

4 February 2011

Ms Noelle Rawe

Our Ref: GS/64/004746/11

Your Ref:

Previous letters:

- Mine 16 Dec 10

- Reply 5 Jan 11

- Mine 19 Jan 11

Dear Ms Rawe,

Thank you for your further letter of 19 January to the Rt. Hon Grant Shapps MP including copy correspondence about the regulation of managers of leasehold properties. I have been asked to reply again as a member of the Leasehold Branch at the Department for Communities and Local Government.

When I referred to managers of leasehold properties in my letter of 5 January this was intended to cover both managing agents and landlords in their management role in relation to those properties. RICS members would be expected to act in accordance with the terms of Code referred to and indeed the Code itself reminds them that it has guidance note status. This would appear to be backed up by the comments quoted from Simon Love and as indicated in my previous letter these codes can be used in evidence at Court or tribunal proceedings.

NOT my
experience

I cannot comment on LVT or court proceedings but it might be helpful for you to contact the Leasehold Advisory Service (LEASE) again for advice about your rights to withhold service charges that may otherwise be due during the course of LVT or court proceedings concerning those amounts. LEASE is able to advise as well as provide information on residential leasehold issues. We understand that there are in excess of 1800 RTM Companies registered at Companies House and are not aware of widespread dissatisfaction with the right to manage.

Protecting the miscreants by claiming the so-called 'strict rule of protocol'. I stopped counting the number of times I have been dishd that one.

Finally I can only repeat that whilst the Government is not convinced of the case for further regulation including regulating managers in the residential leasehold sector the matter is being kept under consideration.

Yours sincerely,

"Mr Big society Mr Shapps? Big rip-off more like"

Chris Humphreys

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