

# MAYOR OF LONDON

## **EndOurCladdingScandal team**

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**Date:** 23 June 2021

Dear all,

## **Formal request for the GLA to urgently review subletting rules for shared ownership leaseholders**

Thank you for meeting with me on 4 June and for your subsequent e-mail on 16 June. I am conscious of the acute impact the building safety crisis has had on many leaseholders, who are concerned about their safety and the cost of remediating problems that were not their fault. This is having a particular impact on those trapped in their homes due to ongoing difficulties in securing an EWS1 form. As you note in your e-mail, the severe financial and mental health impact the crisis has had on too many Londoners is something we cannot ignore.

Our approach to subletting has been grounded in long-standing GLA policy that prohibits subletting in shared ownership properties, only allowing this in exceptional circumstances. Our Capital Funding Guide details this policy and encourages partners to consult with the GLA to confirm if exceptional circumstances apply to specific subletting requests. Our approach to date has been that the absence of an EWS1 form is not in itself an exceptional circumstance.

However, I recognise that the need for subletting has become more pressing as it continues to be difficult to secure EWS1 assessments. We have heard stories from you and directly from Londoners who are unable to move on with their lives and are trapped in homes that no longer suitable for their circumstances. These stories are compelling, and we want to ensure our approach is measured and in line with the evolving circumstances that shared owners, and social landlords, find themselves living or operating within.

As such, we will now encourage partners to take the difficulties with the EWS1 process, and the impact of these on leaseholders, into account when deciding whether sub-letting may be justifiable. This will be permitted in exceptional circumstances and for a fixed term only. We expect that most of these requests will come from residents whose buildings do not have an EWS1 form. However, we are conscious requests may also reflect cases where the EWS1 assessment has identified the need for remediation. In both cases, it will be the responsibility of partners to determine whether exceptional

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circumstances apply. In cases where remediation is needed, it is expected that partners will act promptly to complete remediation works.

Becoming a private landlord is a considerable responsibility and we want to ensure that private tenants are not asked to compromise their own safety. We will expect partners to ensure that shared owners make potential tenants aware of the lack of an EWS1 form. Where EWS1 forms are available and have identified the need for remediation, the expectation to share this information with potential tenants becomes especially important. I recognise the need for greater security in the private rented sector so landlords should also make tenants aware of the expected duration of the sub-letting period.

While this measure will offer leaseholders some temporary financial and mental health relief, the scale of the building safety crisis requires long-term measures. As a matter of urgency, the government must guarantee sustainable funding sources to ensure that cladding and non-cladding issues can be remediated without leaseholders unfairly bearing the costs for problems which they played no part in causing.

Yours sincerely,

**Tom Copley**

Deputy Mayor of Housing and Residential Development