



Homes
England

Making homes happen

Date: 17 June 2022

Our Ref: RFI3883

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

By Email Only

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

Dear [REDACTED]

RE: Request for Information – RFI3883

Thank you for your recent email, which was processed under the Environmental Information Regulations 2004 (EIR).

You requested the following information:

1) *I previously received a response from Homes England stating that of the Help to Buy homes affected by ACM cladding, 184 had seen their loans redeemed. I understand that of these 38 equity loans were redeemed where less was received than the equity originally lent (the amount lost was £476,410.89, and the remaining 135 loans were redeemed where the amount was equal to or more than the equity amount (gains of £1,011,215.63).*

Could you please provide me with the exact dates for when all of these loans were redeemed? Or if not days, could you provide me with the months?

2) *On 4th August Help to Buy (HTB) guidance moved from being hosted on a separate website to being hosted on the gov.uk. In this guidance it stated that surveyors should now take into account the impact dangerous cladding will have on the value of the property before a leaseholder sells or redeems their flat. Before this, Homes England's position to leaseholders was that they could only sell their homes at "unaffected market value", which means at a value that doesn't take into account the impact the cladding will have on the building's overall value.*

*Could you **A)** provide me with the exact date for when that policy changed? **B)** provide me with any internal/external documentation explaining the reason behind the decision?*

Response

We can confirm that we do hold some of the requested information. We will address each of your questions in turn.

1) *I previously received a response from Homes England stating that of the Help to Buy homes affected by ACM cladding, 184 had seen their loans redeemed. I understand that of these 38 equity loans were redeemed where less was received than the equity originally lent (the amount lost was £476,410.89, and the remaining 135 loans were redeemed where the amount was equal to or more than the equity amount (gains of £1,011,215.63).*

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Could you please provide me with the exact dates for when all of these loans were redeemed? Or if not days, could you provide me with the months?

For clarity, the previous response referred to is RFI3757, which is available on our disclosure log here:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1066495/RFI3757 - Help to Buy Cladding.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1066495/RFI3757_-_Help_to_Buy_Cladding.pdf).

The information requested for the 184 redeemed loans is attached as Annex A.

2) On 4th August Help to Buy (HTB) guidance moved from being hosted on a separate website to being hosted on the gov.uk. In this guidance it stated that surveyors should now take into account the impact dangerous cladding will have on the value of the property before a leaseholder sells or redeems their flat. Before this, Homes England's position to leaseholders was that they could only sell their homes at "unaffected market value", which means at a value that doesn't take into account the impact the cladding will have on the building's overall value.

Could you A) provide me with the exact date for when that policy changed? B) provide me with any internal/external documentation explaining the reason behind the decision?

We can confirm that we do hold information in scope of a) and b) in your request. However, we are withholding this from disclosure under the following exception:

Regulation 12(5)(b) – Manifestly Unreasonable

Under regulation 12(5)(b) of the EIR, Homes England may refuse to disclose information to the extent that to comply with the request would be manifestly unreasonable.

In this case, it is unreasonable for Homes England to comply with this request as the scope of the request is substantially similar to one previously submitted by you and responded to by Homes England. The information held by Homes England in scope of this part of your request is the same as requested in Q4 of your previous request referenced RFI3757.

The response to RFI3757 was subject to our internal review procedure. The internal review of RFI3757 confirmed that information is held by Homes England in scope of Q4, but that this information is exempt from disclosure under Regulation 12(4)(e) (Internal Communications) and Regulation 12(5)(b) (The Course of Justice).

Given that the internal review response to RFI3757 was issued on 6 May 2022 and confirmed as above we do not consider that a 'reasonable interval' has passed for a request received by you on 18 May 2022 for this same information to be processed.

Homes England has considered the public interest in application of this exemption. Given the short amount of time that has passed since the internal review considered disclosure of the information in scope of this question we do not consider that it is in the public interest for Homes England to divert resources to process a substantially similar request.



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Right to make Representations

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 a reconsideration of our response (Internal Review). You can make this representation by writing to Homes England via the details below, quoting the reference number at the top of this letter.

Email: infogov@homesengland.gov.uk

The Information Governance Team

Homes England – 6th Floor

Windsor House

50 Victoria Street

London

SW1H 0TL

Your request for reconsideration must be made in writing, explain why you wish to appeal, and be received within 40 working days of the date of this response (Reg 11(2)). Failure to meet this criteria may lead to your request being refused.

Upon receipt, your request for reconsideration will be passed to an independent party not involved in your original request. We aim to issue a response within 20 working days.

You may also complain to the Information Commissioner's Office (ICO) 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/>

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

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Equity Loan redemption date
10/12/2021
01/06/2021
11/05/2021
25/06/2021
19/02/2016
02/10/2013
09/01/2015
21/05/2014
04/06/2013
18/10/2016
05/01/2015
28/08/2015
12/05/2017
07/08/2015
04/11/2015
16/04/2014
15/12/2014
30/12/2019
23/08/2019
03/10/2016
15/02/2016
20/12/2018
18/11/2016
10/09/2021
26/10/2018
09/09/2016
04/01/2019
16/05/2016
03/09/2018
29/01/2018
25/02/2015
01/06/2017
23/11/2020
05/02/2016
17/02/2021
03/12/2021
07/12/2015
12/01/2016
12/10/2017
03/11/2017
19/01/2017
22/10/2015
02/08/2021

RFI3883 – Annex A

10/06/2016
02/12/2016
13/12/2019
05/12/2017
06/07/2015
07/01/2020
04/02/2021
07/06/2019
29/04/2019
29/03/2018
26/04/2016
15/03/2019
01/05/2019
20/03/2017
22/04/2021
31/01/2020
25/10/2016
28/12/2017
16/03/2018
27/11/2020
21/06/2019
12/03/2020
04/03/2020
13/08/2021
23/09/2016
25/10/2017
27/09/2016
16/01/2019
31/10/2018
10/12/2021
21/05/2015
27/10/2016
20/05/2019
05/08/2021
26/05/2016
11/11/2016
17/05/2019
17/04/2020
08/06/2018
14/12/2017
29/06/2021
12/10/2017
21/05/2019
24/07/2018

29/03/2018
03/06/2016
19/09/2016
08/09/2017
20/01/2022
16/05/2017
04/01/2019
31/08/2021
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02/12/2016
24/05/2019
20/12/2018
25/01/2021
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04/02/2020
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27/04/2017
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30/09/2016
26/07/2016
01/02/2017
21/10/2016
29/06/2020
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11/09/2015
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15/04/2016
27/10/2017
07/12/2020
28/10/2019
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16/09/2016
22/05/2017
20/02/2018
25/02/2016

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06/12/2017
15/03/2021
07/10/2019
25/05/2018
21/11/2016
30/03/2021
14/09/2018
02/11/2018
23/07/2020