



Residential Property Owners Legal Protection

In association with



Why take the risk?

AR Lettings prides itself on only supplying the best possible tenants for our landlords. Our extensive referencing and viewing process ensures that every possible step is made to ensure our landlord's risk of a bad tenant is minimal.

No one knows what the future holds. Even the best of tenants can fall on difficult times or change of circumstances. Whilst this a rare occurrence, we believe our landlords should not fall victim of events out of their control. As such, we highly recommend our landlords take out protection against the unforeseen.

There are a number of companies who can offer you a level of legal protection against such incidences and doing so is entirely at the landlord's discretion, however, why take the risk?



We are aware that preparing cover can be a time consuming and sometimes confusing process. In order to make the process as simple as possible, we offer cover provided by Aviva Insurance Limited at a competitive price.

Can AR Lettings help?

Cost of cover	£160.00 (Inclusive of IPT*)
Administration Charge	£30.00
TOTAL	£190.00

This is an annual fee and is not payable with every new tenancy, meaning no hidden charges and no unexpected fees when your new tenants move in.

Full details of Aviva's policy is explained on the following pages.

*Insurance Premium Tax (£14.55 in this example)

Summary of the cover provided

Property owners are faced with an increasingly complex legal environment, with numerous laws and regulations that affect many aspects of property ownership.

The potential need to take legal advice or pursue or defend interests has never been greater. So whether it be the actions of squatters or planning issues, Aviva have put in place a comprehensive legal protection package that protects you against the extra and often unbudgeted cost of legal services.

Property Protection

This cover provides protection for civil action following any event causing or likely to cause physical damage to your property or any nuisance or trespass i.e. Squatters. It also includes defence or appeal against judgements. Aviva's market leading Property Owners Legal Protection covers legal costs arising from a variety of incidents in connection with the ownership and leasing of property, with an indemnity limit of £50,000. In respect of civil cases, the cover is subject to the case having prospects of winning or making a successful defence. This will be assessed by the claims administrators or a solicitor appointed by them.

Repossession

Cover is provided for your legal rights to regain possession of your property which has been let provided you are complying with the standard conditions and trying to gain possession under Schedule 2 Part 1 or Schedule 5 Part 1 of the Housing Act 1988/1996 or the Housing (Scotland) Act 1988. Aviva will also provide cover for your legal rights to recovery any rent owed to you.

Tenant Default (Rent indemnity)

If a tenant has defaulted on their rent and refuses to pay any further money, Aviva will pay you the rent a tenant owes up until the time that the property is vacant, up to a maximum of 12 months rent and £25,000 subject to a 1 months rent excess.

Legal Defence

This cover will defend you or an employee acting on your behalf if any criminal action or certain civil action is taken against you for any non-motor related incident arising in connection with the business, for example prosecution following a faulty boiler (potential carbon monoxide poisoning). This also includes cover in the event of prosecution under health and safety legislation, data protection rules and in the event of wrongful arrest. Cover includes appealing against the imposition of a statutory notice issued under legislation affecting your business and defence against civil proceedings taken against your employees for unlawful discrimination – this will ensure your employees are protected if they are drawn into a dispute over an accusation of discrimination.

Contract Disputes

Cover is provided to negotiate disputes relating to a contract you have entered into with a customer or supplier for the purchase or sale of goods or services where the amount in dispute exceeds £250. For example a decorator you have hired to paint your flat or house or someone to supply and fit a carpet. Cover includes all current contracts irrespective of when you entered into the contract (some policies only cover disputes for contracts entered into after the inception of the policy).

Debt Recovery

Cover to negotiate your legal rights including enforcement of judgements to recover money and interest due from a customer or supplier following the sale or provision of goods or services where the amount in dispute exceeds £250.

Tax Protection

Aviva will represent you in any appeal proceedings with H M Revenue & Customs in a full or aspect enquiry following your corporation tax self-assessment return and representation for appeal proceedings in respect of Value Added Tax due.

Employment Disputes and Compensation Awards

Employment law is constantly changing and is becoming increasingly complex and confusing. Keeping up with these changes alone can be a full time job. Aviva will defend your legal rights under employment legislation and following a successful action by an employee, prospective employee, alleged or ex-employee they will pay any compensation award made. There is no waiting period, which means cover is operative immediately.

Bodily Injury

This cover is provided to negotiate your, your employees' or family members' legal rights following bodily injury not involving a motor vehicle which occurs in connection with the business.

Principal exclusions are listed for each section. For a full list of exclusions and cover options please refer to the policy document.

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Exclusions

Property Protection

- A contract dispute
- A motor vehicle
- Mining subsidence

Repossession

- Any disputes within the first 90 days of the start of this cover and the tenancy agreement commenced prior to the start of this cover
- In respect of rental agreements other than an assured shorthold tenancy, a short assured or an assured tenancy or a Company let

Tenant Default

- More than 12 monthly payments
- the first calendar month rent owed to you
- any amount in excess of £25,000

Contract Disputes

A lease, a licence or tenancy of land or buildings (cover is available under residential repossession and commercial lease protection section).

