

QUESTION OF THE WEEK

Q My wife and I moved into a new Taylor Wimpey house seven years ago and have been paying the ground rent of £250 a year. We have just received a letter from the freeholder stating that under the terms of our lease, the ground rent will increase to £500 a year from January 1. We have checked the lease and it seems to suggest that the ground rent will be reviewed, and doubled, every 10 years. Can we challenge this increase? How can they justify doubling it? It seems a lot against the value of the house: £130,000 for a three-bed semi in a poorer part of Bolton.

Garry Evans, Bolton

CAN A FREEHOLDER DOUBLE MY GROUND RENT?

When you bought the house you should have received advice about all the terms of the lease, and that should have included the amount of rent. If you are unhappy about that advice, contact the solicitors who acted for you.

You might have other legal rights.

For example, long leaseholders of houses have rights to buy the freehold of their houses under the Leasehold Reform Act 1967. The rights and restrictions in that act are very detailed, as is the calculation of the amount that would be payable, so you should take specialist legal advice.

It beggars belief that plc housebuilders have built leasehold flats and houses with these kinds of ground-rent terms, says Sebastian O'Kelly, trustee of the Leasehold Knowledge Partnership (leaseholdknowledge.com), which campaigns for leasehold reform. It could possibly make it difficult to sell a property in the future. Contact your local MP. There is an all-party parliamentary group on leasehold reform, chaired by Sir Peter Bottomley (Con, Worthing West) and Jim Fitzpatrick (Labour, Poplar and Limehouse) who are examining these issues. They have called on housebuilders to make these leases fair.

Taylor Wimpey responds: "At Taylor Wimpey, we ensure that our customers have independent legal representation and all the relevant legal documentation confirms the ownership structure and terms upon which the property is being purchased."

Q I'm worried about asbestos. My son and his partner are renovating their 1970s house. When they took up the carpet, they discovered Marley tiles, a workman said they may contain asbestos. How can they check?

Freda Windmill, via email

A When undertaking any form of refurbishment, it is wise, and now a legal requirement, to carry out a full asbestos survey before starting works. The report produced should be provided when you sell (if the property was built after 2000, there is not usually a requirement).

In this instance, I'd stop all building work and contact an asbestos survey company. They will carry out a survey on the whole property (it should cost about £250). Samples will be taken if asbestos is suspected and within a few days you will have a full report. If it finds the substance, the report can be sent to an asbestos removal company who will give you a quote for its removal and disposal, and tell you if you can carry on with works in other parts of the house while you wait.

Billy Heyman, managing director of the London design and build company BTL Property; btlpropertyltd.co.uk

Q Do you need help from one of our experts? Email your questions to homehelp@Sunday-times.co.uk. Advice is given without responsibility.

Q We have a problem with flooding when there is a downpour. Outside our house there is a dip in the road and a gully. Our drive drops down from the road. The gully is blocked so the water flows down our drive, through the garage and then floods the back garden. The council cleared the main drain (the source of the problem) a few years ago, but the problem has recurred. We've asked the council to clear the gully and have been told we're "on the list". We are worried about the potential damage to our property and belongings. What can we do?

Rosemarie Frost, via email

A The council owes a "measured" duty to take reasonable steps to prevent flood water damaging your property. The extent of that duty depends upon what is reasonable in the circumstances. This includes consideration of the available preventive measures and the costs.

The resources of the council are subject to competing demands. It may not always be reasonable to spend those resources to protect an individual's property. Nonetheless, as the council is aware of the risk, if it fails to carry out reasonable preventive measures, it may be liable for the cost of damage caused by the water.

It seems that the need for remedial action has been recognised, which is a good start. To protect your position and ensure prompt action you might write to the council recording any damage (enclose photographs), setting out any financial loss incurred and requiring that the issue be repaired promptly (and the cost of repairs reimbursed). You could also mention that, as we approach winter, the situation may only deteriorate. If you sell your property, this correspondence could be disclosed to potential buyers so the issue should be measured. In the meantime, do review your home insurance policy, as it may cover this type of damage.

Siobhan Jones and Graham Anderson, Farrer & Co; farrer.co.uk

Q I was a big fan of Marston & Langinger's paint colour Drab, but the company no longer exists. How can I find out who made their paint?

Jen, North Yorkshire

A Marston & Langinger is available once again. Fenwick and Tilbrook is now manufacturing and distributing it from our North Norfolk base. The colour palette is the same, and available in three finishes: chalky interior matt, interior eggshell and exterior eggshell. It can be ordered from marstonandlanginger.paint.com. We can match most colours.

In general, for discontinued colours, most paint and decorating merchants offer a digital colour-matching service, but accuracy varies wildly. Always keep a sample pot from your project for future reference: a wet sample is the only real way to achieve the exact same colour.

Martin Fenwick, director, Fenwick & Tilbrook

Q We have a leather sofa that gets sticky at the top from hairspray and hair grease. We've tried soap and water, and leather cleaner, but no joy. Reg Lloyd, via email

A Most good sofa companies supply leather cleaners. If not, use a mild cleaner such as dishwashing detergent, generous squirts of it, and avoid getting the leather too wet. Use only the soap suds, and lots of them. Dip a nonabrasive cloth in the bubbles, ensure it's not too wet and use elbow grease. Repeat a few times.

Wayne Penney and Steph Bran, founders of theydoers.com

TOP TIPS

Didn't want a pink shirt? When noncolourfast items, often newer ones, are washed in hot water, dye bleeds from the fabric. Here's how to avoid nasty surprises in the washing basket

HOW TO PREVENT IT

Most labels won't indicate if fabric is colourfast. To test your item, wet a small area of the garment and blot it with kitchen roll and iron it. If colour rubs off on paper, it's noncolourfast. Or wet an inside seam and rub with a cotton bud or tissue and look for colour. Wash noncolourfast items on a cold setting. Don't mix

colours. Or wash by hand, quickly, in cold water.

HOW TO FIX IT

Check the item doesn't have a "do not bleach" symbol (triangle with a cross through it). Soak in a weak solution of household bleach for 15 minutes. Rinse and repeat as necessary. For coloured items, try Dr Beckmann's Colour Run Remover. Test on a hidden area first, as it may affect the overall colour.

■ goodhousekeeping.co.uk/institute



Home help

If you want to know your legal rights on leasehold charges, or are worried your floor is full of asbestos, our experts are here to offer advice



Illustration: Rachel Freeman