

[Home](#) > [Freehold and leasehold property](#)

Guidance

# Leaseholder protections: deed of certificate - frequently asked questions

This page answers some frequently asked questions relating to the leaseholder deed of certificate.

---

From:

[Department for Levelling Up, Housing and Communities](#)  
[\(/government/organisations/department-for-levelling-up-housing-and-communities\)](#)

Published

30 September 2022

## Applies to England

The deed of certificate is how you can demonstrate that you qualify for protections under the Building Safety Act. For an [introduction to the deed of certificate, including the information that you will need to include on it, and to download a copy of the deed please see here](#)

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1093317/Leaseholder Deed of Certificate Editable Word Version .docx](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1093317/Leaseholder_Deed_of_Certificate_Editable_Word_Version_.docx)).

Other information about the leaseholder protections can be found at the [landing page for guidance \(https://www.gov.uk/guidance/building-safety-leaseholder-protections-guidance-for-leaseholders#contents-of-this-guidance\)](#).

## Frequently asked questions

### How do I know if I need a deed of certificate?

A deed of certificate confirms whether you are eligible for the leaseholder protections. You can choose to complete and send a deed of certificate to your landlord at any time. You **must** complete a deed of certificate if your landlord notifies you that they require one, either because you are selling your property or

there is a [relevant defect](https://www.gov.uk/guidance/definition-of-relevant-defect) (<https://www.gov.uk/guidance/definition-of-relevant-defect>) in the building. If you do not complete it, you will not benefit from the protections for qualifying leases.

When your landlord requires a deed of certificate, they must notify you in writing by pre-paid first-class letter and by email, if they have your email address. They must give you at least 8 weeks to provide the certificate, and an additional 4 weeks if requested.

### **Can I provide a deed of certificate now?**

Yes, you can: you do not need to wait to be asked. You can [download the deed of certificate template](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1093317/Leaseholder_Deed_of_Certificate_Editable_Word_Version_.docx) ([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1093317/Leaseholder Deed of Certificate Editable Word Version .docx](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1093317/Leaseholder_Deed_of_Certificate_Editable_Word_Version_.docx)). You will have to submit a hard copy to your landlord.

### **What should I do with the certificate when I have filled it in?**

A completed deed of certificate should be sent to your landlord. If they have requested the deed, they should have provided you with a return address. You will also need to pass the deed to future owners of your property through the conveyancing process.

### **Is there a time limit for providing a deed of certificate?**

Your landlord must send leaseholders a request for a deed of certificate within 5 days of finding out either that you intend to sell your property, or that there is a [relevant defect](https://www.gov.uk/guidance/definition-of-relevant-defect) (<https://www.gov.uk/guidance/definition-of-relevant-defect>) in the building. Once they have notified you, they must give you at least 8 weeks to provide the certificate, and an additional four weeks if you request it.

There is no time limit for providing a deed of certificate if you are doing it voluntarily, rather than in response to a request.

### **How much does it cost to complete the deed of certificate?**

You cannot be charged to complete the deed of certificate by your landlord. You can complete it yourself without professional support. There is, however, a small charge to access the necessary HM Land Registry documents that are required as evidence.

### **I hold a lease jointly. Does each leaseholder need to complete a separate deed of certificate for the same property?**

No. Each leaseholder should be named on page one of the same deed. Where there is more than one leaseholder, only one of them needs to sign the final page

in order for the deed to have effect.

## **How do I know my landlord has accepted that my lease qualifies for the protections?**

The deed of certificate does not need to be formally accepted by your landlord. You may wish to send the deed by recorded post, however, this is not mandatory. The landlord is not required to confirm receipt for the deed to have been executed. If your lease qualifies and you have completed and sent the certificate, then your landlord must treat your lease as qualifying for [relevant protections](https://www.gov.uk/guidance/remediation-costs-what-leaseholders-do-and-do-not-have-to-pay) (<https://www.gov.uk/guidance/remediation-costs-what-leaseholders-do-and-do-not-have-to-pay>).

You should keep copies of your deed of certificate for conveyancing purposes, for when your property is sold.

