

**INTRODUCTION**

Please note the following when completing this spreadsheet:

This spreadsheet is for responsible entities applying for funding to replace unsafe materials on high-rise residential buildings. It should be populated with details of any '**Undertakings**' to allow MHCLG to monitor any potential payments for the purposes of State aid. As an Applicant you should take reasonable steps to collect information about any Undertakings in your building and should write to each of your leaseholders to ask them to notify you if they hold Undertaking status. Suggested draft wording is included within the application guidance. If any such leaseholders declare themselves as Undertakings you must use that information to complete the spreadsheet set out below, which has been populated with examples to provide guidance as to the information we require. Those leaseholders must also provide a signed State Aid Declaration in the form set out in the application guidance.

By 'Undertaking' we mean any leaseholder in the building who uses their property for financial gain - for example letting it out or using it for their own business purposes.

In a residential setting an Undertaking is usually a leaseholder who has further let their property out on a short term tenancy (for example by way of an assured shorthold tenancy or AST ) where the sub-tenancy would not generally require the sub-tenant to pay a service charge. Where a leaseholder has underlet their property for more than 7 years this potentially brings the sub-tenancy within the scope of paying service charge (which may be passed on by the headline residential tenant) and if they also underlet the property then they may also be an Undertaking. It should be noted that anyone who occupies their property as their principal dwelling will not be an Undertaking.

It should be further noted that where a property is owned by a registered provider of social housing at headline level and has either been further underlet to a leaseholder on market terms or where that leaseholder has fully staircased a shared ownership lease or acquired their property under Right to Buy or Right to Acquire legislation they should be assessed as to whether Undertaking status applies to them and, if so, their details should be placed in the 'Leaseholders that are Undertakings' section.

In a commercial setting any commercial occupier (e.g. a shop on the ground floor) will be an Undertaking because commercial tenants by their nature carry out a business activity from their premises.

You must write to every leaseholder in the building and require them to complete and return a State Aid Declaration ONLY IF they are an Undertaking.

If any leaseholders in the Building declare (via completed State Aid Declarations) to the Applicant that they are Undertakings (residential tenants, commercial tenants, providers of social housing) their details must be listed under the relevant heading below. There should be one row completed for each Undertaking. Where a building does not have any Undertakings this spreadsheet need not be completed and the nil return should be recorded on the portal.

Registered Providers (RPs) are able to take advantage of preferential terms by virtue of their public function of providing social housing and although for the purposes of this schedule they will be treated as an Undertaking they will not be subject to a state aid cap in respect of social housing leaseholds. Social housing is "housing for disadvantaged citizens or socially less advantaged groups, who due to solvency constraints are unable to obtain housing at market conditions". This (in the legislation of England and Wales) has been translated as (a) low cost rental accommodation; and (b) low-cost home ownership accommodation as defined by sections 69 and 70 Housing and Regeneration Act 2008. So the tenures that this would cover are generally: (a) social rents; (b) affordable rents; (c) certain "intermediate" rents; and (d) shared ownership leases (that have not staircased to 100%). Categories (a) - (c) would typically be rented on weekly or monthly tenancies, though sometimes longer terms apply. The RP section below must list the address of every flat/unit the RP uses for the purposes of providing social housing.

Applicants should provide an update to the information in this schedule as soon as they become aware of any change in the identity of or the addition of a new Undertaking in the building. The Applicant must write to every new leaseholder in the building and require them to complete and return a State Aid Declaration ONLY IF they are an Undertaking and update this schedule accordingly. If an existing Undertaking sells their leasehold interest and the new leaseholder is not an Undertaking then the existing Undertaking's details must be removed from this schedule. The new State Aid Declarations should then be provided via the application portal.

To add an extra row to insert details under the relevant heading below, put your cursor on the extreme left column in the middle of a box (the column with the numbers, the relevant box should go green) right click with your mouse and choose "insert". This will

**LEASEHOLDERS that are UNDERTAKINGS**

Undertaking Leaseholder Full Name	Property Address (i.e. flat/unit)	What percentage of the Building's overall service charge is apportioned to this Property? (%)
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<Note there are two rows for Flat 5 because there are two undertakings  
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**Vacant Flats/Units (i.e. where there is no leaseholder)**

Property Address (i.e. flat/unit)	Is the Applicant responsible for meeting repair costs (Yes/No)	If yes, what percentage of the Buildings overall service charge is apportioned to this Property? (%)
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Example: Flat 1, The Tower Complex, 20 Acacia Avenue, New Town, Anywhereshire, AB1 2CD

Yes

0.50%

<<<Add more rows as required>>>

**REGISTERED PROVIDERS (RPs) OF SOCIAL HOUSING OR OTHER SOCIAL HOUSING PROVIDERS**

Registered Provider Full Name (Note: if an RP use its full name as registered with the Regulator of Social Housing and quote its Registration Number)	Property Addresses (i.e. flats/units) that are used for social housing (i.e. list properties than an RP either rents to those in housing need at a sub-market rent or lets on shared ownership terms to a leaseholder that has <u>not</u> staircased to 100%)	What percentage of the Building's overall service charge is apportioned to this Property?
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