

# Camden Leaseholders' Forum

## Guide: Setting up a Leaseholders' Association (Recognised Tenants' Association)

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### Introduction

What are these and why are they useful? This article explains all!

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### What is a Leaseholders' Association?

A Leaseholders' Association is the term used in Camden for what is, in law, referred to as a "Recognised Tenants' Association" (RTA)<sup>1</sup>. "Leaseholders' Association" is used primarily to avoid confusion with organisations that are of and for secure tenants. A Leaseholders' Association is set up where a group of leaseholders have come together to better represent their common interests to their shared landlord. For the purposes of this document, the shared landlord is Camden Council and any single Leaseholders Association is usually confined to one housing estate, block, building, but can cover a group of street properties which Camden has put together for a capital works scheme.

In general, Camden Leaseholders' Forum advises leaseholders to work with their tenant neighbours and use the extra powers of a Leaseholders Association for the benefit of all concerned residents.

n.b. The Leasehold Advisory Service has a fuller, more technical, definition on their [website](#).

## What are the benefits?

Unlike TRAs or individuals, Leaseholders' Associations have powers, usually set out in guidance<sup>ii</sup>, as follows:

1. To request a summary of their members' service charges incurred by the landlord
2. To inspect the relevant accounts and receipts related to those service charges<sup>iii</sup>
3. To view insurance cover and inspect the policy
4. To view estimates obtained by the landlord for long-term agreements or intended works
5. To nominate contractors to be invited to tender when the landlord wishes to enter a long-term agreement or carry out qualifying works (unless the works need a notice in the [OJEU](#), as many of Camden Council's do)

There are additional powers which can be extremely useful and which are statutory, though the cost of exercising them falls on members of the Association:

6. To appoint a qualified surveyor who then has a right to access documents and premises so as to advise the RTA on service charges, including relevant documents belonging to a contractor.<sup>iv</sup>
7. To appoint a qualified accountant or surveyor to audit the service charge accounts.<sup>v</sup>

These two powers can be used to force the landlord to produce evidence which could then be used to challenge service charges in the First-tier Tribunal (Property Chamber – Residential Property). The right to request information is absolute; commercial confidentiality cannot be used for refusing to release it.

In practice, Camden Council also tends to speak directly with the Leaseholders' Associations when running consultation exercises, which makes discussions about potential changes and works easier and can help streamline these processes. A Leaseholders' Association also makes Camden Council consider requests with more weight as the request is coming on behalf of a larger group than any one individual.

## Is a Leaseholders' Association already active in your area?

Check that there is a Leaseholders' Association already running via [this page](#).

## How to become a formally recognised Leaseholders' Association

1. Leaseholders' Associations must normally represent at least 60% of the leasehold properties in the block or area and provide this list to Camden Council. You can find your fellow leaseholders by reading [this guide](#) which we have published.
2. Leaseholders' Associations must adopt a constitution (Camden Council's Leaseholder Services department can provide a template for this).
3. The next step after this is to contact Camden Leaseholders' Services department and request formal recognition.
4. The last step is to hold an Annual General Meeting where the Executive Committee needs to be elected. This first meeting must be witnessed by an officer from Camden Council.

Camden require that Leaseholders' Associations re-apply for recognition every two years and that they are updated as to any changes in membership.

Camden Council have a section dedicated to Leaseholders' Associations on their [website](#) (although the page does refer to them as RTAs).

If Camden refuses recognition, or there are grounds for suggesting that their criteria are too harsh, there is a right to appeal and seek recognition through the Leasehold Valuation Tribunal.

## Appendix: More information about Camden Leaseholders' Forum

We are a volunteer group representing all the leaseholders in Camden Council properties and freeholders paying service charges to Camden Council. We scrutinise Camden Council proposals, examine working practices and lobby on behalf of leaseholders to Camden Council.

More information is available at <http://www.leaseholdersforum.org.uk>

If you know of anyone who would like to receive regular updates from us, please direct them to <http://www.leaseholdersforum.org.uk/mailling-list> where they can sign up. Subscribers can also adjust preferences by clicking on the link at the bottom of any email we send.

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<sup>i</sup> Landlord and Tenant Act 1985, section 20

<sup>ii</sup> <https://www.justice.gov.uk/downloads/tribunals/residential-property/tenants-assoc.pdf>

<sup>iii</sup> Camden Council point out that every year individuals do make requests to inspect documents and these are regularly agreed to

<sup>iv</sup> Housing Act 1996, section 84 and schedule 4

<sup>v</sup> Leasehold Reform, Housing and Urban development Act 1993, sections 76-84