

Flat

30 January 2000 (should read '2001')

Dear Noelle

Thank you for your letter of today's date. I have just opened it as I got in and, as it is after midnight, I hope that what follows is cogent.

We have a list of the lease holders and I have spoken personally to most owners or their legal representatives. We understand who is eligible to vote and the numbers I have i.e. the number needed to go forward (50%) were reflected in what Mr Ladsky said.

As far as I know, there are no subleases for less than 20 years.

✓ Our reply to any offer would have to be drafted in the appropriate form by a solicitor, so there is not an issue about getting it wrong.

I have indicated that a deposit is payable and that is within the two month time scale from the indication to the landlord that we wish to take up his offer. The procedure is set out in the Landlord and Tenant Act 1987.

The Act that you referred to will indeed improve the lot of those such as us. Unfortunately, as Mr Ladsky said to another resident, we can forget about it, because he proposes to carry out what he wants very quickly. He told me that he would own this block by the end of February and would start straight away. The Act will not pass through this term of parliament, because of the likely election and will take until at least next year to come on to the statute books. By that time it will be far too late for us.

I appreciate the questions that your solicitor has posed, but he would be being less than candid if he suggested that we could do anything really effective against what will shortly happen unless we try to put a stop to it now. Meanwhile I am, of course, happy to answer any questions you have, and I await your final decision.

My own is purely pragmatic and based on experience of these things and it is to try at the very least to gain ourselves the two months see if we can arrive at a solution. If not, I will consider my own options very carefully and very quickly and would advise you to do the same. I consider the position we are in to be about the most serious we can be and if I am that worried, so should everyone else be. As one solicitor said, this man clearly has experience of doing this sort of thing elsewhere and the law that we can take advantage of (namely the one giving us the right to buy) is there to protect us from just what we face. If we choose to disregard it and take the risks that follow, then we are not acting with much sense, given the prospective landlord in question. The one question to ask a solicitor might be, what the identifiable benefits are of NOT trying to buy the head lease, given that the prospective landlord has already outlined his plans and is already acting improperly by trying to eliminate the Residents' Association, threatening residents, trying to buy their flats cheaply and telling them they can lease them back at high cost etc. If anyone can answer that question with a positive, even I might change my mind! But no one can and that is good enough for me.

If you need me, work notwithstanding, you always know where I am.

I know you will think hard about all this, as I have. I am just so sorry we have to.

With kind regards