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**Pensions, Surgery Repairs and VAT**

**Surgery Repairs**

**Question:**

My partner owns the surgery. We do not have a written tenancy agreement and he receives the notional rent. We have argued about the gas boiler, which requires work and over the cost of replacing the failed, main electrical fuse box. Whose responsibility are these?

**Answer:**

In the absence of a tenancy agreement I recommend that you follow the assumed landlord/tenant responsibilities considered by the district valuer when assessing notional rent. These make the landlord receiving the notional rent responsible for all major structural and external repairs and for external decoration.

Internal repairs, which include repairs to services-, be they the electric wiring or the gas boiler- are the tenant's responsibility. The tenant is the practice including both non property owning and property owning partners.

The above relates to essential repairs. Tenants cannot be made responsible for work that amounts to an improvement. For example, with the boiler, it may be possible to repair it and keep it functioning adequately for a few more years.

In the long term, the repair may be uneconomical for a property-owning partner who wants to replace the boiler. The difference between the basic repair cost and the total replacement cost is an element of improvement. Your partner should fund this difference.