

# Ashby Court

OWNERS' HANDBOOK



Retirement  
SECURITY



Independent Retirement Living



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Expertly designed properties and a range of services in our Courts mean that our Owners benefit from an independent lifestyle and have peace of mind.



APPROVED  
OPERATOR

Retirement Security is a member of the Associated Retirement Community Operators (ARCO).

For more information or enquiries about our retirement homes, visit [www.retirementsecurity.co.uk](http://www.retirementsecurity.co.uk)

Call 0800 389 9384 or email [resales@retirementsecurity.co.uk](mailto:resales@retirementsecurity.co.uk).

Retirement Security Limited The Company is registered in England and Wales (No. 01612921).

Ashby Court is a warm and welcoming Retirement Community development comprising 50 apartments. The Court is situated within a mile of the town centre and sits on the main bus route to Leicester and Coventry. It is close to local supermarkets, doctors surgeries and other local amenities.

The Court offers a number of extra support services such as laundry and meal service. Owners, friends and family at Ashby Court enjoy the highly popular social events we host, including fund raising events and musical evenings.

Ashby Court is a small community with a family feel where there is a familiar and friendly face at hand, 24 hours a day and Owners can maintain their independence in a safe and secure environment.



# The Concept

Our aim has always been to facilitate the independence and wellbeing of the people who live in the Courts.

Retirement Security was founded in 1983, by Robert Bessell, pioneering the concept of ownership of housing within independent living supportive communities, within England and Wales. Retirement Security has been key to the establishment and development of the Retirement Housing Sector. Owning an apartment at one of our Courts means you have a share in the Owners' Company so you maintain control of where you live.

Retirement Security's unique model gives you a real voice in the management of your Court. A Board of Directors, elected by you and your fellow owners, controls budgets and staffing on your behalf so you can be sure that your surroundings are beautifully maintained and your capital is protected.

You can simply relax and enjoy the benefits of the extensive services and support provided by a friendly and dedicated team of people, including:

**The Services Manager** for your Court acts as Company Secretary for the Owners' Company and is the principal link with Retirement Security. Your Services Manager is also there to support the Court Manager with the operational activities of the Court.

They are also responsible for providing Owners with advice on any welfare issues including entitlement to benefits that are available.

**The on-site Court Manager** is responsible for the smooth running of the variety of day-to-day tasks at the court but most importantly, the well being of Owners and staff.

Additionally there is a team of Duty Managers on rotation, providing 24-hour support and giving you peace of mind that someone you know is always at hand. A team of Housekeeping Assistants provides one and a half hours of domestic help each week to the owners of every apartment, as well as keeping the communal areas clean and tidy.

Each Retirement Security development has been carefully considered to provide the very best of comfort and practicality; with features discreetly designed to meet your requirements and make a real difference to daily living.

With the maintenance and housekeeping taken care of, you can do the things you want to do; whether that's catching up with neighbours over a coffee in the lounge, enjoying a meal in the dining room or discovering new hobbies. Live the way you choose in a place designed with independent living in mind.

**Meet the Retirement Security team by visiting our website: [retirementsecurity.co.uk](http://retirementsecurity.co.uk)**

# Ashby Court Services

## Alarm Call System

An alarm call system is fitted in each dwelling and its maintenance is included in the Service Charge. Owners are asked to restrict calls to emergencies only between 10.00pm to 8.00am.

## Handyman

A Handyman is engaged to carry out everyday repairs in the communal areas and he will also do work for Owners at a price to be agreed with the Manager for each job, payable by Owners through the accounts of the Court. Contact with the Handyman may be made through the Duty Manager who also has information about a plumber and an electrician.

## Keys

Owners use a key fob system for communal doors and have separate keys to their apartments. Duplicate keys must only be obtained from the Manager.

## Maintenance and Repairs

The Owners' company is responsible (under the terms of the lease) for the maintenance, repair and upkeep of all parts of the development other than the internal parts of the individual Owners' dwellings. This responsibility extends not only to the structural parts (main walls, roofs, foundations,

timbers etc.) of all buildings (including the Owners' dwelling) but also to the internal parts of all common and communal areas within those buildings and all external hard and soft landscaped areas. All the Owners share these costs through the Service Charge.

Owners are responsible for the maintenance and repair of the internal parts of their own dwelling and the fixtures and fittings situated within it. Owners are also responsible for ensuring that their own dwelling is maintained in good decorative order and that it is decorated at least once every five years in accordance with the lease. Under the terms of the lease, responsibility for day-to-day maintenance, repair and (where necessary) replacement of the sealed double glazing units to the windows and window frames rests with the individual Owners.

