

# Minutes of The Springhill Cohousing Community Ltd

Held on Sunday 20<sup>th</sup> September 2015

Present: David M (chair), Sharon, Jane, Malcolm, Sylvia, Anne H, Sarah, Tree and David H

The Proposal to address Serious Breaches of the Lease, as written below and slightly amended in 3 places, was approved unanimously.

Meeting started at 6.30pm with a go round and ended at 7.10pm with a go round.

*NB The chair forgot to ask for the previous minutes of the 15<sup>th</sup> January 2015 to be approved. Those minutes and these will be on the next agenda for approval.*

*The directors asked for the Disputes Resolution System to go on the next RA meeting agenda as a discussion item.*

## Serious Breaches of the Lease Procedure

- 1) Any 10 directors can send a specific Letter to the Lessee/s who they believe is/are committing a serious breach of the lease. Copies to all directors.
- 2) They must satisfy themselves that they have exhausted reasonable ways to resolve the issue, including bringing the matter to a Residents Association meeting.
- 3) The Letter (attached) is sent to the Lessee/s committing the breach, explaining this procedure and why they (10 directors) think the Lessee/s have committed a serious breach. Invite them to rectify the breach within 10 days.
- 4) If they do not rectify the breach then the Company Secretary is asked to instruct solicitors to send the Lessee/s a letter explaining the breach and an invoice for the cost of the letter and advice.
- 5) Continue instructions to solicitors for forfeiture proceedings, costs to be born by the Lessee/s.
- 6) Prior to any directors' meeting on the issue, the Lessee/s is/are removed as directors. Re-instated after resolution.

### The Letter:

#### Allegation of a serious breach of the Lease

Date .....

Dear Lessee/s

We are writing to you as directors of Springhill Cohousing Community Ltd. using an agreed procedure. We believe you have committed a serious breach of the Lease.

- 1) The Allegation is that you have .....

- 2) So far members of the community have tried to help you resolve the issue by:
  - a) Discussing the issue with you .....
  - b) Using the Disputes Resolution system .....
  - c) Bringing the matter to a Residents Association Meeting .....
  - d) Other methods .....
- 3) We feel we have exhausted reasonable methods of resolution and now ask you to remedy the breach of the Lease within 10 days of the date of this letter.
- 4) The next stage of the process is that we will instruct our solicitor to write to you, explaining the breach and what you need to do. You will be liable for the cost of this letter.
- 5) If you are still unable to resolve the matter then the solicitor is instructed to begin and continue with forfeiture proceedings. You will be liable for the legal costs at every stage.
- 6) We will still be open and keen to consider other ways of resolution at any point.

Yours faithfully

Signed by 10 directors (or by email)