

Celebrating a decade as the EDP's property legal expert

This year marks Cozens-Hardy principal Philippa Rudd's 10th year writing a column every month in the EDP Homes supplement. Property editor **Caroline Culot** looks back over Philippa's decade as the EDP's expert on residential property law.

It was Friday, January 5, 2007 that Philippa Rudd first graced page three of the then EDP Homes24 property supplement – and a decade on, the head of Cozen-Hardy's residential conveyancing department is still going strong and finding interesting topics to give us her expert advice on when buying and selling a home. Conveyancing is fraught with complications and the laws surrounding property are constantly changing or being updated – and it was the EDP's aim to cut through the legal red tape and explain processes in a clear, concise matter.

I remember meeting Philippa for the first time in late 2006, when I had just taken over as property editor to discuss the possibility of her giving legal property advice in the form of a Q and A column. And, in the following New Year, Brief-Case, as we decided to call it, was born. It coincided with the evolution of the EDP property supplement and indeed the explosion in lifestyle content in our pages, enabling Philippa to take the column to new heights and discuss all matter of subjects affecting home owners and those renting, buying and selling. Such was the success of the column that Cozens-Hardy later agreed to sponsor the entire EDP property supplement, which it continues to do today. Philippa said: "I

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was delighted to be your first columnist with my first appearance on January 5, 2007 writing on freehold or leasehold property (see opposite.) The 10 years have flown past and we have very much enjoyed working with the EDP and keeping your readers informed of changes in the law and discussing topical legal issues with them.

"I confess a couple of my columns with a 'raunchy' theme led to quite a lot of feedback; in particular those regarding "bedroom noises from the neighbours" and "sunbathing naked". The most controversial column I wrote, however, was regarding fox hunting which resulted in a lot of emails from readers.

"I actually started off writing a column every week; then this dropped to fortnightly then monthly. We have had lots of changes in the law in that time including the introduction and then abolition of HIPs, changes in stamp duty and the rules of disclosure. Interestingly, I started the column at a time in 2007 when we were all suffering the property market dip but then we had the subsequent boom.

"I have covered all kinds of subjects from listed buildings and indemnity insurance to what to do if your property has Japanese knotweed to neighbour disputes and the alarming increase in property related fraud which I have



written about this week. My late mother kept each and every one of my columns until her death in 2010 which of course meant a great deal to me.

"I can't omit the fact that over the 10 years, our conveyancing department at Cozens-Hardy has gone from strength to strength and we remain the largest in Norfolk and (we like to think) the most highly regarded. Thank you for all your support over the last 10 years."

You can read Philippa's column in today's EDP Homes and on every first Friday of the month or you can read them online in the digital version of the supplement at www.edp24.co.uk/property

Philippa's top 3 changes in property law over a decade

HIPs

The government gave a whole new meaning to HIP replacements over this issue concerning the ill fated Home Information Packs. It became mandatory on August 1 2007 for all homes for sale with four or more bedrooms to have a seller's pack in place including a set of documents about the property including local authority searches, title documents, guarantees etc and was soon extended to include homes with three bedrooms. After much opposition, HIPs were scrapped in 2010, with the exception of the EPC, Energy Performance Certificate, which is still required today.

Stamp duty

This change in the amount of stamp duty paid on residential properties last April brought conveyancers much extra work right up to the deadline as people aimed to get house sales pushed through before having to pay the extra in duty. The stamp duty changes saw the amounts increased in increments with

houses for sale for up to £125,000 at zero, but the next £125,000 being charged at 2%, the next £675,000 being at 5%, the next £575,000 being at 10% and the remaining amount, above £1.5 million, being at 12%. And then more confusion came with extra stamp duty on buy to let/second homes - from April 1 last year, anyone purchasing a property in addition to their main home were required to pay an additional 3% in duty for the first £125,000 and 5% instead of 2% on the portion between £125,001 and £250,000 and 8% on the amount above £250,001.

Disclosure

The amendments to the regulations replaced The Property Misdescriptions Act 1991 (which made it an offence for estate agents to give any false or misleading information.) Agents now have to be seen to act equally for both seller and buyer. Sellers have to fill in a detailed form and solicitors have more responsibility to give information to the buyer's solicitor.



The amazing achievements of Cozens-Hardy over 10 years

Philippa Rudd has helped establish Cozens-Hardy within the community and over the years, the firm has done more and more in the way of sponsoring events. In 2012 and 2013 it sponsored the Norwich triathlon, inviting people from businesses locally to take part - including property editor Caroline Culot who was persuaded by Ms Rudd to do the tri swim in both events. The following year Cozens-Hardy decided to create its own family-friendly event and so the Cozens-Hardy Big Cycle Ride was born raising funds

for the Big C. The firm continued to run its Cycle Ride for the next two years, raising £3,337 last year for Big C. Also, for the past six years Cozens-Hardy has sponsored the hugely successful Lloyd Addison's Moveable Feast in aid of Parkinson's UK - last year it helped raise £18,900 for the charity. Cozens-Hardy will be sponsoring the Norwich Food and Drink Festival again this year - their third year. Next month Cozens-Hardy together with Norwich Print Solutions is sponsoring an afternoon tea in aid of Marie Curie.

Brief-Case:

Philippa's very first column in the EDP

I am buying a flat and the estate agents describe it as 'leasehold' rather than 'freehold'. Is that a problem?

No, it is not a problem - as long as you understand what leasehold means. As the flat you are buying forms part of a building there has to be a freeholder or management company who is responsible for repairing and maintaining the structure and exterior of the building - and the common parts such as access ways and shared stairways. Each individual flat owner could not be responsible for repairing his or her own part of the building because that would not be fair - for instance the owners of the top floor flat would have to bear the whole cost of repairing the roof. The freeholder or management company will arrange all necessary maintenance and structural works and will also be responsible for the buildings insurance for the building. All the expenses are then shared by the individual flat owners by way of a service charge and an annual ground rent that is paid to the freeholder. The lease will be for a fixed term and will set out the rights you will have (such as car parking). If your neighbor breaches his lease (by, for example, obstructing the access ways or having noisy parties) you can ask the management company to take action against him. Lease terms vary considerably and generally the cost of the property will increase with lease length.

Which parts of my flat will I be responsible for?

The lease will specify which parts of your flat you will have to repair (generally the internal parts) and which parts are the responsibility of the management company (normally the exterior, including the windows).

Can I do what I like with my flat?

There will be restrictions in the lease which you must note before you agree to buy it. There may be, for example, a restriction against 'sub-letting', which would mean that you would not be able to let the flat. There may also be restrictions preventing alterations without the approval of the management company. So read your lease carefully!

What happens when I want to sell it?

It's all very straightforward; you will have to give your solicitor a copy of the lease and the service charge information together with receipts for ground rent and any notices you have received.

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You can contact her on 01603 625231, tweet @PhilippaRudd or email caroline.culot@archant.co.uk if you have a question for Philippa.

What a decade for Philippa

As well as being the face of property law in the EDP for a decade, the past 10 years have seen Philippa succeed in some personal challenges as well as legal ones. Incredibly over the past 10 years, she has completed an amazing 13 marathons and an Ironman and has a qualifying place for this year's London marathon.