Responsibilities of the Owners' Company:

- The redecoration and re-furnishing of the communal areas
- Maintenance contracts and equipment in communal areas
- Day to day maintenance, except windows, window frames and glass therein within private dwellings.

## Security

The outside doors are locked at dusk. Each Owner's fob will also unlock these doors. All visitors, including Owners' friends, relatives, carers, tradesmen etc. are asked to sign the visitors' book, both on arrival and departure. Owners should keep their front door locked. The Duty Manager has a master key. Owners going away on holiday even for just an overnight stay, must let the Duty Manager know.

## Staff Cover

The premises are never left unattended. There is a Duty Manager on site and on Call day and night. Between the hours of 9.30am to 7.00am, it is expected that the Duty Manager will only be called in case of emergency. Non-emergency call outs between these hours will be charged to the individual Owner. Please see Ashby Court Services Charges and Fees brochure.

## Television

Each private dwelling has an aerial point in the lounge, connected to a communal aerial. All aerials are also connected to Sky. Owners are responsible for their own television licenses.

## FACILITIES

### Car Parking

Free car parking is provided in the spaces available, but is not allocated.

### Dustbins

There is a bin area, which is available to the Owners for everyday use. Most Owners use a domestic pedal bin with plastic liners. Owners are asked to place all rubbish in the communal bin store. They are asked to notify the office if larger items need to be removed, such as packaging and boxes. Any unwanted furniture should not be left in the general rubbish bin area, but taken to the local tip.

### Electric Buggies/Electric Wheelchairs

There are Health and Safety considerations and restrictions regarding the storage and charging of electric buggies at the Court. Owners are advised to obtain a copy of the guidance notes and discuss these with the Manager prior to purchasing an electric buggy. It is requested that buggies are reversed into lifts to ensure the safety of others when exiting the lift. Buggies which are used outside should not be brought into the building.

### Gardens

The communal gardens only are maintained as part of the services included in the Service Charge. Individual Owners must obtain permission from the Owners' Company before altering the planting scheme. Bungalow gardens are owned and cared for by the

bungalow owners, and are not part of the communal grounds. A consultative gardening committee will be set up if sufficient Owners are willing to contribute to its work.

### Guest Suite

There is a double guest room with en-suite shower and bathroom. Owners may book this for their guests at a charge, the amount of which is set by the Owners' company. A continental breakfast is also provided. The Duty Manager makes bookings, subject to availability. The Owner making the booking will be responsible for any consequential costs. Arrangements can be made for Owners to stay in the guest suites at the other courts should they wish. Please consult the Manager or the Duty Manager. Pets are not allowed in the Guest Suite.

### Laundry

Each dwelling has plumbing for a washing machine. There is a laundry room equipped with token operated commercial washing and drying machines, the proceeds of which belong to the Owners' funds. Owners' washing can be done by the Housekeeping Assistants, for which a charge will be made.

### Meals

Meals are not included in the Service Charge. However, a substantial mid-day meal will be available each day. For anyone who is unwell the meal can be taken to them. Meals should be booked the day before required. Special

diets can be accommodated. Coffee and tea are available in the lounge at 10.30am and 3.30pm daily.

### Telephone

There is a telephone connection point in the lounge and bedroom(s) of each private dwelling, to enable Owners to have a private telephone installed at normal telephone company rates.

### Window Cleaning

The inside of the windows of the private dwellings are cleaned by the Housekeeping Assistants as part of the ordinary service arrangements. Other arrangements are made to clean the inside of the windows in the communal areas and all of the outside windows. This cost is included in the Service Charge.

## GOVERNANCE

### Board of Directors

A company acts through two bodies of people – its shareholders and its Board of Directors. A Board of Directors is elected by the Shareholders of the Owners' Company. The number of Directors shall not be less than 3 but no more than 5. The Court's Board of Directors are in charge of the management of the company's business; supported by the Retirement Security team, they make the strategic and operational decisions of the company and are responsible for ensuring that the company meets its statutory obligations.

A typical property at Ashby Court









# General Information

## SAFETY AND WELFARE

### Alterations

Owners may not make any alteration, replacement, adjustment or renewal to their dwelling without the consent of the Freeholder, Retirement Security. Consent will not be unreasonably withheld. Any Owner who wishes to undertake any alteration, replacement, adjustment or renewal to their dwelling should in the first instance discuss it with the Manager.

Safety and the welfare of the Owners will be a major consideration in reaching a decision. For example, to avoid falls by Owners, loft ladders may not be installed and Retirement Security has a policy of only allowing the installation of level access showers.

