

Information for Leaseholders – Lease Extension Enquiries

I can advise that the Council would be happy to consider any request or application in respect of extending the term of the existing lease as long as you have owned the property for a period of 2 years or more.

We would only grant an extension in accordance with the terms of the Leasehold Reform Housing & Urban Development Act 1993 (as amended).

To proceed with a lease extension, you will need to serve a legal notice on the Council, in accordance with S42(3) of the Act, requesting the extension. We recommend that you instruct a solicitor to serve the notice, but you can complete a Section 42 Notice yourself.

Please note that under S.57 of the Act the Landlord (in this case the Council) can incorporate in the lease covenants (which have been omitted from the previous lease) by both the Landlord and the Tenant to bring the lease up to date to reflect a modern form of lease.

There will, of course, be a premium payable. I am not in a position to advise you on the likely premium as there are a number of variable parameters which are used in reaching the value of a premium and it is a matter for a qualified surveyor to provide relevant advice on such matters. It is important to note that any Notice of Claim you make, will require you to propose a premium to pay for the grant of the additional 90 years.

I can further inform that should you wish to proceed with a lease extension application, you will be expected to bear the Council's valuation costs which come to £1,000.00.

If the matter proceeds further and a premium is agreed, you will also be liable for our Legal costs, which are currently set at £1,500.00. These costs (under S.60 of the Act) are payable in addition to the agreed premium on completion of the new lease.

You can find detailed information regarding the process on the Leasehold Advisory Service site on: <http://www.lease-advice.org> The same website also provides a basic calculator but this provides a very crude valuation only and may not reflect the true cost of the premium. Most of our leases contain a peppercorn Ground Rent, but to aid the calculations you can enter a nominal figure of £10.

Any application should be sent to Wandsworth Council HCS Department, Town Hall, Wandsworth High Street, London, SW18 2PU for the attention of, Miss G Nunn.