

HARINGEY LEASEHOLDERS' ASSOCIATION

MINUTES OF THE GENERAL MEETING HELD AT THE WOOD GREEN SOCIAL CLUB, 3 STUART CRESCENT, N22 5NJ, ON SATURDAY 5 NOVEMBER 2011

Present: Sue Brown (Chair) (SB), Nick Martin-Clark (Treasurer) (NMC), Peter Gilbert (Secretary) and a total of 28 other members of the Association

1 Opening Remarks

The Chair welcomed the members present and opened the meeting. She said that it had been a difficult year for HLA following derecognition by the HfH Board based on a report that was full of lies. A rival organisation had been set up and had received financial support. Recently many members had signed a petition calling on the Haringey Leaseholders Campaign Group (HLCG) to hold a Special General Meeting. The HLA's solicitor had written to HLCG and the HLA had been told the previous evening that HLCG would be withdrawing its application for recognition. As HLA was now the only organisation applying for recognition the HLA would not be pursuing legal action against HLCG. These problems had prevented HLA from doing useful work but the HLA could now move on and, for example, consider HfH proposals to introduce charges for leaseholders who sub-let their properties. The Chair went on to outline the agenda.

2 Minutes

The minutes of the General Meeting held on Wednesday 15 December 2010 were tabled and were approved unanimously.

3 Petition to the HfH Board

The Chair explained that the HfH Board had decided to de-recognise HLA at its meeting on 1 December 2010 on the basis of a report written by an HfH officer which contained a number of lies. The HLA Committee had refused to take part in HfH's investigation. The Chair had since prepared a report rebutting the accusations which HfH had refused to read. She had now made a complaint to the Local Government Ombudsman. The HfH Board would consider a petition to withdraw de-recognition which was signed by more than 50% of the leaseholders present.

The meeting agreed nem con, with 2 abstentions, to petition the HfH Board to withdraw de-recognition of the HLA.

In answer to a question from the floor, the Chair explained that the HLCG Committee was largely made up of ex-members of the HLA Committee. The HLCG had held its launch meeting on Wednesday 15 February, and had

refused to allow discussion of the constitution which had been presented. It had also elected a Committee but had refused to accept nominations for SB, NMC and PG which had been made in accordance with invitations prior to the meeting. The HLA had since pointed out to HfH that HLCG was acting unconstitutionally. NMC added that sufficient leaseholders had signed a petition calling on HLCG to hold a SGM but that an initial request had been refused.

4 Legal Action

The Chair explained that she and NMC, acting on a personal basis, had taken solicitors' advice with a view to taking action against HLCG for not holding an SGM. 265 leaseholders had signed a petition that the HLA had forwarded to HLA's solicitors for sending on to HLCG. NMC had since received a phone call signifying that HLCG would withdraw its application to HfH for recognition. Piers Johnson (Vice Chair of HLCG) told the meeting that he had emailed HfH accordingly and would shortly be confirming this in writing. The Chair commented that in that event she and NMC would not pursue their legal action.

The Chair added that HLA was pursuing legal action against the former Treasurer, whose actions had cost HLA between £20,000 and £30,000 in total, including two years recognition funding from HfH, two years worth of a grant that HLA had lost the opportunity of as the result of an internal dispute in 2009-10, the cost of two mail-outs, a number of lost subscriptions and the cost of re-establishing the HLA website. HLA had a duty to its membership to seek recovery of these moneys.

In answer to a question from the floor as to what HLA had achieved, the Chair said that HLA had caused HfH to change its policy so as to allow leaseholders to install their own windows, it had funded for two years an advice centre which could give leaseholders paid legal advice, it had persuaded HfH to grant leaseholders more favourable payment options for major works, and, in conjunction with other groups, it had helped to achieve a cap on the cost of installing digital aerials. It had also helped a number of individual leaseholders who had been in dispute with HfH. Because HLA had had to fight other battles over the past year or two, the HLA had had only a limited effect in that period.

NMC asked leaseholders who were not already subscribers to complete the Standing Order form. SB added that all Haringey leaseholders were HLA members (unless they said that they did not wish to be, or were suspended or expelled) and that paying an annual subscription of £20 was completely voluntary.

NMC explained that HLA had had its website re-established professionally at a cost of £850 and that it would have the database added. While it had been lost, HLA had been unable to email and text its members.