If the alteration, replacement, adjustment or renewal would impact upon other Owners, the views of the Owners' Company will be taken into account by the Freeholder when making the decision about the proposal.

This is particularly relevant to the removal of the bath to install a shower. There is abundant evidence to show that "level access" showers are much more user-friendly and safer than showers which incorporate a step. Accordingly,

due to potential insurance implications, Retirement Security as Freeholder will not give permission for the installation of a "step in" shower, but offers a free consultancy service to assist Owners with any alterations which may include a "level access" shower.

### Court Surveyor

The Court Surveyor is employed by the Owners' Management Company for the provision of expert and impartial advice on all aspects of land, property and construction matters. The Court Surveyor can provide a range of services including design, specification and supervision through to delivery of maintenance works.

The role of the Court Surveyor is to assist in the property management and maintenance obligations of the Owners' Management Company including a detailed review every five years of the life cycle costs likely to be incurred on maintenance and repairs throughout the life of the Court. In the event of a major refurbishment project Retirement Security may advise that additional professional support is required but any such appointment would only be made in consultation with the Owners' company.

### Daily Checks

It is the policy of the Court to check on a daily basis that each Owner is safe and well. This is done by placing a courtesy call each day to any Owner who has not been seen by staff during the earlier part of the day. If any Owner does not wish to receive this courtesy call, they are requested to sign a disclaimer, certifying that this is their wish.

### Door Chains and Locks

Under the terms of the lease, door security chains and locks may not be added to an Owner's dwelling or locks changed. Any change would prevent access by the emergency services and staff in case of an emergency and could make the Owner liable for the cost of any resulting damage.

### Heating

Heating in the communal areas and servicing of communal gas appliances is included in the service charge. In individual dwellings a gas boiler provides heat and hot water. Owners are responsible for the gas boiler in their own dwellings and must ensure it is serviced annually by a registered gas safety engineer.

### Pets

The lease states that Owners may keep 'domestic animals', pets, providing they are not a nuisance. Dogs must be kept on a lead. Owners must take full responsibility for the care and exercise of their pets, and dogs and cats must not foul the Court gardens or walkways. Any fouling must be cleaned up. No pets allowed in communal areas.

### Section 20 Consultation

A proportion of the Owners' Service Charge is paid into a Fund for Future Maintenance to cover the cost of future repairs and refurbishment, as prescribed by the Lease. Owners will be consulted from time to time under the provisions of Section 20 of the Landlord and Tenant Act 1985 (as amended) (the 1985 Act) when the cost of proposed repairs or refurbishment - to be paid using the Fund for Future Maintenance - equates to more than £250 per leaseholder.

'Qualifying works' are defined by Section 20ZA of the 1985 Act as 'works on a building or any other premises' - that is, works of repair, maintenance or improvement. Section 20 consultation is also required for long term agreements of more than 12 months and amounts of more than £100 per annum for any one leaseholder.

### Service Charge

Under the terms of the lease, Retirement Security has the responsibility for ensuring that the Service Charge is sufficient to meet the full cost of the services. Any surplus or deficit in the Service Charge Budget at the end of each financial year is taken into account in setting the Service Charge Budget for the following year. Where there is any significant failure to provide a service covered by the Service Charge, alternative arrangements will be made and/or underspend will be taken into account in setting the Service Charge budget for the following year.

In accordance with the lease the Service Charge is payable to the Owners' Company and is still required to be paid if the property becomes vacant prior to sale. Quarterly accounts of the Owners' company are presented to the Board of Directors of the Owners' company and the annual accounts have to be approved at the Annual General Meeting held every autumn at which every shareholder has the right to be present and vote. A draft Service Charge Budget is prepared for consideration, discussion, and approval at a meeting of the Board of Directors early in the New Year. Owners are formally notified of the Service Charge for the next financial year in advance of 1st April each year. In addition Retirement Security takes no commission from companies with whom it organises contracts for the Courts.

### VAT Relief for disabled people

A person who has a physical or mental impairment which has a substantial effect on their ability to carry out everyday tasks and a person who has a chronic illness (e.g. Diabetes) or a person who is terminally ill can claim VAT relief on the following goods and services. Relief is not automatically available to a person who is elderly and/or frail. In the event of difficulty or advice about claiming VAT relief, advice can be obtained from the Manager or the Services Manager.

