



Freeholder HANDBOOK



Part of

Fexco 

Property
Services

Welcome to your home owner's guide

Created especially for owners of properties on developments managed by Remus Management, this guide will give you an overview of how we manage your development. If you have any further questions, please get in touch.

We recommend you keep this guide somewhere safe, as it includes the answers to many frequently asked questions such as:

- What do Crabtree do?**
- What is a service or estate charge?**
- What should I be aware of when I sell?**
- What types of maintenance and repairs will be carried out?**
- What do I do if I have an issue?**



Our customer and client charter

Put simply, our customer and client charter is our commitment to you when working with us. It reflects the behaviour and customer service you can expect in all of your dealings with us.

Safety First Our teams are committed to a stringent health and safety management system for how we provide our services and that of the contractors we use. Together with our clients, we will endeavour to provide an estate that is managed as safely as possible for you and your family.

Openness Sometimes it can be difficult to relate what you are asked to pay, to your usage of the managed areas of your estate. We understand this and will be fully open with you when explaining everything. You can expect us to speak plainly to you about all aspects of the services we provide or arrange. If your issue is outside of our control, we will advise to the best of our ability.

Responsiveness If we don't meet your expectations, please call us. You can expect that we will be able to resolve most of the issues you are facing over the telephone or to put steps in place to do so immediately after the call. You should not expect to have to follow this up after the call is made, unless further clarification is required. If you prefer to email or write to us, you may not get an immediate response, as you would by calling us, but you can expect this communication to be reviewed and responded to as soon as practically possible.

Value for money We cannot control all of the components of your service charge or estate charge, nor do we determine the full cost. What we will do is carefully select and manage the service providers used for all of the elements we can control. We will not continue to use contractors that do not provide value for money. We will not select the lowest quote all of the time, we will select the provider that is the most cost effective.

Working in partnership We are committed to working closely with our residents and clients to provide a responsibly managed property for your benefit. This cannot work without listening to their needs and wants. We will involve our clients in the bigger decisions all of the time. We will actively listen to residents, seek feedback regularly and use this to inform decisions on how the property is managed.





What do Crabtree Management do?

Crabtree is a managing agent that provides management services to the communal parts of your development. We generally act for the resident management company (RMC) or the freehold owner of the development. The RMC or freehold owner is responsible for the upkeep of these communal parts and has appointed us as an agent to assist them in carrying out their responsibilities.

The extent of our services for the communal parts are set by:

- Best practice to ensure they are managed responsibly.
- Health and Safety legislation to ensure they are managed safely.
- The preferences and needs of our clients with regard to how they are managed.
- The covenants in the transfer documentation for a property with freehold ownership.
- Relevant legislation put in place to protect all parties.

Depending on what we are asked to do and the type of property or private estate, the services we provide in relation to the common parts could include:

- Maintenance, insurance and cleaning of apartment buildings.
- Arranging gardening.
- Arranging repairs of estate areas as necessary, including of un-adopted roads, street lighting on un-adopted roads, play equipment and electronic entrance gates.
- Liaising, where necessary, with warranty providers, original contractors, insurance brokers, neighbouring properties, the emergency services, the local authority or local interest groups on behalf of the residents or our clients.
- Regular site visits and inspections.
- Liaising with solicitors with regard to conveyancing enquiries.

Our responsibilities do not include the repairs to the interior of your individual property or any design faults in the original construction or conversion.

Estate charges

What is an estate charge?

As the managing agent for your development, we take on the appropriate responsibilities of your residents' management company or freeholder set out in your TP1. Your service charge is your share of the costs involved, and will cover things like:

- Maintaining the managed areas, for example, roads not adopted by the local council, play areas, etc.
- Public liability insurance premiums.
- Gardening of your development's landscaped areas.

