



Leasehold home ownership: buying your freehold or extending your lease

Consultation from the Law Commission

Response by the Council for Licensed Conveyancers

November 2018

1. The existing leasehold enfranchisement regime is costly, confusing and complex, especially for individual leaseholders. The Council for Licensed Conveyancers (CLC) is therefore supportive of the proposed reform to make '*a better deal for leaseholders as consumers*' and the Government's priority of improving and facilitating home ownership.
2. Whilst we are supportive of helping leaseholders, we are also conscious that this should not be at the expense of landlords who would also benefit from clarity and efficiency in the system.
3. The regime should be made easier, quicker and cheaper for both leaseholders and landlords through a simplified system that provides consistency and certainty. A set of standardised comprehensive rights would go a long way to achieve this.
4. Costs of legal fees and valuation of the property can be unclear and uncertain, especially for the individual leaseholder. The CLC's current work around transparency of costs, quality and service should assist consumers in choosing a conveyancer to meet their needs.
5. There is a general lack of consumer awareness about the nature of leasehold ownership. Part of the conveyancer's role is to explain the implications of buying a leasehold property. The increase in media coverage of leasehold issues is resulting in many consumers becoming more aware of their rights but further work is needed to educate and inform consumers of their options and rights prior to making an offer on a property.
6. The redress scheme also needs to be simplified to help consumers when things go wrong. The suggestion of a single tribunal to deal with all enfranchisement issues would be very welcome.

About the Council for Licensed Conveyancers

7. The CLC was established by the Administration of Justice Act 1985 and is an Approved Regulator under the Legal Services Act 2007, subject to the oversight regulation of the Legal Services Board.
8. It licenses and regulates licensed conveyancers and practices in England and Wales in the provision of reserved legal activities, currently conveyancing and probate services, and other non-reserved legal activities, including will writing. It is also a Licensing Authority authorised to license and regulate Alternative Business Structures (ABS). It has no representative function having always been an independent regulator.
9. The CLC's role is to safeguard the public interest and consumers by regulating providers to deliver high quality and accessible legal services.
10. The CLC welcomes the opportunity to respond to this consultation.