### What kind of goods can be relieved of VAT?

- i) Specially designed footwear, clothing and wigs.
- ii) Artificial limbs and joints
- iii) Wheelchairs and walking frames and certain types of mobility scooters.
- iv) Adjustable beds designed specifically for invalids.
- v) Commode chairs, stools and frames designed for sitting over or rising from sanitary appliances.
- vi) Chair or stair lifts.
- vii) Hoists or lifters designed for use by invalids. (this only applies where fitted within private dwellings).
- viii) Specially adapted or designed motor vehicles.

- ix) Incontinence products.
- x) TENS machines
- xi) Low vision aids and certain equipment to aid the hard of hearing (not spectacles or contact lenses or standard hearing aids)

**What kind of services can be relieved of VAT?**

- i) The lease of specially adapted or designed motor vehicles or any vehicle under the Motability scheme
- ii) Installation of relieved goods
- iii) Repair or maintenance of relieved goods
- iv) The construction of ramps and the widening of doorways or passages (including widening rooms)
- v) Providing, extending or adapting a bathroom, washroom or lavatory.

**How does the supplier know to charge a VAT free price?**

A written declaration of eligibility is usually required by suppliers in advance of making the sale. Most suppliers of eligible goods will have the pre-printed declarations.

**Social Groups and Activities**

Owners can enjoy the company of staff and fellow Owners by getting involved with the social activities that each Court offers. Contact the Court Manager for details of what's on the social calendar.

**INSURANCE**

**Buildings**

The Service Charge includes comprehensive insurance cover for all the business activities of the Owners' Company, such as Public and Employers' liability, money and frozen food belonging to the Owners' Company, engineering and Directors' liability as well as the contents of the communal areas and the structural parts of all the buildings at the development (including the Owners' dwellings). The buildings insurance covers all the usual risks, including accidental damage, but Owners should be clear that these do not include damage arising simply through wear and tear.

In-built fixtures (known as landlord's fixtures and fittings) such as sanitary ware, kitchen units and fitted wardrobes as well as internal decorations within all dwellings are also covered under the buildings insurance maintained by the Owners' Company. All insurance claims are subject to a £250 excess which is paid by the Owners Company.

**Contents**

Owners are responsible for obtaining their own policy for contents insurance, which should cover all of their personal possessions including furniture, carpets and curtains. (Summary definition – anything the Owner would take away with them if they sold the dwelling). It is important to remember that some possessions of a valuable nature will need to be declared and specified separately for the insurance company.

Even if an Owner does not feel that the value of their contents justifies the expenditure, it is strongly recommended that a contents insurance policy is taken out as it is usual that a contents only policy will also include a liability extension which will indemnify the Owner against any miscellaneous claims brought against them by third parties for damages they may cause whether in their own home or outside. However, it is the responsibility of individual Owners to check this liability extension is included in their policy.

**Owners' Buggies/Electric Wheelchairs**

Owners are advised that the Court insurance does not cover them for any accidents, loss or damage arising from the ownership and/ or use of buggies and electric wheelchairs.

It is strongly recommended that Owners take out insurance cover on the buggy/ wheelchair that includes liability cover for the use of it by the Owner or anyone else who has permission to do so. This cover can usually be obtained as an extension to the Owners' contents insurance but needs to be specifically requested. Any vehicle exceeding the value of £5,000 would be required to be separately insured.

The Court insurance does not offer cover and the Court accepts no responsibility for any loss or damage to buggies/wheelchairs that may arise.

The charging of batteries overnight should be avoided. It is strongly recommended that buggies and electric wheelchairs are regularly serviced in line with the manufacturer's guidelines.

**Additional Points**

Owners must ensure that their contents insurance covers their personal possessions for water damage through burst pipes and accidental damage. Owners are responsible for the maintenance of all items within the walls of their dwelling as defined in the lease. (The Manager has a copy of the specimen lease available in the office). If an insurance claim arises from an incident that involves an item Owners are responsible for

maintaining, the cost of repair to that item will not be met. However, the insurance will cover the cost of all other damage to the building or other furniture and equipment in the communal areas, resulting from the incident that led to the claim. All Owners must contact the Manager immediately if they believe they have an individual claim on the insurance of the Owners' Company. Owners should make their own arrangement for contents insurance. Several providers offer specialist cover for retirement properties.

## Health and Safety

**FIRE INSTRUCTIONS** – A stay put policy is in operation at the Court. The basis of this policy is that Owners should stay put in their dwellings if they hear a fire alarm and assuming that the cause of the alarm is not their dwelling. In the event of a fire, further instructions will be given by Court Management on advice from the local Fire Service.