In addition, your service charge includes our management fee which covers, among other things:

- Preparing an annual estimate of likely costs.
- Maintaining records of all payments and receipts for each property in your development.
- Undertaking property visits to ensure that work is being carried out satisfactorily and to see if any further work is required.
- Dealing with queries from residents.
- Providing a dedicated property manager.
- Managing maintenance contracts, including arranging tenders and approving contractors.
- Liaison with other third parties, including local authorities, neighbouring properties, fire services and local community groups.

Any fees specific to a particular house may be charged directly to the owner rather than the communal service charge account.



How can I pay my estate charge?

Before the start of each financial year for your development, we will send you a budget detailing the estimated service charge expenditure for the coming year. You will be invoiced 30 days in advance of when this payment is due (where practical). You can pay this invoice in the following ways:

- Online with a debit or credit card
- By bank transfer
- Over the phone with a credit or debit card via our automated payment line on 020 8371 7070. You will need your tenancy ID, which you will find at the top of any letter from us.
- By direct debit (please contact us to set up a direct debit).

What is the difference between a service charge budget/estimate and a year-end service charge account?

Most TP1s or leases provide for advance payments to be made to ensure there are funds available to pay bills as they become due. The service charge budget is an estimate of your share of the likely costs for the coming year and is payable in advance. The budget is based upon experience in previous years and known items of expenditure.

The year-end service charge account is a statement of actual spend over the past year and your share of those costs. When we send you the year-end service charge account, we include a summary of the amount you paid at the start of the year for the service charge budget, as well as the difference between the two. If the year-end service charge is higher than the estimated budget, you will need to pay the difference.

What do you do with my advance payment?

All advance payments are credited to a communal client bank account separate from our own business accounts. All contributions from owners on individual sites are paid into this account and any expenditure relating to your development is taken from this account.

What if I won't be able to make my payment on time?

Your payment dates are set out in your TP1 or lease and it is important that payments are made on time to ensure that bills relating to your property can be paid on time. If you are going to have difficulties making a payment on time, the most important thing is to let us know as soon as possible, as we may be able to work out a sensible payment plan in exceptional circumstances.

Your invoice will clearly state the payment due date. If we haven't received a payment by that date, we will send you an overdue statement. Further delays in payment (or failure to contact us) will result in a firm reminder which may incur an administration charge from us. If we still do not hear from you, we may need to instigate recovery action on behalf of the development. In line with best recovery practice and to ensure the development does not incur undue expenditure, interest at 4% over the Bank of England base rate (usually LIBOR) on overdue amounts and legal costs are levied to you should this happen, where solicitors are instructed.

What is a reserve fund?

Your service charge may include a contribution to a reserve (or sinking) fund. The reserve fund is held in trust on behalf of the development and used to pay towards any major works or planned maintenance. The use of a reserve fund means that the cost of major works can be spread out over a number of years, making it more affordable for owners.

How do you control costs?

TP1s or leases do not usually set any limits on expenditure. The Landlord and Tenant Act 1987 states that service charge costs must be reasonable, and the Housing Act allows homeowners to challenge unreasonable costs. If your property has a residents' management company, the directors will approve the service charge budget before

we send it to owners within the property. Each year we review costs to ensure best value for property owners and we always strive to deliver the best possible service at a reasonable cost.

What if there isn't enough money in the service charge fund to cover costs?

In such cases we may have to issue a supplementary estate charge demand to cover costs in the interim.

What is ground rent?

Ground rent is an annual charge paid to the freeholder for the land on which your leasehold home stands. The amount of ground rent is set out in your lease. If you own the freehold of your home, then you will not pay ground rent.

I want to sell my home, what should I be aware of?

You should provide your solicitor with as much information as possible, for example copies of estate charge accounts for the last three years, current budgets, consultation letters, etc. Your solicitor should contact us as soon as possible for a statement of your account. Should your solicitor require further information, we can provide this, but will charge an administration fee in line with recommendations of the local law societies.



Maintenance and repairs

What types of work are you responsible for?