- The first £500 of any claim if the amount in dispute exceeds £5,000
- Any claim relating to the settlement under an insurance policy
- A dispute arising from the purchase, hire or sale of specifically tailored computer equipment
- Undisputed debts (cover is provided for this under Debt Recovery)

Debt Recovery

- Any claim relating to the settlement under an insurance policy
- A dispute arising from the purchase hire or sale of specifically tailored computer equipment
- Disputed debts (cover is provided for this under Contract Disputes)

Tax Protection

- The first £250 of each and every claim in respect of aspect enquiries
- Claims caused by your failure to register for Value Added Tax
- Investigation by HM Customs and Excise into alleged dishonesty or criminal offences

Employment Disputes and Compensation Awards

- In respect of the Compensation Awards cover you must follow the advice of the legal helpline or the Advisory, Conciliation and Arbitration Service (ACAS) code of Disciplinary Practice and Procedures in Employment for cover to be effective
- In respect of redundancies you must follow the advice of the legal helpline prior to serving notice of dismissal

The 24 hour Helpline **0845 300 1899** is manned 100% by legally qualified staff. If specialist advice is needed, Aviva have a panel of solicitors and barristers that can be called on including specialist tax consultants. If a solicitor is required to deal with your legal problem, Aviva will appoint one from their approved panel, all of whom have been carefully chosen as experts in their chosen field and in the areas of the law covered by the policy and are required to comply with service standards set by Aviva.

This summary provides an outline of the cover provided.

The policy is a legal document and describes the insurance in precise terms. A copy of the full policy terms and conditions is available on request.

Even when Aviva's Insured has acted negligently, it is always worth remembering that Aviva's 24 hour helpline should be utilised as the legal advisers would talk them through how to put it right or at least mitigate the situation!

The Helpline should always be used, even when a claim is not in the pipeline because early action can often calm a volatile situation and stop a claim from arising.



Property Protection

- Insured's tenant moved out of the property at the end of their lease on a Friday and when the property owner visited the premises on the Saturday to inspect, squatters had already moved in. The legal bill to remove the squatters amounted to over £2,000.
- Construction on a neighbouring property caused water damaged to Aviva Insured. The appointed solicitor eventually negotiated £25,000 compensation. Legal costs incurred over this complex and lengthy case amounted to £12,000.

Legal Defence

- An Insured entered into a contract with a specialist company to regularly inspect and repair/replace any faulty boilers in their properties. The company failed to fulfill the contract however Aviva's insured as the property owners were prosecuted by the HSE. The policy provided legal representation. Apart from Carbon Monoxide Poisoning, if the boiler fails, cover is also provided for Data Protection (information is kept regarding tenants). Property Owners can be arrested following accidents in their properties e.g. dangerous structure.

Bodily Injury

- An Insured person was visiting a property which they were thinking of buying (buy to let) and tripped breaking her ankle at the premises, however the 3rd party refused to accept liability. The case went to court and £13,000 of compensation was won. Legal costs totalled £3,500 including expert evidence.

Tax Protection

- H M Revenue and Customs advised Aviva Insured that they owed £4,500. After appointing a tax consultant, the dispute was resolved in the Insured's favour and a procedural change was implemented. Tax consultant's fee was £1,925.

Contract Disputes

- Property Owners purchased a new carpet for the common area (Hall stairs and landing) which when fitted, had a fault running through it. Supplier offered a part refund but not a new carpet. The appointed solicitor wrote to the supplier and after a short delay (!) a new carpet was fitted. Legal costs amounted to £1,200.
- CCTV was installed to cover common parts and the lift however the picture quality was poor. The supplier however claimed there was nothing wrong with it despite the heavy 'snow'! The appointed solicitor wrote to the supplier and gave them 14 days notice to remove the system at no cost. The system was eventually removed and the dispute settled. Legal costs amounted to over £1,500.

Employment Disputes

- A gardener who was retained to maintain the common land (grass verges at the front of all the properties) was dismissed due to poor work and poor attendance. After claiming unfair dismissal, the case was dropped following the appointment of a panel solicitor who wrote defending the Insured's actions.

Don't forget Aviva's on-line Employment Manual which every policyholder has access to. This site includes copies of draft letters and details of correct procedures that should be used in certain situations e.g. disciplinary.

www.aviva.co.uk/legalprotection

Company Registration Information



Registered Office: 135/137 Dyke Road, Hove, East Sussex, BN3 1TJ.

AR Lettings, an appointed representative of R. T. Williams Insurance Brokers Ltd is a trading name of Austin Rees Limited. Registered number 3109319.



Aviva Insurance Limited.

Registered in Scotland No. 2116 Registered Office: Pitheavlis, Perth PH2 0NH.

Authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority.



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