Should the local Fire Service decide that an evacuation is necessary the evacuation will be managed by them and they will guide and instruct as necessary. Other instructions will be in place if an Owner hears the alarm and they are within the Court's communal areas. These instructions will refer to a safe place and will require Owners, visitors and staff not to use the lifts or stairs. Specific instructions and relevant procedural notes are reviewed on a regular basis. Owners are referred to information which is distributed by Court Management by the following means: by hand to Owners and visitors, displayed on notice boards and posted around the Court where necessary.

All instructions and relevant procedural notes cover the following scenarios:



## Health and Safety

- Owners in a private dwelling who are alerted to a fire elsewhere in the building, or if the fire alarm activates.
- Owners who are within the building but not in a private dwelling (i.e. communal areas), and the fire alarm activates or they discover a fire. The same instructions would apply to all visitors and staff. All of the above are available on request to the Court Manager. In addition to the above each Court will have a Court Fire Policy and a set of Court Fire Procedures.

### Owners' Buggies/Electric Wheelchairs

Owners use the recharging facilities for their buggies and electric wheelchairs at their own risk. The charging of batteries overnight should be avoided. It is strongly recommended that buggies and electric wheelchairs are regularly serviced in line with the manufacturer's guidelines. Retirement Security aligns Health and Safety requirements with the National Fire Chief Councils Mobility Scooter Guidance for Residential Buildings [www.nationalfirechiefs.org.uk](http://www.nationalfirechiefs.org.uk)

Internal speed of 4mph. Any vehicle exceeding the value of £5,000 would require to be separately insured. Electric



wheelchairs, buggies and walking aids, are not to be stored in corridors or in any area that the Owners' Company designates as unsuitable

### Smoking & Vaping products

Smoking is not allowed in communal areas of the building or grounds. The smoke-free rule does not apply to the private dwellings, but in the event that an Owner smokes, a Health & Safety risk assessment will need to be undertaken and an agreement reached with the Owner about how best to minimise the risk to staff coming into the property to carry out a service clean or other duties.

## Court Management

### Manager

The day-to-day management of the Court is the responsibility of the Court Manager. A Services Manager from Retirement Security supports the Manager in consultation with the Board of Directors. The Services Manager and the Manager report to the Board of Directors about performance and other Court matters. The principal duties of the Manager are:

- **Finance**  
To ensure that the finances of the Owners' company are in good order in accordance with agreed decisions.
- **Staffing**  
To supervise the staff of the Owners' company and contractors. To ensure that all of the personnel documentation is in good order and in conjunction with the Directors of the company and Retirement Security to appoint staff in accordance with the authorised establishment.
- **Maintenance**  
To ensure that the buildings and grounds are maintained in good order.

- **Re-sales**  
To assist in the re-sale of vacant dwellings.
- **Welfare of Owners**  
To promote the welfare of Owners, making appropriate arrangements to assist their social activities in the Court and to ensure they are informed of benefits they may be entitled to.

### Duty Manager

There is a team of Duty Managers on rotation. The Duty Managers work closely with the Manager to ensure the smooth running of all aspects of the Court. Any matter regarding a Housekeeping Assistant should be referred by the Owner to the Duty Manager.

### Trading with Staff and Contractors

To protect Owners and staff from any danger of exploitation, all members of staff and contractors employed by the Owners' Company are explicitly forbidden to trade direct with Owners.

If, therefore, an Owner wishes to engage in a transaction with a member of staff or a contractor employed by the Owners' company, the Manager, on behalf of the

Owners' company, will issue an invoice to the Owner and the full proceeds, apart from any taxes, will be given to the member of the staff, or contractor. Owners are particularly asked to comply with this arrangement as it is for the protection of more frail Owners.

