

Leasehold information for Apartments over Garages which belong to freehold houses

There are homes being sold on this development where an apartment is built over garages (referred to as FOG's). The apartment and one garage is sold freehold. The remaining garages are owned by houses which are sold freehold and their garages are sold leasehold.

The properties on Portal @ Lyde Green where this applies are houses plot number 89 and houses plot number 88 and 87.

Properties that form part of a flat over garages arrangement are referred to as 'FOG's'. The owner of a FOG is the freeholder of their flat, the structure of the whole building and also the garages underneath the flat. Garages under flats are referred to as 'GUF's'.

Below is an explanatory note regarding the structure of the FOG arrangement.

The FOG Buyer owns the structure of the whole and is the freeholder of his flat, his garage and the (3) garages under the flat (referred to throughout as "GUFs"). Below is an example of what this could look like.

FOG = FLAT OVER GARAGE	FOG		
GUF = GARAGE UNDER FLAT	Garage for FOG	GUF	GUF

The FOG

The FOG Buyer owns the structure of whole of the building, and owns the freehold interest in the FOG and the garages below. Depending on the size and design of the FOG there may be 2, 3 or 4 garages below the FOG.

The FOG owner recovers from the garage owners a proportion (set out in the garage leases) of the maintenance expenses and insurance premium for the building.

On completion of the sale of the FOG, the FOG owner will be provided with the Transfer of the FOG, together with the original Leases for the garages.



The GUF

In order that the garage leases are effected simultaneously, and to ensure that the FOG is sold subject to the leases, the leases of the garages which are not being sold with the FOG are granted to the Developers nominee company. When the associated property is sold, the leasehold interest in the GUF is transferred with the house at nil consideration.

The length of the term of the garage lease is 999 years and the initial ground rent is an actual peppercorn which is not collected by the landlord. It is also important that your Solicitor should advise you about the detailed terms of the lease.

The owner of the leasehold garage will not be able to acquire the freehold of the garage.

IMPORTANT: You are strongly advised that you should take independent legal advice in relation to the purchase of the property, including all matters covered by this document