to reply with your comments to a Section 20 notice up to 30 calendar days from the date of the notice. Your reply is known as an 'observation'. We will acknowledge any observations we receive within 21 calendar days.

A summary of all the observations received and our responses to them are sent out with the next stage of the consultation documents and may also be available on the website.

All the comments and feedback we receive are taken in to account when planning the work and awarding the contract.

How do I make an observation?

You can make an observation about a notice in writing either by letter or e-mail. You can't make observations verbally either over the telephone or in person.

I have received a Section 20 letter, is this notice a bill?

No, this is not a bill. You don't need to make any payment in response to receiving this letter or any enclosed notices.

Will my service charges increase?

Your service charge will depend on the services and works which take place in the building/estate that you live in. We will not be asking you to pay for anything for which you are not receiving or will not receive a service for in the future.

What will I pay for services?

You would only pay for the cost of maintaining a service you receive and these costs will be included in your service charges.

If a contract is for a number of years what happens if the contractor doesn't perform well, do they keep getting the work?

The contract will say that if works or services are not delivered or are not value for money, we may end the contract.

I have received a S20 notice but I don't think it's for me

If you receive a notice to your address but not in your name please let us know, it may be that our records need updating or that the leaseholder is subletting the property to you.

If you are a leaseholder sub-letting your property please let us have a correspondence address so we can send S20 Notices to you there.

I am planning to sell my property before the work described in the S20 notice is completed

You should keep the documents safe and pass them to your solicitor when you have accepted an offer. Any potential purchaser needs to be aware of works that are planned at your property.

Where can I go for advice?

You can contact your local Citizens Advice Bureau for independent advice. The following websites also have useful information about the S20 process:

<http://www.lease-advice.org>

<http://www.leaseholderadvicecentre.co.uk>