

**Malcolm Crescent, Kingseat
Low Cost Shared Equity
Guidance Notes**

- 🏠 **All applicants are advised to read these guidance notes carefully as they contain information which is significant to your application for these properties.**
- 🏠 **All correspondence will be by email unless otherwise requested/stated. Please check your spam/junk inbox.**
- 🏠 **Failure to provide evidence timeously will result in your application being suspended and you may miss out on this opportunity.**

Colaren Homes Ltd are to develop 1 x 3 bed semi detached house in partnership with Aberdeenshire Council. This property will be available for sale to Eligible Applicants for the sale price of £130,235. It is anticipated that these properties will be available 4/5 months after sale has concluded.

Accommodation comprises of –

Ground Floor: Entrance hallway, living room, dining kitchen and cloakroom with w.c.

First Floor: Hallway, 3 bedrooms and bathroom with w.c.

The gross internal floor area extends to 91sq.m or thereby.

The property has oil heating, parking for 2 cars on a driveway and a private garden.

Further details on the specification can be obtained from Heather McHattie on Tel: 01771 624169 or email: heather@colarenhomes.co.uk. Available Monday-Friday 9am – 5pm.

Terms and Conditions

1. Who is Eligible?

Eligible Applicants are determined by Aberdeenshire Council. Applicants should be households who

- Are **First Time Buyers**; or if there has been a **Significant Change** in your household circumstances which affects your housing need; or if you have a disability and own a house which doesn't suit your housing needs

AND

- Have a Gross Annual Household Income in the region of £48,000 or less. Applicants will be means tested and are required to provide proof of all income, savings and capital to Aberdeenshire Council.

Eligible applicants who meet the above qualifying criteria will then be prioritised and ranked in the following order:

1. Tenants of Aberdeenshire Council or Registered Social Landlords (commonly known as housing associations) who currently live in Kingseat
2. Waiting list applicants of Aberdeenshire Council or Registered Social Landlords who currently live in Kingseat
3. Tenants of Aberdeenshire Council or Registered Social Landlords from other areas of Aberdeenshire with a local connection* to Kingseat
4. Waiting list applicants of Aberdeenshire Council or Registered Social Landlords who have requested Kingseat as an area in which they wish to be rehoused and who have a local connection* to Kingseat.
5. Tenants of Local Authorities or Registered Social Landlords outwith Aberdeenshire and waiting list applicants residing outwith Aberdeenshire who have a local connection* to Kingseat.
6. Tenants of Aberdeenshire Council or Registered Social Landlords and waiting list applications from other areas of Aberdeenshire without a local connection* to Kingseat.
7. Tenants of local authorities or Registered Social Landlords outwith Aberdeenshire and waiting list applicants residing outwith Aberdeenshire without a local connection* to Kingseat.

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|---|
| <ul style="list-style-type: none">• Local Connection may be for example work, school, provide or receive support or close family connections such as parents, grandparents, children, brothers and sisters. |
|---|

On occasions schemes may be oversubscribed with more eligible applicants than available properties. Therefore whilst you may meet the qualifying criteria this does not guarantee that you will be nominated to purchase a property.

Aberdeenshire Council are solely responsible for assessing, ranking and nominating eligible applicants and their decision is final.

2. Do I own the property outright?

You will own the property outright holding 100% interest in the title deeds but only pay a proportion of the open market value in accordance with your Equity Share. Aberdeenshire Council keep an equity share in the property through a standard security that is ranked after any standard security held by the mortgage provider.

Any property purchased under this scheme must be your main and only home. **Therefore if you currently own a property, this would need to be sold prior to being able to purchase a property under this scheme.**

Please note that you will not be entitled to let or sub-let any property bought under this scheme.

Should the mortgage lender want to call up their security and call in their loan they are able to do so immediately without restriction on the sale or price of the property. They will be entitled to sell the property on the open market at full open market value and recover all sums due to them with the Council ranking second after the mortgage lender.

3. Finance and Legal Matters

Buying a home is one of the most important decisions you can make and it is essential that you obtain the right financial and legal advice from the start. **It is your responsibility to obtain independent financial and legal advice and secure an appropriate mortgage prior to entering into any contractual agreement with the developer.**

You will have 10 working days to confirm your acceptance of the offer and pay the non-returnable reservation fee of £250 directly to the developer. A non-returnable deposit of £3,255 will also be required to be paid direct to the developer on conclusion of missives payable within 28 days of payment of the reservation fee. The reservation fee and deposit will be deducted from the sale price of £130,235.

