

LETTER OF CLAIM

- (a) **For use where an Early Notification Letter has been sent (as set out in Annex A).**

(i) **LETTER FROM SOLICITOR**

To Landlord

Dear Sirs,

RE: TENANT'S NAME AND ADDRESS OF PROPERTY

We write further to our letter of (*insert date*) regarding our client's housing disrepair claim. We have now taken full instructions from our client.

Repairs

The history of the disrepair is as follows:-(*set out history of defects*).

*I enclose a schedule which sets out the disrepair in each room.**

You received notice of the defects as follows (*list details of notice relied on*).

The defects at the property are causing (*set out the effects of the disrepair on the client and their family, including any personal injury element. Specify if there will be any other additional claimant*).

Please forward to us within 20 working days of receipt of this letter a full schedule of works together with the anticipated date for completion of the works proposed.

Claim

We take the view that you are in breach of your repairing obligations. Please provide us with your proposals for compensation. (*Alternatively, set out suggestions for general damages i.e. £x for x years*). Our client also requires compensation for special damages, and we attach a schedule of the special damages claimed.*

Yours faithfully,

* *Delete as appropriate*

(ii) LETTER FROM TENANT

To Landlord

Dear

RE: YOUR NAME AND ADDRESS OF PROPERTY

I write further to my letter of (*insert date*) regarding my housing disrepair claim. I am now able to provide you with further details.

Repairs

The history of the disrepair is as follows:-(*set out history of defects*).

You received notice of the defects as follows (*list details of notice relied on*).

The defects at the property are causing (*set out the effects of the disrepair on you and your family, including any personal injury element. Specify if there will be any other additional claimant*).

Please forward to me within 20 working days of receipt of this letter a full schedule of works together with the anticipated date for completion of the works proposed.

Claim

I take the view that you are in breach of your repairing obligations. Please provide me with your proposals for compensation. (*Alternatively, set out suggestions for general damages i.e. £x for x years*). *I also require compensation for special damages, and I attach a schedule of the special damages claimed.* *

Yours sincerely,

* Delete as appropriate

(b) For use where an Early Notification Letter has NOT been sent.

(i) LETTER FROM SOLICITOR

To Landlord

Dear Sirs,

RE: TENANT'S NAME AND ADDRESS OF PROPERTY

We are instructed by your above named tenant. (*Insert a sentence stating how the case is being funded.*) We are using the Housing Disrepair Protocol. We enclose a copy of the Protocol for your information. *

Repairs

Your tenant complains of the following defects at the property (*set out nature and history of defects*).

We enclose a schedule which sets out the disrepair in each room. *

You received notice of the defects as follows (*list details of notice relied on*).

The defects at the property are causing (*set out the effects of the disrepair on the client and their family, including any personal injury element, specifying if there are any additional claimants*).

Disclosure

Please provide within 20 working days of receipt of this letter a full schedule of the works you propose to carry out to remedy the above defects and the anticipated date for completion of the works.

Please also provide within 20 working days of this letter the following: -

All relevant records or documents including:-

- (i) copy of tenancy agreement including tenancy conditions
- (ii) tenancy file
- (iii) documents relating to notice given, disrepair reported, inspection reports or repair works to the property.
- (iv) computerised records

We enclose a signed authority from our clients for you to release this information to ourselves.

We also enclose copies of the following relevant documents:- (*list documents enclosed*)

Expert

If agreement is not reached about the carrying out of repairs within 20 working days of receipt of this letter, we propose to jointly instruct a single joint expert (*insert expert's name and address*) to carry out an inspection of the property and provide a report. We enclose a copy of their CV, plus a draft letter of instruction. Please let me know if you agree to his/her appointment. If you object, please let me know your reasons within 20 working days.

If you do not object to the expert being instructed a single joint expert, but wish to provide your own instructions, you should send those directly to (*insert expert's name*) within 20 working days. Please send to ourselves a copy of your letter of instruction to ourselves. If you do not agree to a single joint expert, we will instruct (*insert expert's name*) to inspect the property in any event. In those circumstances, if you wish to instruct your expert to attend at the same time please let ourselves and (*insert expert's name*) know within 20 working days.

Claim

We take the view that you are in breach of your repairing obligations. Please provide us with your proposals for compensation. (*Alternatively, set out suggestions for general damages i.e. £x for x years*). Our client also requires compensation for the special damages, and we attach a schedule of the special damages claimed.*

Yours faithfully,

* Delete as appropriate

(ii) LETTER FROM TENANT

To Landlord

Dear

RE: YOUR NAME AND ADDRESS OF PROPERTY

I write regarding the disrepair at the above address. I am using the Housing Disrepair Protocol. *I enclose a copy of the Protocol for your information.**

Repairs

The property has the following defects (*set out nature and history of defects*).

*I enclose a schedule which sets out the disrepair in each room.**

You received notice of the defects as follows (*list details of notice relied on*).

The defects at the property are causing (*set out the effects of the disrepair on you and your family, including any personal injury element, specifying if there are any additional claimants*).

Please provide within 20 working days of receipt of this letter a full schedule of the works you propose to carry out to remedy the above defects and the anticipated date for completion of the works.

Disclosure

Please also provide within 20 working days of receipt of this letter the following:-

All relevant records or documents including:-

- (i) copy of tenancy agreement including tenancy conditions
- (ii) tenancy file
- (iii) documents relating to notice given, disrepair reported, inspection reports or repair works to the property
- (iv) computerised records.

I also enclose copies of the following relevant documents:- (*list documents enclosed*).

Expert

If agreement is not reached about the carrying out of repairs within 20 working days of receipt of this letter, I propose that we jointly instruct a single joint expert (*insert expert's name and address*) to carry out an inspection of the property and provide a report. I enclose a copy of their CV, plus a draft letter of instruction. Please let me know if you agree to his/her appointment. If you object, please let me know your reasons within 20 working days.

If you do not object to the expert being instructed as a single joint expert, but wish to provide your own instructions, you should send those directly to (*insert expert's name*) within 20 working days. Please also send a copy of the letter of instruction to me. If you do not agree to a single joint expert, I will instruct (*insert expert's name*) to inspect the property in any event. In those circumstances, if you wish to instruct your expert to attend at the same time please let me and (*insert expert's name*) know within 20 working days.

Claim

I take the view that you are in breach of your repairing obligations. Please provide me with your proposals for compensation. (*Alternatively, set out suggestions for general damages i.e. £x for x years). I also require compensation for special damages, and I attach a schedule of the special damages claimed.**

Yours sincerely,

* *Delete as appropriate*