### Gratuities to Staff

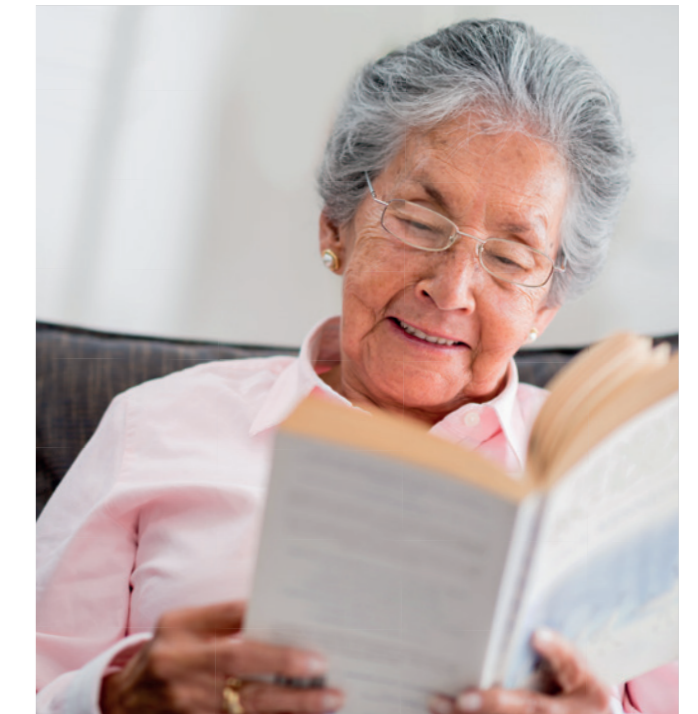
In order to protect the Owners against any suggestion that they are expected to give gratuities to individual members of staff and to avoid misunderstandings, the Contract of Employment of each member of staff expressly forbids them to accept personal presents from the Owners, either in cash or in kind, including legacies, or to engage in paid employment for an Owner except as an employee of the Owners' company. As it is embarrassing to have to refuse a gift, the Owners are asked not to offer individual gifts or money to members of staff.

The only exception is at Christmas when Owners may contribute to a staff collection. It is advisable for the collection to be made by a group of Owners acting in their personal capacity in which case the full value of the collection will be distributed to the staff. Alternatively, if a collection is made by

anyone acting on behalf of the Management Company, then payments must be made via the Court payroll system in order to ensure that national insurance and taxation are properly accounted for.

### Documents

Staff are not allowed to sign or witness any document or letters on behalf of or at the request of an Owner, or relative of an Owner.





# Retirement Security Management Services

## Lease Extension

- Any Leaseholder has the legal right to extend their Lease. Costs would be met by the Leaseholder.

## Management Fee

- The management fee paid by the Owners' Company to Retirement Security covers the following services:

## Company Secretary Work

- All business of the Board of Directors
- Preparation of the Board Papers
- Preparation of the Minutes
- Implementation of Board decisions
- Election of the Directors and returns to Companies House.
- Maintenance of the Shareholders Register for the Owners Company

## Production of Owners' Handbooks & Services: Charges & Fees Information

- Reviewed and reprinted as and when required.

## Staffing Matters

- Retirement Security acts in an advisory capacity to the Board of Directors regarding HR matters.

## Management Accounts

- Liaison with the Court Accountant in the provision of the quarterly management accounts, the statutory accounts and any difficulties with the monthly payroll. This ensures that the payment to the Court Accountant is kept to a minimum.
- Formulation of the Service Charge Budget, in consultation with the Owners' Company Board of Directors.

## Assistance with applying for Welfare Benefits

- Support is offered should any Owner need it to apply for any relevant benefits.

## Building Matters

- Liaison with Court Surveyor, particularly with regard to life-time costings and quinquennial and annual reviews. This ensures that the Court Surveyor costs are kept to a minimum.
- Liaison with Court Surveyor in obtaining estimates for remedial work and the supervision of that work.

## Arranging Insurance for the Owners' Company

- No commission charged either for arranging the Policy or assistance in administering claims.

## Re-Sales

- Retirement Security requires that any dwelling shall be fully cleared and redecorated, repaired and/or reinstated as necessary, so that it is left in excellent condition before a re-sale.
- Retirement Security has a yearly budget to cover advertising and can provide financial support for re-sales events.
- Retirement Security provides 7 free meals per household, excluding on major public holidays.
- Housekeeping Assistant additional support and handyman time can be booked.

## No Supervision Fees in Respect of

- Freeholder inspections, Freeholder approval for alterations. Transfer Premium are only charged when there is a sale by the Leaseholder to a new Owner.

## No Transfer Premium charged

- Transfer premium is payable as defined in the lease, however, it is not payable if an Owner moves between Courts.

# How We Make Our Concept Work

## Lease

This document grants the original purchaser a leasehold interest in the private dwelling and a share in the communal facilities for the term of the lease, but it also contains an obligation to pay a share of the cost of the services. The Lease may be sold on at the discretion of the Leaseholder. The consent of Retirement Security is also required, but this may not be unreasonably withheld. The lease sets out the rights and obligations of the individual Leaseholders (Owners) the Owners Management Company, (Ashby Court Ltd) and the Freeholder and Managing Agent, (Retirement Security Ltd). The Lease may be terminated if any sums payable by Leaseholders remain unpaid 21 days after becoming due or any covenant is breached. Leases cannot be terminated summarily (a court order is required) and Retirement Security will always act reasonably before initiating the termination process (e.g. first seeking through dialogue to resolve any payment problems or breaches of covenants).

