## NOTES ON COMPLETING SAMPLE LETTERS

Where alternatives appear (e.g. I/we), you should write **only** the applicable option. Where [square brackets] appear, you should refer to the following notes for guidance:

- **1. Building Owner** This is the owner of the premises where the work is proposed. If the property is owned in joint names both or all names must be given in the notice.
- **2. Building Owner's main address** This is your main correspondence address and may be different to Building Owner's building as at note 3.
- **3. Building Owner's building** this is the address of the premises where the work is proposed.
- **4. Adjoining Owner** If possible give the neighbour's full name/s. If you do not know the name write "The Owner"
- **5. Adjoining Owner's main address** If the Adjoining Owner does not live at the premises e.g. a landlord, the address will be the owner's main address. If the Adjoining Owner is an owner-occupier or if you do not know who is the owner this will be the address adjacent to your premises i.e. the Adjoining Owner's building as note 6.
- **6. Adjoining Owner's building** this is the address of the premises adjacent to that where the work is proposed.
- **7. Date** This is the date your notice is posted or served. You should always date your letter, as this will avoid confusion as to when notice was served.
- 8. Title If known give the full name/s, otherwise write "Sir or Madam".
- **9. Explanatory booklet** It is recommended that you provide a copy of this booklet to your neighbour so that they know why you have written to them.
- **10.** Date of works This must be after the end of the notice period, which for Party Structure Notices is two months and for Line of Junction and 3 or 6-metre Notices is one month. If you do not know exactly when your works will start you may wish to add "or thereafter".
- **11.** You may wish to start earlier than the one-month or two-month notice period but can only do so with your neighbour's written agreement. You may wish to add **"or sooner with your written agreement"**.
- **12. Attached letter** It is recommended you prepare a letter for your neighbour to use based on example letters 2 and 3 for Party Structure Notices, 5 or 7 for Line of Junction Notice or 9 and 10 for 3/6 Metre Notices.
- **13. Agreed Surveyor's name** It is recommended that you give the name, address and telephone number of the person you propose to use as the 'agreed surveyor'.
- **14. Building Owner's signature** Remember to sign the notice. All joint owners should sign unless one is authorized to sign for all joint owners. It is recommended you also print your name.

- **15.** (Line of Junction Notice) Description of the wall Describe the wall you intend to build for example height, length, materials etc. You might wish to add further information for your neighbour's benefit for example 'forming part of a single storey extension' or include drawings.
- **16.** (Party Structure Notice) Description of the works "Give full details of the works " you propose to carry out that affect the party structure or the adjacent building. If special foundations are proposed, section 3(1)(b) then there is a need for plans, sections and details of construction. In cases that do not involve special foundation you still might wish to include drawings for your neighbour's benefit if they are available but this is not essential if works are properly described.
- **17. (3/6 metre Notice) Description of the excavation and works** A simple description such as "excavate to lay drainage/foundations" will suffice if the drawings clearly show what is proposed. Drawings. It is a requirement of the Act that drawings are provided showing the depth of the proposed excavations and the location of any proposed building or structure. It is also advisable for the drawings to show the position of the adjoining building in relation to the excavations. Safeguarding the Adjoining Owner's foundations. You are required to tell the Adjoining Owner whether you intend to underpin or otherwise strengthen or safeguard the foundations of his building or structure.

### Example letter 1 – Party Structure Notice.

**To** [Adjoining Owner – see note 4]

Of [Adjoining Owner's main address – see note 5]

**Date** [insert date – see note 7]

**Dear** [Title e.g. Mr Smith – see note 8]

### The Party Wall etc Act 1996

### Notice of proposed works – Party Structure Notice

As the owner/s of [Building Owner's building – see note 3] which is adjacent to your premises at [Adjoining Owner's building – see note 6], I/we, [Building Owner – see note 1] of [Building Owner's main address – see note 2] notify you that in accordance with our rights under section 2 of the Party Wall etc Act 1996, I/we intend to carry out building works.

[**Only if applicable, add** – The enclosed explanatory booklet provides more information about the Act – see note 9.]

The proposed works are: [description of the works – see note 16].

The proposed works [do/do not] involve special foundations, [**Only if applicable, add** - and as such I/we attach the relevant plans, sections and details of construction].

I/we intend to start works on [date of works – see note 10] – (if you want to start within the 2 month notice period add - or on the earlier date of [date] with your written agreement – see note 11)

If you are content for the works to go ahead as proposed please complete, sign and return the attached letter [See note 12] within 14 days of receiving this letter.

If you do not confirm in writing that you are content for the work to go ahead as proposed we will be 'in dispute' under the Act.

In the event of any dispute between us under the Act, would you be willing to agree to the appointment of an 'Agreed Surveyor'?

If the answer is yes I suggest using [Agreed Surveyor's name – see note 13] but would be happy to receive your alternative proposal.

If the answer is no, please let me know whom you would appoint as your surveyor.

Yours sincerely [Building Owner's signature/s – see note 14]

# Example letter 2 – Positive Acknowledgement of Party Structure Notice.

To [Building Owner - see note 1]

Of [Building Owner's main address - see note 2]

### The Party Wall etc Act 1996 Acknowledgment of Notice

As Adjoining Owner/s under the Act of [Adjoining Owner's building - see note 6] and having received notice dated [date - see note 7] in respect of proposed works at [Building Owner's building - see note 3] and without prejudice to any of my/our rights under the Act,

[I am/We are] content for the works set out in your notice to go ahead as proposed.

#### [Only if the proposed works involve special foundations, add:]

[I/We] the Adjoining Owner [give/withhold] consent to the special foundations.

### [Only if proposing to start work before the 2 month notice period has expired, add:]

[I/We] the Adjoining Owner, [am/are] (delete as appropriate) content / not content for you to start work on the earlier date of [date]

Yours sincerely	
Signed:	_Date:
Name:	Print name/s

Please note all joint owners should sign. Please also print your name/s and date the letter.