**RIGHT TO BUY ELIGABILITY FORM**

**This form is used to consider your eligibility for a Right to Buy**

**Failure to complete this form and the RTB1 application form in full may delay your application from being processed.**

By completing this form you are confirming that:

✓ To the best of your knowledge and belief the information that has been provided on this form is true, complete and correct. You understand it is used in determining your eligibility for the Right to Buy.

✓ You also understand that if you give false or misleading information or you omit information for the purpose of gaining the Right to Buy, it may be regarded as a criminal offence and action could be taken against you including court action and the recovery of the property.

**Part A: Evidence required for proof of identity and residency**

Tenants who wish to purchase their property under the Right to Buy scheme must live in the property as their only or principle home. Family members who wish to join the tenant in the purchase of the property must also live in the property as their only or principle home. Additionally, family members must have been living with the tenant for 12 months before the date of the claim for Right to buy and must continue to live with them now.

Tenants and family members joining in the Right to Buy are required to provide evidence of identity and proof of residency at the property.

**Identity**

Everyone taking part in the Right to Buy must provide a copy of at least one of the following documents which provide photographic proof of your identity.

* Passport
* National Identity Card
* Driving Licence

If you are an overseas national you also need to provide us with proof of your entitlement to reside in the UK, i.e. you must have indefinite leave to remain.

**Residency**

Tenants must provide a copy of the current years council tax bill and 3 months bank statements. This includes any current accounts, savings or ISA’s.

Family members, who are not tenants but are sharing the Right to Buy, must provide two documents showing the above information – one dated from the present time and one from 12 months ago. This is to prove residency with the tenant throughout the last 12 months.

**All applicants will be required to provide:**

* Current council tax bill (current financial year)

And one other of the following current bills issued in the last 3 months:

* Landline/mobile phone bill
* TV services bill (i.e. Sky, Virgin Media)
* Credit card bill
* Contents insurance policy document
* Car insurance policy document
* Letter from a government agency e.g. HMRC, Department of Work and Pensions (DWP)
* P60, P45 or payslip (only if it shows your home address)

We cannot accept handwritten letters, undated documents, junk mail or documents downloaded from a computer. Documents must be from more than one organisation or company.

**IMPORTANT NOTES:**

**Prevention of Social Housing Fraud Act 2013**

Please be aware if you give false or misleading information or omit information for the purpose of gaining the Right to Buy, it may be regarded as a criminal offence. Action could be taken against you including court action and the recovery of the property.

**Under section 68 of the Serious Crime Act 2007 (“the SCA”)** a public authority may, for the purposes of preventing fraud or a particular kind of fraud, disclose information as a member of a specified anti-fraud organisation or otherwise in accordance with any arrangements made by such an organisation.

**Part B: Money Laundering Regulations**

We are required to comply with the Money Laundering Regulations and in particular to verify the identity and permanent address of all applicants.

This is to ensure we comply with policies, adopted worldwide by financial and government authorities, preventing the use of laundering systems to disguise the proceeds of crime.

**You are therefore requested to supply details of how you intend to fund the purchase of your home. Please answer these questions in full.**

Will you require a mortgage in full or part payment of the sale price?

Full mortgage  Part mortgage 

**Please note you will be required to provide us with a copy of your full mortgage offer.**

**If you are not using a mortgage, or using cash and mortgage please answer the questions A, B, C and D.**

1. Are you receiving a financial gift to purchase this property? No  Yes 

If yes, please give details of the person(s) giving you the money. You will need to provide ID for the person(s) gifting funds, their proof of address, proof of accumulation of funds and a

letter stating their intention. Please use additional paper if required.

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1. Is the purchase by means of an inheritance?

**You** No  Yes  **Joint Applicant(s)** No  Yes  If yes, please give details including proof of the inheritance

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 C) Are you using existing savings?

 **You** No  Yes  **Joint Applicant(s)** No  Yes 

*If yes, please give details and provide proof of accumulation of funds:*

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 D) If none of the above applies, are there any other means by which you will be funding the purchase?

 **You** No  Yes  **Joint Applicant(s)** No  Yes  *If yes, please give details:*

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**Part C: Debts and Court Orders**

In order to comply with Section 121 of the Housing Act 1985, we need to establish if any person(s) to whom the Right to Buy belongs may be an undischarged bankrupt (or have made a composition or arrangement with his/her creditors) the terms of which remain unfulfilled, or who have bankruptcy petition or receiving order pending. This is because in these circumstances the Right to Buy cannot be exercised until such an order or arrangement has been discharged.

**Bankruptcy – Please answer these questions in full**

Have you or the joint applicant(s) ever been made bankrupt?

**You** No  Yes  **Joint Applicant(s)** No  Yes 

*If yes, please provide details:*

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**Debts**

Do you or the joint applicant(s) have arrangements with any creditors (people or companies you owe money to, for example an IVA or DRO) and still owe them money?

