

# Dealing with water leaks

For Crawley Borough Council leaseholders

**Water leaks can cause a great deal of damage and can be costly so need dealing with as quickly as possible.**

## Who's responsible?

The owner of a flat is responsible for any water pipes, which exclusively serve the flat. The council is responsible for any communal pipes or equipment (e.g. water tanks) serving more than one flat as well as pipes in flats they own. Council tenants are responsible for their own washing machines and other appliances.

If water escapes from your flat and runs into other parts of the building causing damage, you may be held personally responsible. The causes could include: faulty overflows, burst pipes, poorly installed appliances, and poorly maintained seals.

A claim against you could be made by your neighbours, the council or more likely their insurance company for the cost of making good any damage, replacing furnishings and redecoration, any insurance excess and even temporary accommodation whilst repairs are done.

## Be prepared

Make sure you take all necessary precautions to stop water escaping from your flat. Regularly check pipes and seals, make sure the stopcock and valves are working and turn off the water if you're going to be away.

Make sure your tenants know what to do

## Help us out

Please cooperate if we need to get in to your flat to sort out a leak that's causing damage to another flat, and make sure any tenants you have understand the need to do this.

Got a leak?

Get a plumber

Fix it!



## **Got a leak?**

**Check** - Check your appliances and any pipework you can easily get to.

**Turn off** - Isolate the problem, turn off any stop valves or the main stopcock in your flat.

**Get** - Get hold of a qualified plumber.

**Fix** - If the leak is your responsibility, get the plumber to fix it. Then tell the council it's fixed.

**Tell** - If the leak is not your responsibility, get a report from your plumber and get in touch with Crawley Repairs Team immediately. (Your plumber must not interfere with communal pipe work and they should try to avoid switching off water that might affect other residents).

**Good neighbour** - Keep your neighbours informed.

## **Do nothing and we will....**

If you do not arrange for a qualified plumber to fix the problem and you allow the leak to continue you will breach your lease.

If the leak is not fixed and causes damage, we can stop the water to the flat, which will affect everyone living there.

In extreme cases where a leaseholder does not carry out the necessary repair, we can force entry and carry out the repair at their expense. In order to do this, we may need to go to court for legal permission and the leaseholder would be liable for our legal costs as well.

If a leak from your flat results in any damage to the infrastructure of the building then the cost of repairs (including VAT) will be chargeable to you directly.

However, you may be able to claim the cost of this and the cost of any damage to your flat from the buildings insurance.

## **Subletting and Managing Agents**

Even if you do not live in or manage the flat you own you will still be responsible for repairing leaks and for the cost of fixing any damage caused, so please make sure any tenants you have, know what to do and who to contact.



## Case study

Water started to pour out of the overflow in the second (top) floor flat. The flat was owned by a leaseholder and sublet to a tenant who lived there.

The resident of the flat was not cooperative and the problem persisted for several weeks. A repair was attempted but was not successful.

The water continued to flow.

During this time, the council owned ground floor flat became vacant and

work to prepare it for new tenants found severe water damage from the leak.

The water had penetrated the walls, the insulation in the wall was soaked and the plaster was starting to fall off the walls.

We will charge you for the cost of repairs.

This cost, over £2,000 plus VAT, will be billed to the leaseholder of the flat where the leak originated. It is not included in the charges for the block.

As there was a delay in fixing the leak, the buildings insurance might not cover the cost of the repair work needed.

## Lessons learned

- Fix leaks as soon as possible, don't delay
- Tell any tenants they need to co-operate with the council and allow us reasonable access
- Others may claim against you for damage caused
- Costs will escalate if you do not act quickly
- You may invalidate your insurance if you delay.

## Water's coming through my ceiling

- Ask your neighbour to turn off their water at their stopcock, until they can get a plumber
- If your neighbour is out and you don't have contact details call us. We may have their details to call them for you. This is why it is important we have your contact details or the contact information for someone who can gain access to the flat
- Do what you can to lessen the damage such as getting something to catch the water
- If the leak is in the pipework of a council flat, we'll repair it, but it's down to the tenant if the leak is coming from their washing machine or another appliance
- If a leaseholder owns the property, they're responsible for repairing any leak, even if they are subletting their home.

We need your contact details.

## Who pays?

Damage to buildings and or fixtures, fittings and decorations caused by a water leak from a leaseholders flat will be charged to the leaseholder, however the cost of damage to theirs and other flats may be covered by the buildings insurance.

Get home contents insurance.

Claim the cost of damage to the contents of your home and personal belongings from your home contents insurer. This is not covered by buildings insurance.

If you don't have contents insurance and you feel your neighbour is responsible, you can only make a claim against them if you can prove they have been negligent.

Always report water leaks to the buildings and contents insurers as soon as possible in case you need to make a claim.

Be aware the building insurance will not cover damage due to negligence or could have been avoided and this could include a delay in stopping the leak.

Contact numbers

**Buildings insurance:** J Arthur Gallagher 01245 341212.

**Crawley Repairs Team:** 01293 438592

**Leasehold Services:** 01293 438392 email [leasehold.services@crawley.gov.uk](mailto:leasehold.services@crawley.gov.uk)

Further advice on any aspect of owning a leasehold property can be obtained from the Leasehold Advisory Service. This a public body sponsored by the Government to provide advice and guidance to leaseholders. Their website address is: [www.lease-advice.org](http://www.lease-advice.org) or call them on 020 7832 2500.