

# DACORUM BOROUGH COUNCIL

Section 156A Housing Act 1985 (as amended)  
The Housing (Right of First Refusal)(England) Regulations 2005

## OFFER NOTICE

Name(s)

I/We being the owner(s) of:

Address of property

Hereby give notice that I/We would like to dispose of the above property and in accordance with the "Right of First Refusal" Covenant in the initial transfer hereby offer to DACORUM BOROUGH COUNCIL, being the former landlord, the right of first refusal of the above property.

In accordance with Regulation 12 of The Housing (Right of First Refusal) (England) Regulations 2005 and in relation to the property to which this notice relates, the following information is given.

- 1. The property is a (delete which is not applicable) - HOUSE / FLAT / MAISONETTE
  - 2. The property is being marketed at a valuation of £ .....
- Please attach Estate Agent's marketing literature to support the above valuation (if available).**

3. Please specify the number of bedrooms:

4. Please give details of the heating system:

5. Please specify any improvements or structural changes that have been made since the purchase:

6. Please state the address where DBC can serve notices upon the owner if different from above:

**All home owners must sign this form**

Signed: .....

Date: .....

Signed: .....

Date: .....

Signed: .....

Date: .....

Please return to The Forum Marlowes Hemel Hempstead HP1 1DN or email to [legalpost@dacorum.gov.uk](mailto:legalpost@dacorum.gov.uk)

**Please Read Notes overleaf**

## Notes

1. The landlords of secure tenants buying their homes under the Right to Buy scheme (the terms of which are contained in Part 5 of the Housing Act 1985 (as amended)), are required by section 156A of the 1985 Act to impose a covenant in conveyances and grants of leases to the effect that, for a period of ten years after the property is transferred to the tenant under the Right to Buy, there must be no relevant disposal which is not an exempted disposal (these terms are defined in sections 159 and 160 of the 1985 Act respectively), unless the prescribed conditions have been satisfied (a “right of first refusal covenant”).

2. The Housing (Right of First Refusal) (England) Regulations 2005 require that the owners of properties bound by the covenant who wish to make a relevant disposal which is not an exempted disposal, must first offer the property for purchase by its former landlord, its successor in title or a person nominated by it. In relation to a leasehold property, the notice must be served upon the former landlord, or the current landlord under the lease if that is not the former landlord (Regulation 5). If the property is freehold, the notice must be served upon the former landlord if that person is still in existence, otherwise upon the local housing authority for the area in which the property is situated (Regulation 4).

3. The recipient of an offer notice has a period of 8 weeks in which to accept the offer. If a recipient of an offer notice does not wish to accept the offer then it must serve a rejection notice upon the owner (Regulation 7).

If the Council does not accept the offer within the 8 week time limit, then the owner is free to dispose of the property as he sees fit. However, if the owner has not done so within 12 months, and then subsequently wishes to dispose of the property, a fresh offer notice must be served. (Regulation 9).

The Council must enter into a binding contract for the purchase of the property within 12 weeks of accepting the offer, or within 4 weeks of receipt of a written notice from the owner saying that he is ready to complete the transaction, whichever is the longer. If the time limit is not complied with then the owner is free to dispose of the property as he sees fit. (Regulation 10).