5 HfH response to Fol enquiry

NMC explained to the meeting that he had asked HfH to clarify the cost of the mail-shot when HLCG had been set up. He had been told that this was £640, which seemed very cheap if it had included postage, and he had asked whether there had been a special discount or other arrangement. When he organised the HLA mailing, the same firm had invoiced the HLA for some £2500, including £1300 for postage. The firm had advised him that they passed the envelopes to Royal Mail for posting. He had asked HfH again under the Freedom of Information (Fol) Act to check its records, but the answer had been inadequate and arrogant. The HLA Chair had now asked HfH for a copy of the invoice. NMC was concerned that the reply to any further request he made might be that the enquiry was vexatious, which was the response that had been given to a related request NMC had made for documents revealing the date when HfH had decided to fund HLCG. Piers Johnson said that he had paid for HLCG's leaflet and that he could not recall when HfH had decided to allocate funding to HLCG.

The Chair asked the meeting to agree to the HLA repeating the request for the documents which NMC had requested and been refused. The meeting agreed nem con, with 2 abstentions, that HLA should make a Fol request to HfH.

(At this point, a leaseholder, Mr Innocent Okoli, said that a lot of leaseholders who were not attending the GM were unhappy with the high level of service charges and the cost of installing PVC windows. He added that no other housing authority in London charged leaseholders who sub-let their properties. The Chair advised him that the notice of this GM had been sent to all Council leaseholders in Haringey so any could have attended; however 265 had signed the included petition asking HLCG to hold a SGM so there had been a good response to that.)

6 Exclusion of Landlord Leaseholders from Payment Options

NMC said that, following discussions with HLA, one of the payment options that HfH allowed leaseholders for major works was in instalments interest-free over a period of three years. However, HfH was now allowing this option only to leaseholders who lived in their property, so that a leaseholder who let out the property had to pay the full cost of major work in advance and would otherwise be taken to court.

Ms Emeke Thomas, the leaseholder of a property in Noel Park, said that she had had to move out of her property and sub-let it as a result of HfH's delay in carrying out major works, including the demolition and replacement of bathroom pods, since they had first been proposed in June 2009. Because of cuts in funding, the pilot project for the work on the pods had not yet been carried out. As a result of her re-location, she would no longer have the option of paying for the work in instalments. SB agreed to speak to her in detail and to take up her case.

NMC said that, although HfH claimed that they were trying to target leaseholders who were in need for payment by instalments, they had changed the way in which the payment option operated without consultation or discussing it with HLA. The HLA needed to argue the point with HfH.

Piers Johnson invited leaseholders to attend the next meeting of the Leasehold Panel, which he chaired, on Thursday 10 November. (He added that although HLCG had withdrawn its application for recognition it was still in existence. The original call for a SGM had been rejected because there was an issue that was subject to a legal process. HLCG would respond to the new petition if it was properly signed. The HLA Chair and Treasurer disputed that there was any legal action which would have prevented compliance with the previous constitutional request for an SGM.)

7 Annual Sublet Charge

NMC explained that HfH wanted all leaseholders who let part or all of their property to tell them and to give them a copy of the tenancy agreement. This would create a lot of expense for leaseholders. Leaseholders would have to notify HfH of their tenants annually and HfH would levy a charge each time. HfH had said that they also wanted to charge separately in order to take account of the occasions when there were problem tenants or it was necessary to contact the tenant.

A leaseholder commented that he was worried that if HfH became aware of the rent they might seek to base the charge on it.

PG said that HfH had asked for leaseholders' comments by 25 November and that they planned to introduce the charges by 1 April 2012.

NMC called for letting leaseholders to boycott the proposed charges, and a motion to that effect was carried unanimously. A further motion that **all** leaseholders would support a boycott by leaseholders whom the proposed charge affected was carried nem con, with 1 abstention.

Mr Okoli said that he had contacted four firms of solicitors, none of whom had heard of any charges being imposed for sub-letting. He had also spoken to a number of local authorities and had been told that no such charge had been levied anywhere in London. If a leaseholder refused to pay the charge and were taken to court, it might be worthwhile to appeal against an unfavourable court judgment and take the case to the Leasehold Valuation Tribunal.

8 Service Charge Sub-group

The Chair asked for volunteers who wished to serve on a service charge sub-group to contact HLA by email or via the website.

9 Any other Business

The Chair advised members that five leaseholders had been appointed to HfH's newly-formed Resident Scrutiny Panel, including the Chair and Secretary of the HLA.

In reply to Mr Okoli, the Chair said that as at February 2011 there had been a total of 4463 leasehold properties managed by HfH.

The meeting closed at 12.56pm with a vote of thanks to the Chair.