

WBL Logbook Sheet Template

Learning Outcome and example number e.g. 1.1(1), 1.2(2), 1.2(1) 1.2(2) etc.	Page numbers from portfolio
1.4(1): Undertake legal research	27-30
Evidence provided and date of evidence e.g. Letter to client dated 01.01.2020 Telephone attendance note dated 01.01.2020	
Extract from the Housing Act 1985 Email to the client dated 01.09.2020	
Explain how the example meets the learning Outcome and how the evidence shows this	
<p>Identify a situation in which you need to undertake legal research I was involved with a Right to Buy matter where I had served a landlord's second notice to complete under the Housing Act 1985.</p> <p>This notice gave the tenant eight weeks (from the date of the notice) to complete on their purchase.</p> <p>The notice period had expired and the tenant had failed to make progress in the purchase of the property. After expiry of the landlords second notice the tenant requested an extension of time.</p> <p>The client emailed me asking what the councils position was in relation to the matter given that the last notice to complete had expired.</p> <p>I did not know what the rules were regarding this and so I identified that I needed to carry out research in order to advise both the client and the tenant solicitors.</p> <p>The sources I identified to undertake the research I knew that Right to Buy applications were governed by the Housing Act 1985 so I identified that as the main source to find the answer to my question.</p> <p>The research I undertook I used legislation.gov.uk to bring up the act in full and read over the subheadings contained within the act. I then identified that section 141 was the most relevant.</p> <p>How I applied the findings of my research to the matter Once I identified the relevant section of the Housing Act 1985, I read its contents and was then able to advise the client that the section 141 could not be extended past the expiry date. I then wrote to the tenant's solicitors to confirm that the tenant needed to go through the Right to Buy application process again as the time period couldn't be further extended.</p>	

Reflection and evaluation

Describe what you learnt from the activity you undertook to meet the Learning Outcome. You may want to complete this section at a later date once you have had time to reflect on your practice and experience.

Whilst I understand the general rules and procedures of carrying out certain work, I understand that every case is different and a question as to the rules or procedures may come up in which I do not know the answers to. It then becomes clear why it is so important to be able to carry out legal research. I understand that I must be able to do this and use the resources I have to be able to advise my client and/or others accurately.

Supervisor's Name

Please print the full name of the supervisor that supervised the work referred to above within this logbook sheet and the supporting evidence.

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Housing Act 1985

UK Public General Acts 1985 c. 68 PART V Completion of purchase in... [Section 141](#)

[Table of Contents](#) [Content](#) [More Resources](#)

[Previous: Provision](#)

[Next: Provision](#)

[Plain View](#)

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Changes over time for: [Section 141](#)

01/02/1991

18/01/2005

Changes to legislation: Housing Act 1985, Section 141 is up to date with all changes known to be in force on or before 28 April 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

141 Landlord's second notice to complete.

- (1) If the tenant does not comply with a notice under section 140 (landlord's first notice to complete), the landlord may serve on him a further written notice—
 - (a) requiring him to complete the transaction within a period stated in the notice, and
 - (b) informing him of the effect of this section in the event of his failing to comply.
- (2) The period stated in a notice under this section shall be such period (of at least 56 days) as may be reasonable in the circumstances.
- (3) At any time before the end of that period (or that period as previously extended) the landlord may by a written notice served on the tenant extend it (or further extend it).
- (4) If the tenant does not comply with a notice under this section the notice claiming to exercise the right to buy shall be deemed to be withdrawn at the end of that period (or as the case may require, that period as extended under subsection (3)).
- (5) If a notice under this section has been served on the tenant and by virtue of section 138(2) (failure of tenant to pay rent, etc.) the landlord is not bound to complete, the tenant shall be deemed not to comply with the notice.

[Previous: Provision](#)

[Next: Provision](#)

[Help](#) [About Us](#) [Site Map](#) [Accessibility](#) [Contact Us](#) [Privacy Notice](#) [Cookies](#)

[Back to top](#)

[Redacted]

Sent: 01 September 2020 11:43

To: [Redacted]

Subject: RE: [Redacted]

Morning [Redacted],

That's correct the section 141 notice was served on the tenant and has since expired. This means that under the Housing Act, as the tenants did not respond to our communication or request an extension of time, their application is deemed to be withdrawn. A withdrawal memo was sent out last week.

The tenant will need to make a new application to the Council if they wish to proceed with the purchase of their home.

When contacting them I would also stress the importance of responding to the Council (including the Fraud Teams the due diligence questionnaires) in good time to avoid another lapsed application.

If you need any further information please let me know.

Kind regards,

[Redacted]

To allow us to deal with the disruption caused by Coronavirus /COVID-19 please communicate with us only by

[Redacted]

From: [Redacted]

Sent: 01 September 2020 10:43

[Redacted]

I have been contacted by the buyers for the above and they wish to progress their RTB application. Can you please advise on our position as I recall that the section 141 notice was served and is expired?

E [Redacted]
F [Redacted]
Lease Compliance & Home Sales Team
Tenancy Services

[Redacted]