| Reservation Fee to be paid to Developer | Deposit to be paid to Developer | Possible Mortgage Deposit Required Example for Illustrative purposes: | |
|--|---|---|---|
| £250 | £3,255 | Typically 5% of the Open Market Value of the property however may be higher depending on personal circumstances | 5% of the Open Market Value of £230,000 = £11,500 |
| Approximately 10 working days from nomination | At conclusion of missives approximately 28 days from payment of reservation fee | Around date of entry | |
| Example for Illustrative Purposes: Total Deposit Required in the region of: £15,005 | | | |

Please note that most mortgage providers will require a deposit in order to secure a mortgage. This deposit is in addition to the deposit paid to the developer. The mortgage deposit will vary depending on your own individual circumstances and on the mortgage lenders policy. Please ensure you discuss this with your legal and financial advisors.

Whilst Aberdeenshire Council nominate eligible applicants for this scheme, any contractual agreement is entered into with the developer directly and does not involve Aberdeenshire Council in any form of liability. The contract of sale is between the developer and the individuals buying the property. Therefore it is strongly recommended that you discuss the implications of the contract with your solicitor.

Any outstanding debts to Aberdeenshire Council e.g. Council Tax, rent arrears will require to be cleared or a payment arrangement in place prior to the house or flat purchase being finalised.

4. Are there any other costs involved in buying the property?

As with a normal house purchase, you will be responsible for all the purchasing costs such as legal fees, mortgage arrangement fees and surveys. Please note that Land & Buildings Tax may be applicable and you should discuss this with your legal advisor.

Following the purchase of the property you will be responsible for paying the Council Tax and any factoring charges applicable. You will also be solely responsible for any future repairs and maintenance of the property.

5. Can I increase my stake in the property?

| Size | Open Market Value | Sales Price | Owners' Equity Share Percentage Purchased | Aberdeenshire Council's Equity Share Percentage Retained | Maximum Equity Share applicant can own | Aberdeenshire Council's Revised Equity Share Percentage |
|------------|-------------------|-------------|---|--|--|---|
| 3 bed semi | £230,000 | £130,235 | 56.6% | 43.4% | 77% | 23% |

You will have the opportunity to staircase up from the original percentage share in the property to a maximum of 77% of the open market value at the time. This can be done at any time after a period of two years from the date of entry to the property. If you choose to increase your share, you can do so only once and it must be up to the maximum percentage.

6. What happens if I want to sell the property?

The Low Cost Shared Equity Properties are being offered for the sale price of £130,235. The difference between the open market value and the sale price is the equity share which Aberdeenshire Council retain in the property (see above table). As Aberdeenshire Council have an equity share in the property there are conditions attached to any subsequent sale of the property:

- If you wish to sell or dispose of the property, you will need to advise Aberdeenshire Council in writing and provide an open market valuation of the property within 14 days of such notification. Aberdeenshire Council will then have a period of 3 months to decide whether or not they want to keep the property for affordable housing. The property will then be advertised at the open market value at that time, with the sales price reflecting the equity share that Aberdeenshire Council hold as they will continue to hold their equity share. The future eligible applicant, as nominated by Aberdeenshire Council, will buy your equity share.
- Aberdeenshire Council have 20 weeks to nominate a suitable eligible applicant who will be required to conclude missives within the 20 week time frame. See above table for details of percentages.
- If a suitable eligible applicant is unable to conclude missives within the 20 weeks, the Council or a Registered Social Landlord may have the right to purchase your share of the property. This would be subject to funding availability.
- If Aberdeenshire Council decide that they no longer want to keep the property for affordable housing then you can sell the property on the open market at full open market

value. You will be entitled to receive an amount equivalent to your equity share with the remaining amount going to Aberdeenshire Council.

Any costs associated with the re-sale of the property i.e. legal fees, valuation surveys, a home report will be the responsibility of the current owner. Aberdeenshire Council is not liable for any of these costs.

What next?

1. Please complete and return the application form to:

Development Officer (Affordable Housing)
Housing Strategy Team
Infrastructure Services
Gordon House
Blackhall Road
Inverurie
Aberdeenshire
AB51 3WA

LCHO@aberdeenshire.gov.uk

Application forms should be returned by **Friday 26th May 2017**.

In order that application can be processed quickly, please include all supporting information with your application. Please quote development name or application reference when enquiring about your application. Please note that correspondence will be through email unless otherwise requested.

2. Approximately 6 weeks after the closing date, Aberdeenshire Council will advise all applicants whether or not they have been nominated.
3. Eligible applicants as nominated will have 10 days to confirm their acceptance of the offer to purchase the property.

For any further advice and information please contact a Development Officer on 01467 534685 or email LCHO@aberdeenshire.gov.uk