



Homes
England

Making homes happen

Date: 5 February 2021
Our Ref: RFI3270
Tel: 0300 1234 500
Email: infogov@homesengland.gov.uk

[REDACTED]
By Email Only

Windsor House
Homes England – 6th Floor
50 Victoria Street
London
SW1H 0TL

Dear [REDACTED]

RE: Request for Information – RFI3270

Thank you for your recent email, which was processed under the Freedom of Information Act 2000 (FOIA).
You requested the following information:

Could I please make a further request for a copy of the redemption process as referred to on page 55 (Schedule 3, section 5.3.1)?

This was in relation to our response to your previous request for information (RFI3085), our response to which can be found here for reference: [RFI3085 - Target Servicing.pdf \(publishing.service.gov.uk\)](#).

The extract referred to in your request (Schedule 3, section 5.3.1) is as follows:

- 5.3 The Mortgage Administrator will be required to adhere to agreed process guidance as may be updated by the Agency from time to time at its absolute discretion with the Mortgage Administrator undertaking that such procedures are compliant with all legislation applying to the regulated and un-regulated portfolio and to advise the Agency of any conflict between the agreed procedures and the applicable legislation (provided always it is the Mortgage Administrator's responsibility to ensure that such documents and procedures adhere to all relevant consumer credit, FCA mortgage regulation and other legislative and regulatory requirements); the agreed procedures comprising:

5.3.1 Redemption Process;

Response

We are able to inform you that we do hold the information that you have requested. However, we rely on section 21, exemption where information is available to the applicant elsewhere.

The full text of the legislation can be found on the following link and we have quoted section 21 below for ease.
<https://www.legislation.gov.uk/ukpga/2000/36/section/21>



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21 - Information accessible to applicant by other means.

(1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.

(2) For the purposes of subsection (1) —

(a) information may be reasonably accessible to the applicant even though it is accessible only on payment, and

(b) information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information available for inspection) to members of the public on request, whether free of charge or on payment.

(3) For the purposes of subsection (1), information which is held by a public authority and does not fall within subsection (2)(b) is not to be regarded as reasonably accessible to the applicant merely because the information is available from the public authority itself on request, unless the information is made available in accordance with the authority's publication scheme and any payment required is specified in, or determined in accordance with, the scheme.

Advice and Assistance

We have a duty to provide advice and assistance in accordance with Section 16 of the FOIA. As such, we can advise that the Help to Buy Redemption Process as referred to is published on the following link:

<https://www.myfirsthome.org.uk/wp-content/uploads/2016/05/CUSTINFO-Approved-04May2018.pdf>.

Right to Appeal

If you are not happy with the information that has been provided or the way in which your request has been handled you may request an internal review by writing to;

The Information Governance Team
Homes England – 6th Floor
Windsor House
50 Victoria Street
London
SW1H 0TL

Or by email to infogov@homesengland.gov.uk

You may also complain to the Information Commissioner however, the Information Commissioner does usually expect the internal review procedure to be exhausted in the first instance.

The Information Commissioner's details can be found via the following link

<https://ico.org.uk/>



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Please note that the contents of your request and this response are also subject to the Freedom of Information Act 2000. Homes England may be required to disclose your request and our response accordingly.

Yours sincerely,

The Information Governance Team

For Homes England