For the avoidance of doubt, the liability provisions of the Lease do not seek to exclude liability for death or injury caused to Owners by the negligence of the Landlord or Management Company.

## Owners' Company

### Articles of Association

A separate company, (Ashby Court Limited), is established to provide the services at the Court. The only shareholders are the Owners of the private dwellings. Each dwelling is allocated one share. All the Service Charges are paid to this Company. Retirement Security is appointed as Company Secretary to the Owners' company and undertakes the secretarial work, but has to account both to the Board of Directors of the Owners' company and the Annual General Meeting of Shareholders.

### Management Agreement

This document is the agreement between the Owners' company and Retirement Security who manage, in consultation with the Board of Directors, the affairs of the Owners' company to ensure that appropriate services are provided at the Court. The agreement can be terminated by 12 months' notice on either side. In return, the Owners' company pays Retirement Security a management fee and is subject to an annual price review which is kept to a minimum and guaranteed not to exceed RPI. During the Management Period Retirement Security will offer support and guidance to the Court Directors in the management of the

Development. Retirement Security carries out its responsibilities in a proper and businesslike manner always acting in good faith and to the best advantage of the Owners as a whole and otherwise in accordance with the obligations of the Company under the Leases and the ARHM and ARCO Code of practice. The formal role of the Directors of the Owners' Company, therefore, is almost all concentrated in the meetings of the Boards of Directors, the importance of which cannot be overstated as it is where all of the administrative strands come together.

### Legal rights of Leaseholders

Leaseholders have a number of legal rights under the Commonhold and Leasehold Reform Act 2002 (as amended). These are briefly summarised as follows:

- As the Lease requires the payment of variable service charges, the Leaseholder is entitled to know how these service charges are made up and to see the accounts on which they are based.
- The law requires that the Leaseholder must be consulted before the landlord carries out works above the value of £250 per dwelling or enters into a long-term contract (one for more than 12 months) for the provision of services.



- The legislation provides protection to Leaseholders in that demands for service charges must be reasonable. In the event that a Leaseholder withholds the service charge, the Board of Directors of the Owners' Company have the right to charge interest on the unpaid amounts at the rate of 4% above base rate. Leaseholders are advised not to refuse to pay the service charges if they consider them to be unreasonable, but to apply to the Leasehold Valuation Tribunal to resolve the dispute.

- As the service charge includes contributions towards insurance, the Leaseholder is entitled to ask for a written summary of the current insurance cover, including the name of the insurer.

Further details of Leaseholder' legal rights can be obtained from the ARHM on 020 7463 0660 ([www.arhm.org](http://www.arhm.org)) or The Leasehold Advisory Service on 020 7832 2500 ([www.lease-advice.org](http://www.lease-advice.org)).

#### Retirement Security Limited

This private limited company was established in 1983. The Company is registered in England and Wales (No. 01612921).

T: 0800 389 9384

E: [resales@retirementsecurity.co.uk](mailto:resales@retirementsecurity.co.uk)

[www.retirementsecurity.co.uk](http://www.retirementsecurity.co.uk)

Ashby Court Limited is registered in England and Wales (No. 2400484)

Retirement Security is registered with the Housing Ombudsman Service (HOS):

T: 0300 111 3000

[www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk)

Retirement Security subscribes to Association of Retirement Housing Managers (ARHM)

T: 020 7463 0660

[www.arhm.org](http://www.arhm.org)

Retirement Security subscribes to the Associated Retirement Community Operators (ARCO) and aims to comply at all times with their consumer code.

T: 020 3697 1204

[www.arcouk.org](http://www.arcouk.org)

