Alterations, subletting and pets: handling consent requests

How to deal with leaseholders' requests for permission to alter, sublet or keep animals, fairly and in line with the lease.

Most leases do not let a leaseholder do whatever they like. Alterations, subletting, short lets, pets and flooring commonly need permission from the landlord or the management company. Handling these requests well keeps the building orderly, and avoids accusations of favouritism.

Start with the lease

Find the clause that applies, and check:

- whether consent is needed, and from whom;
- whether it can be refused, or only if reasonable;
- what the leaseholder must provide, such as plans, a method statement or insurance;
- whether a fee, or recovery of costs, is allowed;
- whether a formal deed or licence is required.

Alterations

Typical requests include removing walls, changing floors, installing kitchens and bathrooms, adding air conditioning and changing windows. Consider:

- structural safety and the impact on neighbours, including noise;
- effect on fire safety and compartmentation, and on insurance;
- whether work touches the structure or the common parts;
- working hours, protection of common areas and cleaning up;
- reinstatement at the end of the lease, where required.

A licence for alterations should record the conditions. Take advice before agreeing to structural work.

Subletting and short lets

Some leases ban or limit subletting. Short lets and holiday lets raise further concerns: insurance, noise, safety, security and, in some cases, planning rules. Check the lease, the insurance conditions and the current law.

Pets

Pet clauses vary from a ban to a requirement for consent. Decide a consistent policy, apply it to everyone, and record each consent and any conditions. Be mindful of the law on assistance animals.

Fees

Charges for dealing with a request must be reasonable, and are limited by the lease. A leaseholder can challenge an administration charge at the tribunal.

A standard process

1. Acknowledge the request in writing.
2. Ask for all the information you need.
3. Take advice where it is complex.
4. Decide within a reasonable time, and give reasons for any refusal.
5. Record the outcome and any conditions in a short licence or letter.

Be consistent

Treating similar requests differently is the surest way to cause disputes. Keep a register of consents, so you can show what was agreed for other flats.

Enforcement

If a leaseholder acts without consent, start with a polite letter, then a formal one. Take advice before any step that could threaten the lease.

> Put the rules in plain English. A one-page summary of what needs consent saves many awkward conversations.

General information, not advice on your circumstances. Leasehold law is detailed and changes: check the current position and take advice before acting. Leasehold Clarity is provided by Leasehold Clarity Limited (company no. 16963931), with management and professional services from Murphy Thompson Moore LLP (LLP No. OC314041).