The upkeep, maintenance and repairs that we carry out can vary in size and complexity. This includes the day-to-day upkeep, such as gardening, as well as ad-hoc repairs and planned maintenance.

How do I let you know a repair of maintenance is needed?

We will carry out regular estate inspections and make a note of any repairs that may be needed. However, we understand that the need for repairs or maintenance may become apparent between visits. If you do notice that a repair or some maintenance is needed, please contact your property manager, who will arrange for it to be dealt with. Similarly, if you are unhappy with the standards of cleaning or gardening, please let us know, in writing wherever possible, so that we can address the issue.

Please note that in order to avoid excessive additional costs being added to the service charge account, we may wait for a number of items of a small cosmetic nature to accumulate to justify the cost of sending out a contractor.

How quickly do you deal with minor repairs?

We deal with emergency repairs as quickly as possible. Other repairs will be dealt with as soon as it is practical to do so. As previously mentioned, we may wait for a number of small cosmetic repairs to accumulate before instructing a contractor to reduce costs for homeowners.

Wherever possible we instruct a local contractor to undertake the works and occasionally you may be asked to confirm if the works have been completed satisfactorily. We have no business interest in the builders or contractors we use and our main concern is that work is carried out to a satisfactory level at a reasonable cost and in a safe manner.

How do you manage the costs of repairs?

If the extent of the repairs means that estimates and quotations are needed, we will try to get quotations from various contractors.

What if specialist advice is needed?

If specialist advice is needed, we will usually instruct a chartered surveyor. In particular, we will use a chartered surveyor to:

- Supervise specific work and ensure it is carried out to a standard in line with the quotation.
- Investigate specific structural or maintenance problems.

Where an independent surveyor is used, their reasonable costs will be charged to the service charge account. Where we instruct our sister company Ellis, Sloane & Co. for normal surveying work, we will charge at our usual hourly rates.

Can I suggest a local contractor to carry out the work?

You can suggest a contractor and we will ask them to provide a quotation or estimate. To ensure that work is carried out safely, for both contractors and residents, we require all contractors who work for us to be approved for health and safety by Ellis, Sloane & Co.

Insurance

Why do we need public liability insurance?

Public liability insurance provides cover in the case that a claim is made by a third party for loss, damage or injury caused while they are on or adjacent to the property insured. The loss, damage or injury must have been caused by the property owner, or their agent, not having kept or made the premises safe.

Please note that this type of insurance does not cover damage to the property itself, this will be covered by your own buildings insurance.

Complaints handling

While we try our hardest to ensure that your property is managed to the satisfaction of all, there are times when we cannot fully satisfy all the residents, all of the time, or where we are not responsive enough, or simply get it wrong. It happens.

Our 3 stage process:

If you are experiencing any customer service issues, please by give us a call on 020 8371 7070. Generally we can resolve 90% of the issues over the phone or put plans in place to resolve any such issues within an appropriate timescale. Remember, if we don't know about something, we can't fix it. In addition to this, we are obliged by the codes of practice we follow to have a formal complaints procedure which is set out below:

Stage 1

In the first instance you should raise your complaint with your property manager. They will do their best to resolve the issue, or at least identify a solution, as soon as practically possible. When raising such a complaint it is useful if in any written communication or email you use the word 'complaint' in the subject area, and if making the complaint by phone please identify that you are raising the matter as a 'complaint' and that it should be logged as such.

Stage 2

If for any reason your complaint is not satisfactorily dealt with by your property manager, or it is about your property manager, please get in touch with our Head Office to discuss what has gone wrong. Please also feel free to make an appointment to come and meet with us if this is more convenient. Again when raising such a complaint it is useful if in any written communication or email you use the word 'complaint' in the subject area, and if making the complaint by telephone please identify that you are raising this matter as a 'complaint' and that it should be logged as such.