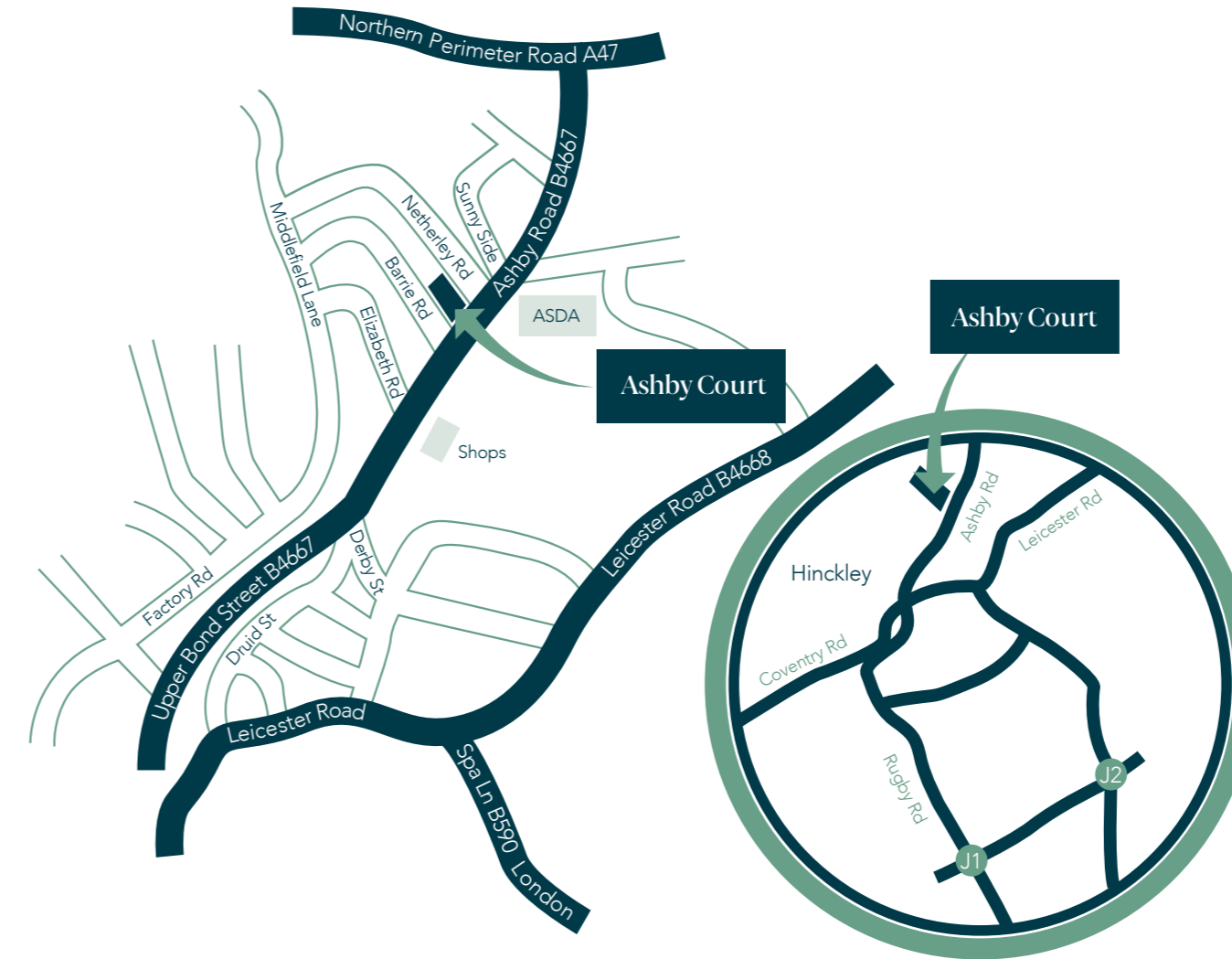
#### COMPLIMENTS, COMMENTS AND COMPLAINTS POLICY

The intention is that Owners should receive the best possible service, and their compliments, complaints, comments and suggestions are always welcome.

If an Owner or their relative is unhappy with something that has been done or failed to be done, this will be investigated and any reasonable criticism will be addressed. We will not treat anyone who makes a complaint any differently because they have done so. In most cases the problem or complaint can be resolved directly with the member of staff providing the service. If the Owner is not satisfied the matter has been resolved, he or she can take things further by using the complaints procedure.

The procedure, which is managed by Retirement Security's Company Secretary, is a requirement of law. If Retirement Security is unable to resolve a complaint, relating to housing or other non care matter to your satisfaction, you may refer the matter to the Housing Ombudsman. Similarly, Owners can refer any unresolved complaints about the care services from their care provider to the Local Government (Social Care) Ombudsman. A full copy of the complaints procedure is available from the Court or from Retirement Security. The procedure is available on the website at [www.retirementsecurity.co.uk](http://www.retirementsecurity.co.uk)

## Location Map



Ashby Court  
Ashby Road  
Hinckley  
Leics  
LE10 1RR

[www.retirementsecurity.co.uk](http://www.retirementsecurity.co.uk)  
FREEphone number 0800 389 9384





# Retirement

SECURITY



For more information or enquiries about our retirement homes, visit [www.retirementsecurity.co.uk](http://www.retirementsecurity.co.uk)

Call 0800 389 9384 or email [resales@retirementsecurity.co.uk](mailto:resales@retirementsecurity.co.uk)