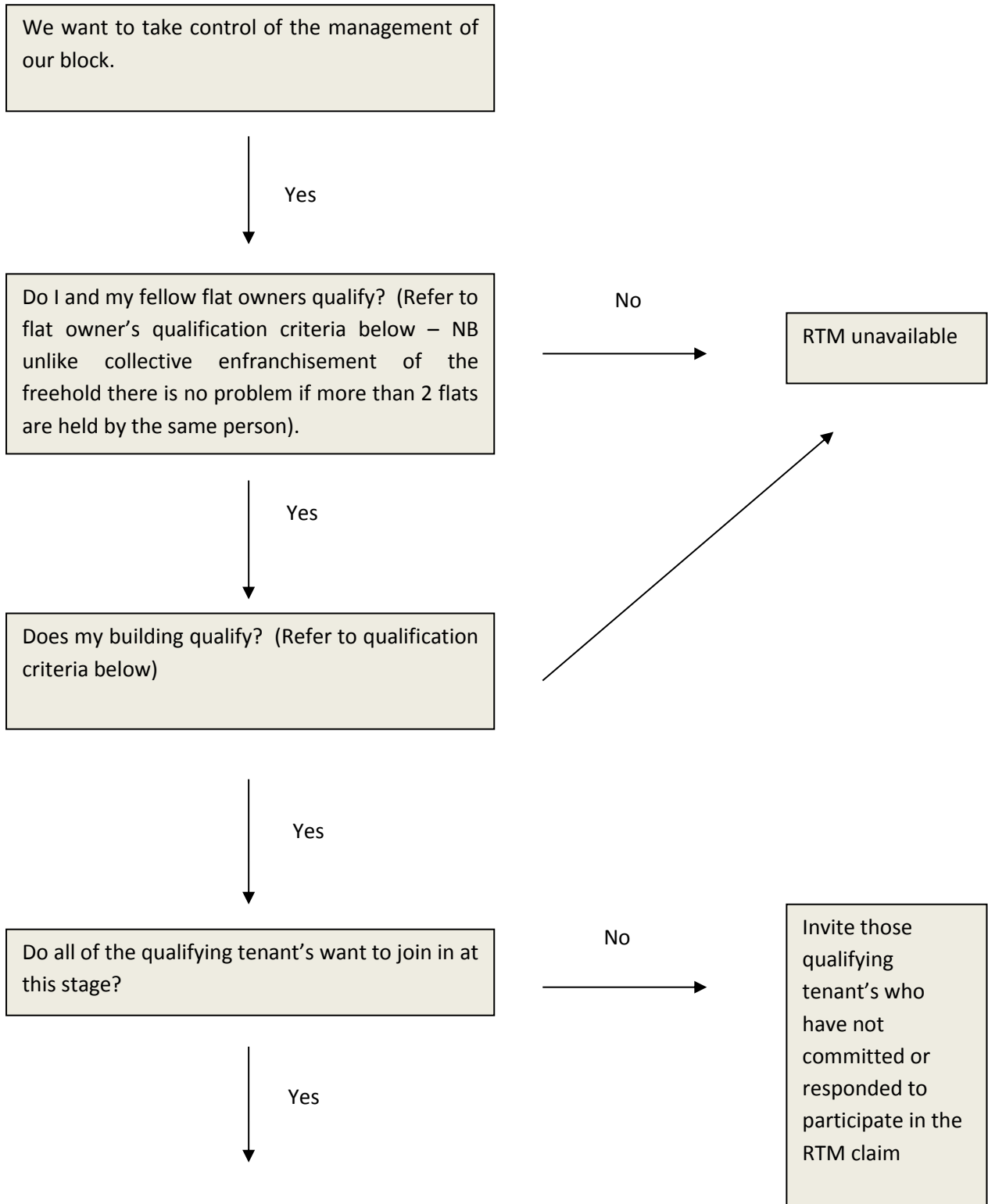


THE RIGHT TO MANAGE FLOWCHART



Do you need management information from the landlord to prepare for exercising the RTM?

Yes

Serve information notice (you can apply to County Court if you do not receive a reply from the landlord within the 28 day time limit)

No 28 days have elapsed

Set up RTM company (statutory format)

Consider:

- Exercising right of access (available where reasonably required in connection with any matter arising out of the claim notice).
- Are you ready to take over the management of the building from the Acquisition Date (i.e. have you chosen managing agents and any contractors that you require to replace those previously engaged by the landlord, such as for lift maintenance and buildings insurance)?
- Have you set-up a kitty to fund these expenses, prior to receipt of payments from the non-participants and any uncommitted service charge fund to avoid the RTM company being unable to carry out its functions?
- Collating information from all the flat owners including the participants as to their service charge contributions sums they have paid to the landlord so you can work out the uncommitted service charge figure ready to press for this and challenge any discrepancies in the landlord's figures when received (Application to First-tier Tribunal in that case).
- Have you calculated the voting rights that will apply to each of the members of the RTM company?

Serve claim notice

(You must specify a period of at least 1 month for the landlord to serve its counter-notice and at least 3 months from then for the Acquisition date. Invitation notice must have been served on the last of the non-participating tenant's at least 14 days ago.)

Circa 1 month

Counter-notice served by the landlord, disputing RTM

Yes

RTM company can apply to First-tier Tribunal to determine the issue. Deemed withdrawal of notice, if you don't apply within 2 months

No

Circa 3 months

Acquisition Date:

- All existing contracts terminate.
- Landlord has to pay over any uncommitted service charge fund.
- The landlord must serve notice of the RTM on its contractors and give you notice of those contracts.
- Serve information notice (s93) where landlord (or management company in lease) has information which the RTM company reasonably requires in connection with the RTM.