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## SHARED OWNERSHIP BUY BACK POLICY

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**TITLE:** Shared Ownership Buy Back Policy

**PURPOSE OF PROCEDURE:** Guidance in relation to Shared Ownership Buy Back

**SECTION:** Housing Management

**DATE:** January 2022

**REVIEW DATE:** January 2023

### **CHARTER STANDARDS:**

#### **1: Equalities**

Social landlords perform all aspects of their housing services so that:

- *every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services.*

#### **Access to housing and support**

#### **7, 8 and 9: Housing options**

Social landlords work together to ensure that:

*people looking for housing get information that helps them make informed choices and decisions about the range of housing options available to them*

- *tenants and people on housing lists can review their housing options.*

Social landlords ensure that:

- *people at risk of losing their homes get advice on preventing homelessness.*

## **EQUAL OPPORTUNITIES & HUMAN RIGHTS STATEMENT**

We aim to ensure that all services, including the delivery of this policy, provide equality of opportunity.

We will respond to the different needs and service requirements of individuals. We will not discriminate against any individual for any reason, including age, disability, gender re-assignment, marriage, civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation, or other status.

# **BLAIRTUMMOCK HOUSING ASSOCIATION LIMITED**

## **SHARED OWNERSHIP BUY BACK POLICY**

**1.0 POLICY AIMS AND OBJECTIVES**

**2.0 SCHEME OVERVIEW**

**3.0 POLICY REQUIRMENTS**

**4.0 BLAIRTUMMOCK H.A. SHARED OWNERSHIP BUY BACK  
POLICY**

## **1.0 POLICY AIMS AND OBJECTIVES**

This policy has been developed to set out the guidelines of Blairtummock Housing Association (BHA) in relation to Shared Ownership buy back transactions.

## **2.0 SCHEME OVERVIEW**

The Association currently owns 20 shared ownership units, with sharing owners holding, in the main, 25% ownership.

This buy back policy has been devised in conjunction with Scottish Government Housing Investment Guidance Note (HIGN 2009/07) issued in May 2009 and has been agreed with the Scottish Housing Regulator. The guidance note details a change to section 3.12 of the current operational procedures for shared ownership set out in SHGN 2000/15. HIGN 2009/07 is attached to this policy document for information.

## **3.0 POLICY REQUIREMENTS**

The guidance allows the Association, not only to buy back a shared ownership property for the purpose of re-sale on a shared ownership basis but also has the following options depending upon whether a property is to be purchased with vacant possession or with a sitting tenant: -

The Association will consider buy back in the following circumstances: -

- 1) Buy back with vacant possession to make available for rent so long as the Local Housing Strategy demonstrates to the satisfaction of the current grant provider, a clear shortage of rented housing relative to the need for shared ownership and no additional grant is required for the purchase.

In other words, there must be no evidence of a need for shared ownership properties in the Blairtummock Housing Association areas of operation. If, however, the Association can demonstrate a continued need for shared ownership properties through its current waiting list

and therefore it is unlikely that this option would be available. The Association will not, therefore, buy back a shared ownership property with the sole purpose of re-selling on a shared ownership basis.

- 2) Buy back with a sitting tenant – purchase of a shared ownership property and offer the tenancy to the former sharing owner so long as the Association confirms that it has a policy, which sets out how it will assess and prioritise such cases, and no additional grant is required.

#### **4.0 BLAIRTUMMOCK H.A. SHARED OWNERSHIP BUY BACK POLICY**

In consideration of sharing owners who face severe financial hardship as a result of a change in their personal circumstances, the Association will consider a buy back request on the following terms: -

1. If the property has not yet been valued, then only the District Valuer's valuation will be considered. However, if the sharing owner has recently instructed and paid for a detailed Home Report, this will be accepted.
2. The valuation must be reasonable in that the estimated additional rental income resulting from the purchase must cover the capital outlay within a 25- year period as well as estimated future maintenance costs. If the property is situated in an external factored development, these costs should also be considered.
3. Any offer to purchase will include heritable property only. Sharing owners' fixtures and contents will not be included in the purchase. i.e. Carpets, curtains, shared owner's improvements, etc.
4. Each party to bear the cost of their own legal and valuation fees (valuation fee to be paid with application or deducted from sales proceeds where necessary).
5. The property must be brought up to our lettable/housing quality standard prior to purchase, the cost to be borne by the sharing owner or costs deducted from the selling price.

6. Any monies outstanding to the Association e.g. rent, repairs costs, factor's accounts, will be deducted from the purchase price at settlement.
7. The sharing owner must demonstrate that the loan (if applicable) in respect of the percentage share owned has been fully repaid and discharge of security obtained for delivery to the Association.
8. Housing Management and landlord responsibilities & implications must be considered in each and every case.
9. The Association will only consider requests where financial hardship can be demonstrated by the sharing owner, e.g. in receipt of housing benefit.
10. In cases where the sale is to the current sharing owner, they will be required to sign a standard Scottish Secure Tenancy Agreement prior to completion of the transaction.

Only when all these factors are considered and agreed upon, will a decision be taken as to whether to purchase or not. Final decisions to be made by the Management Committee.

This is the normal policy of the Association, however, each application will be considered on its merits and it is not a guarantee that the Association will proceed with a purchase.