

Minutes of:

Norwich Leaseholders Association Annual General Meeting

Held at: Norwich City Hall Council Chambers

On: 7.30 pm 12th July 2018

Present: The NLA Committee and 22 other members



1) Welcome and Introductions	<p>Jon Neville-Jones(JNJ) as Chair introduced himself and rest of committee: Lorna Kirk, Steve Barber, Ann Harris, Nan Neville-Jones</p> <p>JNJ thanked previous committee members who have retired since the last AGM: David Feltham, Sally Wilson-Town, Margaret and Roger Holmes</p>
2) Apologies for absence	<p>Apologies were received from Sally Wison-Town, Peter and Sheila Cook, Peter and Gloria Smith. Kim Ives, June Pinching, and Corrine Livingstone.</p>
3) Notes of 2017 AGM	<p>Notes of the last AGM had been approved by the NLA Committee</p>
4) Matters Arising	<p>None outstanding</p>
5) Chairman's Report	<p>JNJ reported to the AGM as follows.</p> <p>Introduction NLA is an organization whose aim is to help, support and advise people who have a Leasehold on a property where the Freeholder is Norwich City Council.</p> <p>Caveat To start with, there are a few aspects which the NLA does acknowledge. Firstly, the NLA understands that NCC has a responsibility to keep their properties in good condition and carry out maintenance work to try to achieve that. So just because a building project doesn't fit a Leaseholders personal budget, doesn't mean that work should not be carried out. Secondly, the cost...the NLA is aware that building work tends to be expensive. Bills are often quite large, certainly more than anyone wants to pay, but that doesn't <u>in itself</u> mean they are wrong. Thirdly, the NLA generally only hear about a project when someone feels that something has gone wrong with it. There are, presumably, many projects which go through with a reasonable standard of work and a reasonable bill and no-one complains. It is hoped that the NLA deals with a minority of the projects that NCC carries out.</p> <p>So, what has the NLA been doing over the past year? The NLA has become involved in many individual projects, investigating costs and paperwork, advising Leaseholders, and writing direct to NCC, including formal letters of complaint. On a more general level, the NLA has taken the role of trying to ensure that Leaseholders get a fair and reasonable service from the NCC, which we don't think has always been the case to date. We have tried to get the NCC to raise the standard of their professional performance, by drawing attention to shortcomings in the performance of the NCC team.</p>

The NLA has also met regularly with the Homeowners Team of NCC and with NPS, their agents who run the projects.
The NLA feels that the NCC responses to the letters have been generally unhelpful, and lacking in transparency. NCC often avoid answering specific questions, and change their story when it suits them, which is all quite frustrating.
And the meetings are similar...they are quite difficult.
The NLA would like to say our relationship with NCC is productive but in truth, it is not.

Some of the problematic issues are as follows. This is what the NLA has been dealing with.

NCC have been routinely charging for things that do not exist

Most projects include guarantees for elements of the work. For example, the brickwork repairs, the waterproof coating, etc. Those guarantees are usually for 10 or 15 years, and are backed by insurance companies, and they cost money. They are part of what Leaseholders are paying for.

The NLA has asked for copies of the guarantees, and has found on many projects, that not only has NCC not issued them to the Leaseholder, the guarantees haven't even been issued to NCC. So they don't exist. So NCC are billing Leaseholders for something that does not actually exist.

The NLA has put it to NCC that charging for something that doesn't exist is unethical and possibly illegal, but NCC have said it is OK.

The NLA has told NCC that the guarantees, and a copy of the certificate which confirms that the works are complete, should be issued to the Leaseholders before the bill is issued. After initially refusing, NCC have finally agreed to comply with this moving forward.

However, there appear to be a backlog of projects to date where NCC have paid off the contractor, and issued the bills to the Leaseholders, before they have received the guarantees, which is a bit shocking. NCC are trying to get them from the builders, but it seems as though the building works have been badly managed by NCC and the contractors having been paid their money by NCC, don't seem interested in supplying anything further.

But a little progress there, and hopefully an improvement moving forward.

Unfair allocation of costs by NCC

NCC decides on each project how they will allocate the costs. There seems to be very little consistency between projects.

On one project, the final bill was for £900 of building work, which was grossed up to £3,600 with overheads. This was entirely because of NCC's decision as to how the costs should be allocated across the project. The NLA made a formal complaint on this project and are pleased to say that NCC significantly reduced the bill.

Lack of transparency

On one project, the estimated costs were circa £8k.

The bill when they issued it, 2 years after completion, was nearly £11k.

The NLA criticised the time of 2 years taken to issue the bill...NCC responded that they had to be absolutely certain that the bill was correct in every detail before they issued it.

But when the NLA said that the leaseholder should not have to pay the extra £3k, NCC responded to say that since issuing the £11k bill, they had discovered that it

was wrong after all, and it should have been £13.5k, so there would be little change if they took £3k off the increased amount.
The NLA found this unconvincing and unimpressive.

Changing their story

Going back to the additional £3k on a project, this was a cost overrun on a stair alteration project.

NCC claimed repeatedly, in many, many letters over a period of a couple of years, that the cost overrun was caused by alterations to the stairs, caused by gas pipes they discovered. The NLA repeatedly said that NCC should have known the gas pipes were there, the Leaseholder should not be expected to pay because NCC failed to do their job properly. NCC ignored that point, and simply confirmed in their response to our Stage 2 Formal Complaint, that the changes were down to the gas pipes.

Then NCC suddenly changed their story and said actually no, it wasn't the gas pipes, it was because of asbestos.

