

Frequently Asked Questions

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

The Section 20 consultation process 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.

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

The process 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.

When is the S20 consultation process used?

For any one-off works 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 to enter in to. 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 can provide feedback to us on the estimates.
4. Considering 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.

Can I nominate a contractor?

If applicable, any nominations have to be made at Stage 1 of this 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 give due regard to any observations received during the consultation period.

A summary of all the observations received and our responses to them will be sent out with the next stage of the consultation documents.

All the comments and feedback we receive are considered when planning the work and awarding the contract.

How do I make an observation?

Your observation must be in writing either by letter or email. Any email should be sent to observations@aster.co.uk. Letters should be sent to the following address, Section 20 Officer, Aster Group, Sarsen Court, Horton Avenue, Cannings Hill, Devizes, Wiltshire, SN10 2AZ. You can't make observations verbally over the telephone or in person.

Is this Section 20 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. Any charges will be communicated to you separately and applied through your service charges.

What if I cannot afford to pay?

If you are worried about how you will meet the cost please speak to your Customer Accounts Officer. For more information visit <https://www.aster.co.uk/existing-customers/leaseholder/what-to-do-if-you-are-struggling-to-pay>

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 own my property and am planning on selling it before the service 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 any Section 20 consultation.

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>