

# Leasehold Team

## **Service charge – disputes**

A service charge is the payment that leaseholders must make towards the cost of shared services and repairs in the areas that they share with their neighbours. The lease for your property determines what your share of the cost is and what services should be provided by Karbon Homes.

### **I'm unhappy with one or several of the services provided:**

There may be occasions when you feel that you should not have to pay all or some of your service charges and wish to dispute these with us.

If you are unhappy with a service provided such as cleaning your communal area or the grounds maintenance, we would ask you in the first instance to let us know about your concerns.

Your Leasehold Officer will contact you to discuss the situation and investigate the matter on your behalf. They will, if necessary, ensure the contractor is keeping to an agreed specification or schedule of works. Any refund or compensation provided will be reflected in the management accounts.

### **What is a dispute?**

A dispute is when you do not agree with your charges because:

- You have been charged for a service you have not received
- The quality of the work carried out is not to an acceptable standard.
- The costs are not reasonable or payable under your agreement.
- We did not consult you correctly

### **What happens if I dispute my charges?**

Service charge disputes sit outside of Karbon's usual complaints process. They will therefore not be logged as a complaint.

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If you have a concern over your service charge you should write to us to formally register your dispute, clearly setting out what it is about, how you believe you have been overcharged or charged for a service you have not received and how you would like it resolved.

Your Leasehold Officer will investigate your concerns. They may arrange to meet you to carry out an inspection of your property, block and/or estate. We will try to complete our investigation within 28 days, though if it is complex or involves charges from a managing agent it may take longer. If this is the case, we will let you know.

The Officer will respond to you as soon as possible providing their findings and outlining any action(s) they will be taking.

If you remain unsatisfied with our response you should refer the matter to the First-tier Tribunal.

The First Tier Tribunal is part of the courts and tribunals service and is an independent body set up by the government to assist in disputes. They deal with matters such as:

- Assessing whether service charges are reasonable.
- Assessing rent levels including fixed service charges.
- Management issues and charges.
- Determining whether charges are payable, and how much is payable.

**You can also contact the Leasehold Advisory Service (LEASE) for information and assistance on service charges on their website at [www.lease-advice.org](http://www.lease-advice.org)**

You can also apply to the Housing Ombudsman Service to investigate your dispute if you have exhausted our investigation process and remain unhappy. They will not usually investigate issues that are dealt with by the First-tier Tribunal or concerns about the level service charges or the amount of service charge increase. They may investigate your complaint if we have failed to keep to the law, follow proper procedure or good practice or behaved in a reasonable and competent manner.