



# Complaints and First-Tier Tribunal

## Information for council leaseholders

All leaseholders can make a complaint if they are unhappy with the service. We will use your feedback to improve future service for leaseholders in the borough.

You can also apply to the First-Tier Tribunal to find out if your service charges are reasonable and if you have to pay them.

### **This leaflet tells you:**

- How to make a complaint
- What the First-Tier Tribunal is and what complaints it can help with

### **How do I make a complaint?**

We would like to hear from you if you are not happy with the service we provide. We can put things right for you and we will use your feedback to improve future service for all leaseholders in the borough.

If you have a complaint about service charges, please let Leasehold Services know that you are unhappy and give us the opportunity to solve the problem.

Email: [servicecharges@dacorum.gov.uk](mailto:servicecharges@dacorum.gov.uk)

Tel: **01442 228 799**

Having done this, if you still do not feel that we have dealt with your query correctly, you can make a formal complaint: [www.dacorum.gov.uk/home/do-it-online/make-a-complaint](http://www.dacorum.gov.uk/home/do-it-online/make-a-complaint)

### **What is the First-Tier Tribunal (Property Chamber)?**

The First-Tier Tribunal (Property Chamber) replaced the Leasehold Valuation Tribunal from 1 July 2013. It is an independent and unbiased tribunal that can sort out problems or disagreements about how 'reasonable' a service charge is. A tribunal can look at day to-day service charges, management charges or the charges relating to major work. Both you and we can apply to the tribunal.

If you are not satisfied with the outcome of your formal complaint to us, you can apply to the tribunal to decide whether your service charges are reasonable and whether you have to pay them.

We recommend that you get independent advice before you make an application to the First-Tier Tribunal (Property Chamber).

A First-Tier Tribunal (Property Chamber) is a panel of three members: a solicitor, a valuer, and a non-specialist lay person. They are independent and impartial. The First-Tier Tribunal (Property Chamber) is a type of legal hearing, but is less formal than going to court. Many people have presented their own case and won, even if the other side has had a solicitor. However, it is usually worth getting professional advice before you start. Hearings do not always take place at the tribunal's own offices. They are often held near your home (for example, they could be held at our offices) and are usually open to the public.

Sometimes, the tribunal will hold a review of the case before the trial and, even if it doesn't hold a review, it can tell both sides to present evidence and statements by a certain date. If either side does not follow the tribunal's instructions, this can harm their case. If you have made the application and don't follow the tribunal's instructions, your application could be dismissed.

The First-Tier Tribunal (Property Chamber) is less formal and quicker than court proceedings. The tribunal asks both sides to put forward their case and present evidence to support it. You do not have to be represented by a solicitor or barrister, but you may find that you need professional advice or support.

## What can a First-Tier Tribunal (Property Chamber) help with?

Most disputes between leaseholders and freeholders can be taken to the First-Tier Tribunal (Property Chamber). This might include disagreements about:

- insuring the building;
- how much you have to pay in service charges;
- the quality of the services you receive; or
- how much you have to pay to extend your lease.

Tribunals can decide what is a reasonable amount to pay for the services or repairs we provide. This won't necessarily be the price you were hoping for, but can be less than we have asked for. If what your lease says about maintenance, repairs, insurance or service charges is unclear or unfair, the tribunal may be able to change it.

We recommend that you get independent advice before you make an application to the First-Tier Tribunal (Property Chamber).

**Leasehold Advisory Service:** [www.lease-advice.org/lease-glossary/first-tier-tribunal-property-chamber/](http://www.lease-advice.org/lease-glossary/first-tier-tribunal-property-chamber/)

**Government website:** [www.gov.uk/housing-tribunals](http://www.gov.uk/housing-tribunals)

For more information, please contact the Leasehold Services team by email: [servicecharges@dacorum.gov.uk](mailto:servicecharges@dacorum.gov.uk) or telephone **01442 228000** and ask for **Leasehold Services**. Direct line: **01442 228 799**.

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