## **What is a principal home?**

Your principal home, if you own more than one property, is your main home - the one in which you spend the most time.

## **How do I demonstrate that a property was my principal home on 14 February 2022?**

You must provide evidence with the certificate that a property was your principal home on 14 February, if that is the basis of your qualifying status. This could be via a Council Tax bill, a utilities bill or a bank statement to demonstrate that you resided at the address.

## **Do I need to complete a deed of certificate if my developer has signed the building safety pledge?**

Yes. If your developer has signed the building safety pledge, they have committed to fix life-critical fire-safety works in buildings over 11 metres that they have played a role in developing or refurbishing over the last 30 years in England. They should therefore pay for all relevant costs. Your landlord is still required to ask you to complete a deed of certificate and you must do so if requested, or your landlord can treat your lease as non-qualifying for defects for which the developer is not responsible. Completing the deed of certificate to demonstrate your qualifying status will ensure that you can be protected from all cladding remediation costs and capped costs for non-cladding defects and interim measures, not just those for which the developer is responsible.

## **My lease was purchased using shared ownership, but I have since increased my ownership ('staircased') to 100%. How should I fill in the deed?**

If you purchased your property using shared ownership, you should indicate that the dwelling was owned under a shared-ownership lease in the relevant question. If you have 'staircased' since you purchased the property, you should include the total share that you owned as at 14 February 2022, unless you received a completely new lease when you completed your acquisition of a full share in the property before this date.

### **My lease was purchased using shared ownership, and I have since increased my ownership ('staircased'). Should I use the price when 'last sold' on page three of the form or the price adjusted for my increased share?**

When answering questions on price, you should use the point at which you originally purchased a shared-ownership dwelling, as that is when it was 'last sold on the open market', rather than based on subsequent off-market valuations or calculations. This should cover the value of the 100% share of the property on the day purchased, not just the share you purchased at that time.

### **Who is eligible to witness the deed of certificate?**

The deed of certificate should be witnessed by an adult who is not a party to the deed. The witness should be no younger than 18, and should not be a signatory's spouse, civil partner, cohabitee or a family member.

### **Does having a deed of certificate mean lenders will lend on my property?**

Major lenders have agreed that they will lend where there is evidence of a qualifying lease certificate, providing the mortgage application meets individual lenders' policy and regulatory requirements. [Find more information here \(https://www.ukfinance.org.uk/policy-and-guidance/guidance/statement-industry-support-leaseholder-protections-within-building\)](https://www.ukfinance.org.uk/policy-and-guidance/guidance/statement-industry-support-leaseholder-protections-within-building).

### **How can I get an official copy of the register of title from HM Land Registry?**

You can request a copy directly from HM Land Registry using the [application form here \(https://www.gov.uk/get-information-about-property-and-land/search-the-register\)](https://www.gov.uk/get-information-about-property-and-land/search-the-register).

There is a small charge to purchase an official copy of the title register.

Published 30 September 2022

---

### **Related content**

[Mandatory information required from leaseholders and building owners \(/guidance/mandatory-information-required-from-leaseholders-and-building-owners\)](/guidance/mandatory-information-required-from-leaseholders-and-building-owners)

[What are my building owner's legal obligations? \(/guidance/what-are-my-building-owners-legal-obligations\)](/guidance/what-are-my-building-owners-legal-obligations)

[Building safety leaseholder protections: guidance for leaseholders](#)

[\(/guidance/building-safety-leaseholder-protections-guidance-for-leaseholders\)](/guidance/building-safety-leaseholder-protections-guidance-for-leaseholders)

[Qualifying date, qualifying lease and extent](#) (</guidance/qualifying-date-qualifying-lease-and-extent>)

[Leaseholder contribution caps](#) (</guidance/leaseholder-contribution-caps>)

---

## Explore the topic

[Freehold and leasehold property](#) (</housing-local-and-community/freehold-leasehold-property>)

---

## OGI

All content is available under the [Open Government Licence v3.0](#), except where otherwise stated

[© Crown copyright](#)