**You** No  Yes  **Joint Applicant(s)** No  Yes 

*If yes, please give details:*

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**Bankruptcy**

Is there a bankruptcy pending against you or the joint applicant(s)?

**You** No  Yes  **Joint Applicant(s)** No  Yes 

*If yes, please give details:*

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**Part D: Insolvency Declaration**

**Section 121 Housing act 1985**

You cannot buy your home if:

* You are an undischarged bankrupt or have a bankruptcy petition pending against you.
* You have made an arrangement with creditors (people you owe money to) and you still owe them money

A separate declaration must be completed by each tenant, joint tenant and added family member in all cases, whether they wish to join the Right to Buy or not.

**YES NO**

1. Do you have a bankruptcy petition pending against you?
2. Are you an undischarged bankrupt?
3. Have you made an arrangement with you creditors and

not yet fulfilled the terms of the arrangement?

Print full name (Tenant 1)

Print full name (Tenant 2)

Address:

Signed (Tenant 1): Signed (Tenant 2):

Date Date

**Family member 1 (who is not a tenant but Family member 2 (who is not a**

**is sharing the right to buy) tenant but is sharing the right to**

 **buy)**

Signed Signed

Print Print

Date Date

**Part E: Declaration and Signatures: Please read before signing**

Please read this declaration carefully. Once you complete this form it becomes a legally binding document. Read the conditions of the declaration carefully before you accept it. If there is any part of the declaration you do not understand, it is your responsibility to find someone to explain it to you. In performing this service, the Council may share your information with other organisations or departments but only when satisfied that it is necessary to perform a public task, or to exercise its statutory duties to do so.

**All applicants must sign this declaration.**

To the best of my knowledge and belief the information that has been provided on this form is true, complete and correct.

I understand that you will contact individuals or agencies referred to by me on this form when necessary, also other individuals and agencies such as health, social care, education, probation, landlord, the police, courts and other local authority directorates in order to perform this service or function.

I understand that any information concerning third parties will be assessed and reviewed in order to perform this service or function.

The Council may share your personal information for the purposes of the prevention, investigation, detection or prosecution of criminal offences, but will not share your personal information, or use it for this, or any other purpose, unless provided for by law.

More detailed information about the Council’s handling of your personal data can be found in its privacy policy, available online [www.winchester.gov.uk/about/privacy-policy](http://www.winchester.gov.uk/about/privacy-policy) or on request.

**Tenant 1: ……. Family member 1 (who is not a ………………………………………………………… tenant but is sharing the Right**

 **to buy)**

Signature ………………………………………… Signature

Print name Print name

……………………………………………………………………… .

Date: Date:

 …

**Tenant 2: ………. Family member 2 (who is not a ………………………………………………………… tenant but is sharing the Right to Buy)**

Signature he Signature

Print name Print name

Date: h Date:

**IMPORTANT NOTES:**

1. You must inform us if the answer to any of these questions changes before you complete the purchase.
2. Please note it is extremely important that you complete this form, failure to do so may result in the withdrawal of your Right to Buy application at a later stage in the process.
3. We may share the information you provide for your Right to Buy application with internal departments and other public sector organisations for the purpose of processing your Right to Buy applications and preventing and detecting fraud.

**Data Protection:**

Under the Data Protection Act 1998, organisations such as the Council are legally required to ensure their customers are aware that information about them may be kept on record. As a result of the above, I must advise that once you have bought your Council property, the Council may keep information about you on their records. The information may be used for various administrative purposes, such as the monitoring of service charge and major works accounts and for general estate management issues. All the information we keep will be registered in accordance with the Data Protection Act and may also be used for the prevention or detection of fraud or other crime.

**Please return this form to the following address:**

Homeownership Team

Winchester City Council

City Offices

Colebrook Street

Winchester SO23 9LJ

Checklist

**Checklist**

Before you send your form check please ensure you have enclosed the following documentation:

**Proof of Identification**

Valid Passport

Valid National Identity Card

Valid Driving Licence (photo card only)

**Proof of Residency**

Council tax bill (current financial year)

And one of the following documents issued in the last 3 months:

* Utility bill (water, gas, electric etc)
* Landline/Mobile bill
* TV services bill (i.e. Sky, Virgin Media)
* Credit card bill
* Insurance policy document
* Car insurance policy document
* Letter from HMRC, Department of Work and Pensions (DWP)
* P60, P45 or payslip (only if it shows your home address)

***N.B Family members, who are not tenants but are sharing the Right to Buy, must provide two of the above documents. One document dated in the last 3 months and one document from more than 12 months ago. This is to prove residency with the tenant throughout the last 12 months***

**Bank Statements**

Current accounts (last 3 months)

Savings accounts (last 3 months)

ISA’s/Bonds/Shares (last 3 months)

***N.B All applicants must provide current bank statements, which are required to evidence that you or anyone sharing the right to buy are not insolvent or in debt with other creditors. If you have savings that you intend to to use to fund or partially fund the purchase you will need to provide statements showing how the fund were accumulated. This also applies to anyone who is gifting you funds towards the purchase.***