

Selling / assigning your shared ownership lease

What is assignment?

Assignment is the term given when you sell your shared ownership lease. When you sell your shared ownership lease, the purchaser is agreeing to take on the terms and conditions within the lease. This transfer of responsibilities from one party to another is the 'assignment'.

You can only sell your share of the lease. For example, if you own a 50% share, then you can only sell 50%.

How does the process work?

In order to sell your shared ownership lease you need to formally notify Orbit by completing and returning the attached form the administration fee, payable to Orbit, as applicable, and as set out in our 'administration charges' leaflet.

Which valuer can I use?

You are responsible for obtaining your own valuation; the report submitted to Orbit must be an open market valuation report. Before instructing your chosen valuer, you must ensure they are Royal Institute of Chartered Surveyors (RICS) qualified and current members; failure to do so may mean that Orbit is unable to agree to your chosen valuer. You can locate a valuer and check they are qualified through the RICS website at [ricsfirms.com](https://www.ricsfirms.com).

We recommend you obtain several quotes and query if the valuer will charge you for extensions should they be required. Alternatively, we can instruct the District Valuer on your behalf. Please contact us for the correct fees.

Please note that an estate agent's valuation is not acceptable. Under the terms of the lease the valuation must be carried out by a RICS

qualified surveyor. Whichever valuer you choose, you are responsible for their fee.

How long is the valuation valid for?

The valuation is valid for three months. If completion has not occurred within three months, then either a revaluation or an extension will be required. Your valuer may charge for this.

What happens if I am not happy with the valuation figure?

If you dispute the value provided by your RICS valuer, you are able to challenge this by providing written reason for your concerns directly with your chosen valuer. You should provide evidence of the sale prices of at least three similar properties in your area. You may then request your valuer reconsiders their opinion. If you are still not satisfied with the outcome you may instruct another RICS qualified valuer to revalue the property at your expense. Orbit will not be involved in this process and should only be forwarded the report once you are happy to proceed.

Are my improvements taken into account?

Yes. When the valuer attends the property you should outline the improvements that you have made to the property (e.g. fitted double glazing, fitted a new kitchen or extended the property.) The valuer will then provide two valuations in their report, one taking into account the improvements and one assuming the work had not been carried out. Your share will benefit from the equity increase provided by the improvements. Please note that in order for improvements to be considered, Orbit's prior consent must have been obtained. Please refer to our 'improvements' leaflet for more information.

How much can I sell my share for?

The value of your share is calculated from the RICS open market valuation. Once Orbit receives the valuation, we aim to confirm to you the maximum sale price of your share within five working days. A condition of Orbit's consent to the sale to another party requires a valid valuation to be in force at the point of completion. If completion does not occur within the three month period, then you will be required to obtain either an extension to the original valuation or to provide a new valuation, (if a new valuation is obtained and the figure differs from the original valuation, the amount you may sell your share for will alter accordingly).

Do I need an Energy Performance Certificate (EPC)?

Yes. Before Orbit will attempt to nominate a purchaser you must have provided an EPC. You should forward the EPC when you have received our formal confirmation of the share price. Legislation requires a prospective purchaser to be provided with an EPC during the sale process.

How do I find a buyer?

Once the figure has been agreed that you can sell your share for, and the EPC has been received, Orbit will try to nominate a purchaser. The property details will be advertised on the local HomeBuy agent's website, www.helptobuy.co.uk.

This service is free. It may assist in locating a purchaser without the need for an estate agent. Any contact through the website will be passed to you to arrange viewings. Additionally, you may wish to instruct an estate agent, advertise in your local paper, use social media websites or find other ways of advertising your share. It is your share that you are selling and Orbit is not party to the sale, although our consent is required. Remember though, that your purchaser must be eligible for low cost home ownership; they must not own another property or earn more than £80,000 per annum (£85,000 in London).

Please note that the sale price must not be more than the market value as assessed by the valuer, although you may sell for less than the valuation.

I have found a buyer, what happens next?

Once you have decided who you are going to sell your share to, you must provide Orbit with the purchaser's name and address. We will then issue paperwork to the buyer outlining what they need to do in order to obtain our consent. They will be vetted to ensure they are eligible for low cost home ownership and must provide evidence of identity and affordability (so that we can check they can afford the rent payments) and provide a copy of their mortgage offer. Upon receipt and satisfaction of our required documentation, we will issue formal consents to the sale to all parties.

Is there anything else I will have to pay for?

You will be responsible for our administration fee, the valuation fee, your solicitor's fees plus any costs due to your mortgage lender and possible estate agent fees.

Do I need to do anything at completion?

Once you have completed the sale your solicitors will confirm that your relationship with Orbit has ended. You should then cancel your Direct Debit. The purchaser's solicitors will forward to Orbit confirmation of the assignment and payment from the purchaser of the notice fee to register the new shared owner.

Who do I contact if I have any more queries regarding assignment?

If you have any further queries please contact your Leasehold Officer on 0800 678 1221.

Alternatively you may email info@orbit.org.uk or visit our website at www.orbit.org.uk

Intention to assign

Please complete this form if you wish to start the assignment process. Return to:

Orbit Living
PO Box 6406
Coventry
CV3 9NB

Your name(s):

Your address:

Post code:

I currently own % and wish to sell this share in the above property. I enclose a cheque for (administration fee) payable to Orbit and enclose a RICS open market valuation.

The open market valuation will value the property as 100% leasehold or freehold with vacant possession and will assume the shared ownership lease had not been granted. Improvements and/or failure to keep the property in good repair are to be disregarded. The service charge (if applicable) has been considered at current levels.

Improvements carried out to my property:

(please list any improvements and tick the relevant statement)

- No improvements have been made that significantly affect the property value
- Improvements have been made of which Orbit has previously been advised and I hold consent for
- Improvements need retrospective consent (An additional fee will be payable and the improvement process will be followed)

Please sign below (If the property is in joint names, both leaseholders must sign):

Signed: _____

Dated: _____

Signed: _____

Dated: _____

How to get in touch

For further information
please email us at:
info@orbit.org.uk

Or call:
0800 678 1221

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