

# ASTRBM17

## Facilitate the transfer of leases



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### Overview

This standard is relevant to any staff involved in residential block management who are involved in transferring leases.

The information obtained regarding leases to be transferred may originate from inside or outside your company.

#### **This standard does not apply in Scotland**

This standard covers:

- obtaining information regarding leases being transferred
- progressing the transfer of leases

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### Performance criteria

#### Obtain information regarding leases being transferred

*You must be able to:*

- P1 communicate with interested parties (including legal / regulatory bodies, leaseholders and purchasers) in a manner which is suited to their needs
- P2 ask questions which help to clarify the need for information
- P3 check and confirm that you understand what information is required
- P4 establish the content and terms of the lease
- P5 review the existing lease and establish correctly whether any consents are required
- P6 establish correctly whether the lease contains any restriction clauses
- P7 determine correctly whether any outstanding debts exist regarding the lease to be transferred
- P8 obtain all required information ensuring that is accurate and up to date
- P9 take the correct action if any required information is not available

#### Progress the transfer of leases

*You must be able to:*

- P10 identify correctly the details of the purchaser, and obtain references where required
- P11 confirm that references meet requirements, and deal promptly and correctly with any that do not fulfill the requirements
- P12 deal promptly and correctly with all matters required in transferring the lease, including any consents, restriction clauses and outstanding debts
- P13 fulfill all relevant legal, regulatory and organisational requirements relating to the transfer of leases
- P14 provide information requested and ensure that transfers are complete according to agreed timescales
- P15 arrange for invoicing, where required, according to agreed schedules
- P16 maintain accurate, complete and up to date records regarding the transfer of leases

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### Knowledge and understanding

*You need to know and understand:*

#### Obtain information regarding leases being transferred

- K1 legal and regulatory requirements relevant to the transfer of leases and their impact for your area of operations
- K2 sources of information regarding leases
- K3 how to communicate effectively and suitable questions to ask during discussions
- K4 organisational procedures with regard to addressing the transfer of assignments
- K5 legislative requirements relating to your interested parties
- K6 the information required from vendors for the sale of their properties, and how this should be presented
- K7 the responsibility and procedures relating to the Land Registry relevant to establishing restriction clauses within leases
- K8 the circumstances where confidentiality is needed
- K9 your responsibilities and liabilities for establishing and providing accurate information when facilitating the transfer of leases

#### Progress the transfer of leases

*You need to know and understand:*

- K10 legal and regulatory requirements relevant to the transfer of leases and their impact for your area of operations
- K11 organisational policy and procedures with regard to progressing the transfer of leases
- K12 different types of assignments associated with leases and how to address these when transferring leases
- K13 the information to be provided regarding property for sale, and how this should be presented
- K14 effective methods for presenting and communicating information to others
- K15 how to monitor and evaluate the progress of transfer of leases
- K16 the reasons why information provision should be monitored and improved
- K17 procedures for maintaining confidentiality

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