

JOB DESCRIPTION

POST TITLE: Homeownership Litigation Assistant

GRADE: 8

DIVISION / UNIT: Customer and Exchequer Services/ Homeownership Services

DEPARTMENT: Resources

REPORTS TO: Homeownership Litigation Manager

PURPOSE OF THE JOB

Responsible for assisting the Homeownership Litigation Team in the preparation of all necessary evidence and documentation to support the Council's case when taking legal action for the recovery of service charges and garage rent (or other council debt) or defending the Council's position when a leasehold or freehold matter has been referred to the Court the First-Tier Tribunal and the Upper Tribunal. This will include discovery, collation and organisation of all necessary evidence and documentation required for any of the Council's cases.

To assist the Homeownership Litigation Officers in managing the litigation portfolio, securing payment following judgment including court fees and interest. In particular looking after the Council's income stream and ensuring that the Council's fiduciary duties are fulfilled.

To undertake ongoing training with the Homeownership Litigation Officers, attending hearings to support the Officers, carrying out research and assisting with drafting legal documents.

PRINCIPAL ACCOUNTABILITIES

1. To be the first point of contact on all issues relating to the recovery through legal action of all service charges, garage rents and other debts arising from sold properties and garages within the housing revenue account. To undertake litigation action on other council debts as required. Liaising as appropriate with the courts, tribunals and professional bodies, representing the council's interests and ensuring, as far as possible, that the Council's position is reflected in pertinent legislation or best practice guides.
2. To have an understanding of lease/transfer construction, service charge construction, statutory consultation, service charge demands and license agreements. To have a knowledge and understanding of dealing with county court and the First Tier and Upper Tribunal.

3. Responsible for assisting and supporting the Homeownership Litigation Officers in the processing of legal action against leaseholders and freeholders for the recovery of both capital and revenue service charge debt, mortgage and other housing debt, and former tenants of garages in the recovery of rent arrears. Also assisting in the preparation of the Council's case for presentation to the First-Tier Tribunal (FTT) by collecting and collating evidence, witness statements and the preparation of bundles.
4. Being responsible for the end to end process of managing non-defended matters, preparing and issuing money claims for service charge, rent and other debt, liaising with the courts to obtain judgement, raising court fees and interest invoices and pursuing and securing payment from the customer.
5. To serve and deliver any documents, evidence and bundles as required for any income enforcement matters. Ensuring that all service and delivery time lines as directed by the Court, Upper Tribunal or First-Tier Tribunal are met.
6. To have real and meaningful ownership of your own portfolio including responding to enquiries from customers, their representatives or other departments. Liaising with colleagues within homeownership services or other council departments to provide a clear, concise and accurate response that reflects our policies, procedures and any statute or case law that we use to deliver our services.
7. Attending court with the Litigation Officer to assist if required and to act as official note taker and to observe proceedings to gain an understanding of the role of the Litigation Officer
8. Undertaking ongoing legal training both on the job with the Litigation Officers and Homeownership Litigation Manager and externally where appropriate. Drafting case papers, Issue proceedings, make applications to the court and obtain information from relevant experts where appropriate.
9. To operate as an effective team member carrying out additional duties as required ensuring excellent customer service across the team and wider homeownership services.
10. Operating the council's current telephony system, ensuring that you adhere to the procedure for answering telephone enquiries updating notes on the system relating to the call and adhering to the customer satisfaction survey process. Undertaking general administrative tasks as required supporting the team and overall business unit in the administering and recovering service charge, garage rent and other council debts.
11. Use management, administrative, financial, legislative and interpersonal skills to deliver services.
12. Be able to prioritise between conflicting demands consequent on limited resources.

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| JOB CONTEXT / REPORTING to : |
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This post reports to the Homeownership Litigation Manager.

Post holder is required to work collaboratively with the Homeownership Litigation Officers and other internal and external stakeholder's e.g. officers within Homeownership Services, Customer and Exchequer Services and other directorates of Finance, officers from other departments and suppliers, Environmental Services, Legal, Procurement, Audit (internal and external), contractors, external lawyers, courts and tribunals and managing agents, local MPs, Ward Councillors, and resident representatives regarding the provision of services.

Grade/Conditions of Service

Contractual hours: 36 hours, Monday to Friday.

The employment is subject to a probationary period of twenty six weeks from your start date of employment with Southwark Council, during which time you will be required to demonstrate to the council's satisfaction your suitability for the position in which you are employed.

PERSON SPECIFICATION

The person specification is a picture of skills, knowledge and experience required to carry out the job.

| | How assessed (S/ I/ T) |
|---|---------------------------|
| Knowledge, including educational qualifications | |
| Knowledge and understanding of evidentiary rules and requirements of Court, Upper Tribunal and First Tier Tribunal cases. | S |
| Knowledge and understanding of the processes of First Tier Tribunal, Upper Tribunals and Court. | I |
| Knowledge of leasehold and freehold tenure in a mixed tenure residential portfolio | S |
| Understanding of current housing legislation and how this relates to the delivery of Homeownership Services | I |
| Experience | |
| Experience of dealing with MCOL, county courts and tribunals. | S |
| Experience of managing conflicting priorities and working to deadline whilst maintaining quality and standard. | I |
| Experience of dealing with court bundles, witness statements and other court documents. | S |
| Experience of delivering excellent customer service | I |
| Aptitudes, Skills & Competencies | |
| Ability to pursue, collate, analyse and present management information with sharp attention to detail. | I/T |
| Ability to work on own initiative and as part of a team in a busy office environment. | I |
| Ability to use, update and develop computerised and manual information systems and to use Excel and Word, document management systems and service charge systems. | I/T |
| Ability to communicate effectively and to a high standard with senior officers and the public, orally and in writing. | S |
| Ability to prioritise effectively and meet deadlines, particularly when faced with changes in priorities. | S/T |
| Special Conditions of Recruitment | |
| Comply with and promote the Council's Equal opportunities policy | |

Key:

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| S | Shortlisting criteria |
| I | Evaluated at interview |
| T | Subject to test |