So NCC will, after years of saying one thing, they will then completely change their story, do a U-turn and say it was actually something completely different.

NCC appear to have admitted that they will make statements even in response to a Stage 2 formal complaint, which are incorrect and untrue.

Reneging on assurances

NCC wrote to one Leaseholder to assure him that certain additional works were the Freeholders responsibility and would not be charged to the Leaseholder....and then changed their minds and billed him for the work after all. The NLA has repeatedly complained about this, but NCC remain determined to renege on their assurances. So unfortunately, the NLA has to advise you that you cannot rely on statements made by the Homeowners team, even when made in writing.

The Leaseholders need to be aware of all this so that you understand what Leaseholders are dealing with, and that is why it is so difficult to make any progress.

MPs and Councillors

The NLA has met with both local MPs. Chloe Smith MP expressed support, Clive Lewis MP unfortunately less so.

The NLA has tried to interest Councillors in the problems we are facing but, with the exception of Councillor Martin Schmierer, little or no interest has been shown.

The NLA suggests that Leaseholders each individually write to their Councillor and ask them, for example, to investigate why NCC has been routinely paying money for Guarantees that they have not received.

What should you as Leaseholders do?

Keep every letter and form that NCC sends to each Leaseholder.

Generally, the consultation stage consists of 3 letters. The last one, called the Section 20 letter, gives you an estimate of how much the building work is likely to cost each Leaseholder individually.

It helps if Leaseholders respond to these NCC letters...the NLA has advice on their website to help you respond to NCC.

	<p>Leaseholders should take the Section 20 cost estimate very seriously. The figure in that letter is only an estimate....and NCC likes to say that in some cases, the final cost has been less, but it often exceeds the Section 20 estimate. Either way, Leaseholders should take the figure seriously and start to plan for paying it. The building work will probably take a while to start, and then the bill may not be issued for a year or more after completion, so there may be a couple of years to plan and to save for paying the bill, but a bill <u>will</u> arrive at some point.</p> <p>When the bill is received, it should include some proper formal documentation, which is part of the project and part of what the Leaseholder are paying for. This includes the Certificate of Practical Completion, and the various Guarantees or Warranties. The bill should not have been issued and is not payable until you have these, so write to them and tell them that.</p> <p>If a Leaseholder wants the NLA to assist, they will need to contact the NLA and be specific about what the problem is. What is the objection to paying the bill? Is it that the work is not complete? Is it that the correct documentation has not been issued? Is it that the standard of workmanship is inadequate? Is the bill incorrect? And so on.</p> <p>Leaseholders also need to contact the NLA in good time. The NLA advised someone in February that if they wanted me to help them then the NLA needed information about their project. Nothing was heard for about 3 months and then the NLA received an urgent email saying their deadline to pay was the following day. That makes it difficult for the NLA to help.</p> <p>Leaseholders may ask whether it is worth bothering with dealing with NCC when they generally don't give an inch on anything. Well, the NLA sympathises, and feels that the only way there will be any concessions from NCC, or any helpful result, is by taking a case to Tribunal and an outside body forcing NCC to respond properly. But if a Leaseholder does go to a tribunal, it will help their case if a case history of trying to resolve the matter with NCC, and having gone through NCC's formal complaints procedure, can be demonstrated.</p> <p>So that is what The NLA has been up to, what has to be dealt with from NCC, and why it is so hard to actually get anywhere.</p> <p>There have been a couple of positive outcomes on individual cases, and a promise from NCC to improve on the issuing of Certificates of Practical Completion and Guarantees. A case has also gone to Tribunal, and it is to be hoped that the outcome is a positive result for the Leaseholder. But we will have to wait and see.</p>
<p>6) Financial Report</p>	<p>JNJ presented the following financial report from the outgoing Treasurers.</p> <p>This year has been another quiet year financially.</p> <p>At the start of the financial year July 2017, the bank account had a balance of £3919.28.</p> <p>There has been only 1 expense paid out this year, which was for the advertising of the open meeting in April 2018 in the EDP. The cost of this was £125.00.</p> <p>There has also been 1 donation of £100 received from a leaseholder.</p>

	This leaves the balance of the account of £3894.28 as at 30 th June 2018.
7) Nominations for Committees and Officers	Penny Ellis, nominated by Steve Barber Molly Holdenoaks, nominated by Penny Ellis Len Thornton, nominated by Mark Smith Mark Smith, nominated by Molly Holdenoaks
8) Election of Officers and Committee	All nominees were elected to the committee by unanimous votes. It was agreed that committee will elect officers at next committee meeting
10) AOB	<ul style="list-style-type: none"> • Andrew Youngs pointed out that leaseholders can ask for evidence of competitive tenders and points to be clarified relating to recent insurance costs. • Margaret Ross reported that she has been told by the Homeowner Team that she will not be asked to pay towards the costs of a new communal boiler connected to her property. JNJ advised that previous similar advice from NCC has been reversed and she should write to NCC confirming their advice to strengthen her case should NCC “U turn” their position. • Andrew Young raised the issue of support provided from the Abate Team. Several members found that this was not satisfactory. They found support for the leaseholders and tenants affected by anti-social behaviours was superseded by support for the offenders. • JNJ asked those present tonight to let other leaseholders know about NLA. We would like to see more people involved in resolving issues that may affect leaseholders.
11) Date for next AGM	Scheduled for July 2019. Exact date to be confirmed in due course and will be posted on the NLA website.
Close of meeting	8.30 pm