

Section 20: Major Works

Frequently Asked Questions

What is a Section 20 notice?

A Section 20 notice, S20ZA Landlord and Tenant Act 1985, is a notice to tell you that we intend to carry out work or let a contract to provide a service that leaseholders will have to pay towards.

For most major works you will receive two notices.

Why is a Section 20 necessary?

Under the terms of most leases, the leaseholder is responsible for paying towards the maintenance and improvement of the external and communal parts of the building and estate in which this property is situated. Your lease explains this in detail.

A proportion of the cost of the work is rechargeable to you as a service charge as set out in your lease. As the cost of works can be significant, the law requires us to consult with you where your share of the cost of the works is more than £250.

What is the trigger for consultation?

In the case of Major Works, the threshold for consultation is reached if the contribution for any one leaseholder exceeds £250.

How can I take part in the consultation?

Each Section 20 Notice contains information about what we plan to do and gives you the opportunity to take part in the consultation.

You have the right to send us your comments about the works we intend to carry out. You can do this by post or email. We must carefully consider any observations we receive in writing during the consultation period. The end date for the consultation period is given in the Notice. The period is at least 30 days from the date the Notice is given. You can also phone us with any queries you may have.

You also have the right to nominate a contractor to tender for the work, unless the value of the contract is greater than EU procurement regulations. Where the value is higher than this, a public notice has to be placed in the Official Journal of the European Union (OJEU) informing all contractors from the European Union about the contract. This gives them the opportunity to tell us if they are interested in bidding for the contract.

What do I have to do in response to this Notice?

There is no need for you to do anything. Although, if you have any comments or observations about the works, they should be addressed to the Leasehold Consultation Team. The contact details can be found on your Section 20 notice.

How will the contractor(s) be selected?

There is an evaluation panel made up of senior Lewisham Homes officers and independent technical experts. Decisions will be made on the basis of both price and quality. As part of the tendering process, contractors will have to show how they will engage with residents before the works start and whilst the work is taking place.

How will Lewisham Homes monitor the performance of contractors whilst the works are in progress?

We employ professional advisors to inspect the work in addition to making sure the contractor carries out the work in accordance with the contract.

How are the costs apportioned?

The costs are apportioned in accordance with the terms of the lease.

Can I nominate any contractor?

If you wish to nominate a contractor they must meet the [Construction Line](#) criteria.

Is this the only opportunity that I have to nominate a contractor?

Yes. If you want to nominate a contractor for the proposed works you must do this by the date specified in the Notice of Intention.

Do I have to nominate a contractor?

No, although you have the right to nominate a contractor you do not have to do so.

Will the works still take place if none of the leaseholders nominate a contractor?

Yes. If there are no nominations by leaseholders this will not stop the works taking place. Lewisham Homes will invite contractors from its approved list.

Will the contractors invited by Lewisham Homes be treated in a different way to a contractor nominated by a leaseholder?

No.

Will I be given any more information before the works are carried out?

Yes, this is the 1st stage of consultation. Once contractors return their tenders and they have been evaluated you will be sent a second stage notice.

Can anyone else nominate a contractor?

In addition Residents Associations recognised for the purposes of Section 29 Landlord and Tenant Act 1985 are also able to nominate a contractor.

If you would like more information, please contact Home Ownership Services.

homeownershipservices@lewishamhomes.org.uk