

Dear Resident,

### **Breach of Covenant – New Policy and Introduction of Administration Charges for Freeholders and Leaseholders**

I am writing to you and all residents of the Village to inform you of a new policy being implemented that is hoped will improve the character of the Village by reducing the number of breaches of covenant by residents.

Feedback from residents through the Lightmoor Village Community Group and also your Resident Representatives for the Lightmoor Village Estate Management Committee is that we should be doing more to enforce breaches. We have worked with the Resident Representatives and the Committee and have agreed to introduce the new policy to provide a greater deterrent from breaching the covenants and be a further encouragement to rectify breaches quickly.

This policy will seek to recover some of the administration costs that are incurred when dealing with a breach that would normally be recovered through the Stewardship Charge. All residents across the Village, regardless of tenure type, sign up to the same regulations and are expected to abide by them. The Trust enforces the regulations equally across all tenure types. However, this policy is only applicable to Freeholders and Leaseholders as BVT Tenanted properties already have an effective deterrent (the realistic threat of losing their tenancy) and any breaches are dealt with through a slightly different legal process.

If you are a BVT tenant and would like more information on how the Trust deals with breaches please contact your Housing team on 01952 293777 or email [shropshire@bvt.org.uk](mailto:shropshire@bvt.org.uk). If you are a private tenant your landlord will have been informed of the change in policy. Please refer directly to them if you have any questions on how this may affect you.

It is hoped that the policy will be effective and no money will be collected, but costs that are recovered will be placed into a resident's fund that the residents can use for projects within the Village. The money will be ring-fenced, and administered by your Resident Representatives, for the benefit of the community.

I have enclosed a flow chart of the new breach process and how and when the administration fees will be applied. The flowchart also sets out the procedure for dealing with breaches of covenants for tenanted properties.

I have also enclosed a copy of some frequently asked questions about the new policy.

Please feel free to contact a member of the team on 01952 898524 or [stewardship@bvt.org.uk](mailto:stewardship@bvt.org.uk) if you have any further questions.

Yours sincerely

Becci Youlden  
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# Breach of Covenant Process

## Breach identified



### Letter one (No charge)

Notify the resident of the issue requesting them to contact BVT to discuss further.

No resolution or agreement in 14 days



### Letter two (No charge)

Reminder letter indicating that the action constitutes a Breach and requesting a resolution with a set timeframe. Letter also indicates the associated consequences that will occur if no action is taken. Freeholders and Leaseholders will be warned about the potential charges and Tenants about potential legal action.



Attempts to make contact via telephone or home visit if appropriate within 7 day period

### Letter three Final Warning

Breach will be applied in 7 days

No resolution / agreement in 7 days



Attempts to make contact via telephone or home visit if appropriate within 7 day period

## Freeholders / Leaseholders

### Letter four 'Notice of Breach' (£20 charge)

Notification of Breach - Start of formal proceedings

## BVT Tenants

### Letter four 'Notice Seeking Possession'

Start of formal proceedings



### Subsequent letters (£20 per letter)

**Letter five** - Reminder 14 days after Notice of Breach

**Letter six** - Ad hoc responses to correspondence

**Letter seven** - Notification of legal proceedings



### Removal of Breach (£75 charge)

Perform site visit to confirm Breach has been resolved and to send a letter confirming that the Breach has been removed.



### Legal Action Taken.

(Includes but is not limited to Civil Injunction and possession of the property).