



saha  
Transforming Lives

# Right to Acquire





## Eligibility

- The property concerned must be one which was purchased or built using grant confirmed after 01 April 1997
- The tenant must have spent 2 years as a Public Sector or armed forces tenant, if his /her tenancy commenced before 18 January 2005.
- The tenant must have spent 5 years as a Public Sector tenant if his/ her first Public Sector tenancy commenced on or after 18 January 2005.
- The property must be self contained and be the tenant's main or principal residence.
- The tenant must not be BANKRUPT, or have a bankruptcy pending.
- RTA is suspended if the landlord has received a possession date from the County Court.
- The Landlord can apply to the Court to suspend a tenant's Right to Acquire if that tenant is responsible for anti-social behaviour.

## How to apply - Application form

The tenant must notify saha by submitting form RTA1. (This is available to download from the GOV.UK. If the tenant does not have access to this form saha can print one and send it out to them upon request. If the application is being made by a joint tenant, both tenants must sign the application form. saha has 4 weeks to inform the tenant(s) if they are eligible or if the application has been rejected.

If the tenant(s) is eligible saha must inform the resident of the purchase price of property. The tenant(s) then has 12 weeks to notify saha of their intention to proceed. If the application is rejected, saha must inform the tenant(s) of the reason why however the decision can not be appealed. The tenant should be advised to take their own independent advice on questions relating to mortgages, insurance and legal matters. The tenant is responsible for the costs of legal fees involved in the purchase. The discounts applicable to Right to Acquire purchases are fixed amounts published by the Government. The discounts for saha's qualifying properties range between £9000 and £13500 and vary dependant on the area. If the tenant has had previous discounts on a Right to Buy or Right to Acquire purchase, the discount may be reduced.

## Selling the property

If the tenant sells the property within 10 years of buying it through Right to Acquire, the first offer of sale must be made to saha. The property should be sold at the full market price agreed between the former tenant and the landlord. If you can't agree, a district valuer will say how much the property is worth and set the price. The former tenant would not have to pay for this valuation. If saha doesn't agree to buy the property back within 8 weeks, the former tenant can sell it to anyone.

## Paying back the discount

If the former tenant sells the property within 5 years of buying it through their Right to Acquire, they will have to pay back some or all of the discount received. If sold within the first year, the full discount must be paid back. On top of this, the amount to be paid back depends on the value of the property during the sale. So, a 20% discount would result it paying back 20% of the selling price. If sold after the first year, the total amount payable reduces:

- 80% of the discount in the second year
- 60% of the discount in the third year
- 40% of the discount in the fourth year
- 20% of the discount in the fifth year

Example Purchased property worth £100,000 and got a 40% discount

(£40,000). Former tenant then sold the property after 18 months for £120,000. 40% of £120,000 is £48,000. As the sale is in the second year, 80% would be repayable. 80% of £48,000 (£38,400).



Salvation Army Housing Association  
Customer Service Centre  
53 - 55 Victoria Square, Bolton, BL1 1RZ  
Phone: 0800 970 6363  
Fax: 01204 375768  
Email: [info@saha.org.uk](mailto:info@saha.org.uk)

Registered Offices: 3rd Floor, St Olaves House,  
10 Lloyds Avenue, London EC3N 3AJ

Version1.0