Stage 3

In the unlikely event that your issue is not resolved at stage 1 and 2, please contact the directors explaining your complaint. It is very important that you mark your letter or email as a 'Formal Complaint' so that it may be dealt with quickly and at the appropriate level. The directors will ask the relevant senior manager to investigate your complaint and respond as soon as practically possible. The directors will then follow up the satisfactory resolution of the complaint.

Stage 4

Crabtree is a member of The Property Ombudsman Scheme (www.tpos.co.uk). If we cannot resolve your complaint to your satisfaction following the stages outlined above, you are welcome to ask the ombudsman to take a look. The advantage of the ombudsman is that they will look at the matter with a fresh and totally unbiased view. The ombudsman will review your issue after you have exhausted the stages set out above.



Working with you

Good communication between us, you, other apartment owners in your property, and your residents' management company or residents' association (if you have one) is key to successful management of your building.

Who can I contact at Crabtree?

Your property manager is contactable by phone or email. Please bear in mind that there will be times when they are out of the office on property visits and you may be asked to leave a contact number or email address for the property manager to return your call when they are back in the office. If it is an emergency, then another property manager or assistant property manager in your local regional office will be happy to take your call and help where they can.

From time to time you may also need to contact one of our head office teams, including:

- Property transfer team if you are planning to sell your apartment:
PropertyTransferTeam@crabtreeproperty.co.uk
- Accounts team for any queries on you service charge account:
accounts@crabtreeproperty.co.uk

If your file has been passed to our solicitors or debt recovery agents as a result of a breach of your lease, we may not be able to talk to you or correspond with you and contact should be made through our solicitors or debt recovery agents. We are not trying to be difficult in these cases, it is a legal requirement that we act in this way.

How can I have a say in how my building is managed?

If your building has a residents' management company, you may volunteer to become a director of the management company.

If your building doesn't have a residents' management company, you can form a residents' association, which can represent the views of all apartment owners. If you would like to set up a residents' association, we can give you a specimen set of rules and bye-laws.

Whether your building has a residents' management company or residents' association, we will continue to maintain formal contact with each of the individual apartment owners as well as working closely with the management company or association.

One of my neighbours is not sticking to the terms of the lease, what can I do?

From time to time we receive complaints from one or more apartment owners in relation to another. We look at all complaints carefully and with sympathy, however we also need to remain impartial. The most common complaints we receive are about excessive noise, leaving rubbish in the common parts or parking in someone else's space.

First of all, we would suggest you talk to your neighbour and try to resolve the issue. In some cases, particularly of excessive noise, your neighbour may not be aware of the impact their behaviour is having on you.

When we receive a complaint we consider serious, we will write to the apartment owner concerned and ask them to stop the behaviour giving rise to the complaint. If the apartment is sub-let, then the apartment owner remains responsible for the actions of their tenants. If complaints continue, we will consider further action which may, ultimately, involve the courts.

In our experience the courts are unwilling to become involved in trivial matters or where there is no substantiation or evidence. It is therefore important to provide a file of evidence if you are making a complaint. In the case of excessive noise, keep a detailed and accurate diary of the times the noise occurred. In other cases, for example inconsiderate parking or leaving rubbish in the common parts, take photographs. Wherever possible, ask other affected apartment owners and residents to support the complaint and, as a last resort, be prepared to give evidence in court.

What do you do with my data?

We take great care with all data and especially personal data. We are committed to ensuring this is secure and processed in a lawful manner.

We will process the information you provide in line with the EU's General Data Protection Regulation (GDPR). Our aim is not to be intrusive, and we undertake not to ask irrelevant or unnecessary questions. Moreover, the information you provide will be subject to rigorous measures and procedures to minimise the risk of unauthorised access or disclosure.

You can read our full privacy policy at **www.crabtreeproperty/privacy-policy**.

Should you have any concerns about how your data is processed, you can contact our Privacy Controller at **privacy@crabtreeproperty.co.uk**