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Author		Kevin Lynch	
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Scottish Social Housing Charter	Outcomes
<i>This policy has been developed with reference to The Scottish Social Housing Charter</i>	<i>1 Equalities, 4 Qualities of Housing and 5 Repairs, maintenance and improvements</i>

Written By	Linlay Anderson
Department	Maintenance & Housing Departments

Approval Date by Committee	
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Notes

Policy drawn up with reference to:

SFHA Model Procedures
Scottish Social Housing Charter

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ANGUS HOUSING ASSOCIATION LIMITED

CHAPTER ONE – GENERAL VOID MANAGEMENT

PART 1 VOID PROPERTY MANAGEMENT POLICY

1. POLICY AIMS

The turnover of housing stock is an integral part of housing provision which inevitably results in periods where properties are void. Angus Housing Association is aware good management of void properties and limitation of void periods is vital for maximisation of rental income and recognises the following as the key aims of its Void Policy:

- To ensure that individuals are allocated a property that meets the Association's defined re-letting standards.
- To minimise the void days and rent loss on empty properties.
- To minimise the cost of void repairs.
- To ensure that outgoing tenants are aware of their responsibilities prior to a termination date in order to keep repair costs to a minimum.
- To ensure voids are let as quickly as possible to meet the demand for the Association's properties.
- To monitor and report on void performance in order to highlight both successes and weaknesses making the maximum use of information technology.
- To comply with legal duties, regulatory requirements and good practice standards.
- To have procedures that adhere to all the above that are clear, accessible and easy to follow for both staff and members.

2. PURPOSE

The purpose of this Policy (and associated procedures) is to ensure that staff are aware of their responsibilities to ensure that the void period is kept to a minimum whilst all the necessary steps are being taken as efficiently and

effectively as possible in accordance with the relevant policies and associated procedures.

3. LEGAL OBLIGATIONS

There are a number of legislative requirements that affect our processes in dealing with void houses, in particular:

- The Housing (Scotland) Act 2001 and the duty to ensure the property is wind, watertight and reasonably fit for human habitation, abandonment procedures, compensation for improvements, 4 weeks' notice of termination etc.
- Schedule 7 Part 1 of Housing (Scotland) Act 2001
- Gas Safety (Installation and Use) Regulations 2018
- Construction (Design and Management) Regulations 2015 (CDM 2015)
- Data Protection Act 1998 and General Data Protection Regulation (EU) 2016/679
- Equality Act 2010
- Race Relations Act 1976
- Race Relations (Amendment) Act 2000
- Equality Act 2010
- Human Rights Act 1998

In addition, the Policy complies with Performance Standards for Social Landlords and Raising Standards. The Scottish Social Housing Charter 2017

4. VOID PROPERTY AND ASSOCIATED ISSUES

4.1 Definition of a Void

The Association adopts the definition of a void property as –

“any property for which there is a rent account but no current tenancy, which results in loss of rental income”

The Association identifies that there are different ways in which a property can become void and defines them below;

- Formal Termination:

Where the tenant gives 28 days written notice as per the terms of the Scottish Secure Tenancy Agreement of their intention to leave the property.

- Death of Tenant:

Where the Association is notified of the death of a Tenant. If there are no successors, we will normally allow up to two weeks for the house to be cleared. (any additional “rent” due after date of death will be charged to the previous tenant’s estate) We may allow more than this where individual circumstances make this necessary and agreement is reached for the “rent” to be paid. The tenancy and any Housing Benefit will end on the date of death.

Where there are successors, we will follow our policy and associated procedures on Succession.

Where there are no next of kin, the estate vests with the Crown. (The Queen’s and Lord Treasurer’s Remembrancer (QLTR), Crown Office, 25 Chamber’s Street, Edinburgh, EH1 1LA) A member of staff (Two if unaccompanied by Police and/or Council representative) along with a police representative and Council representative will search the property to locate any:

- Will
- Evidence of family or friends
- Make a full inventory with photographs of furniture and personal positions such as bank books, premium bonds etc. All valuable items such as jewellery and cash should be collected and stored in the office safe or removed by the Council representative. The QLTR will be informed and sent a copy of the inventory once authorised by the QLTR, furniture should be stored for 3 months and costs charged to the estate.

- **Abandonment:**
Where the Association issues a notice of abandonment, we will follow the procedures as per our Abandonment Policy.
- **Transfers:**
Where the tenant applies and is re-housed through the allocations policy to another association property.
- **Eviction:**
Where the Association proceeds with court action to evict a tenant.
- **Development Voids:**
Where a new property is handed over to the Association as complete and is untenanted.
- **Decants:**
Where a tenant has to be moved, usually temporarily, from their property for purpose of refurbishment or as a result of the property becoming inhabitable for example fire or flood.

Mutual Exchanges do not allow for a property to be empty. The Mutual Exchanges process is documented in the Mutual Exchange Policy.

4.2 Scottish Secure Tenancy Agreement

The terms of the Scottish Secure Tenancy Agreement and the Short Scottish Secure Tenancy Agreement that are specific to the implementation of the Void Policy are found in Section 6 entitled “Ending the Tenancy”. The Association will ensure that these terms are explained to new tenants, outlined in the tenants handbook and when a tenant expresses their wish to move on or transfer they will be given clear guidelines on their termination responsibilities.

4.3 The Right to Compensation for Improvements

The Association recognises that some outgoing tenants may have the right to receive compensation for certain improvement works that have been carried out during their tenancy with the Associations. Compensation will be granted under the Right to Compensation for Improvements provisions in the Housing (Scotland) Act 2001.

4.4 Minimum Letting Standards

The Association has defined a condition standard to which a property will be brought up to before letting it to a new tenant. This is to ensure a high quality of housing, effective maintenance of its housing stock and transparency of services to its current and prospective tenants.

(See Procedures for the minimum standards specification)

4.5 Inspections

The Association recognises that inspections are a vital element of good void management practice. The following inspections will be carried out throughout the void process:

4.5.1 Pre termination Inspections

The Association will plan to carry out pre termination inspections within 10 working days of the notice of termination being received subject to tenant availability. The main purpose of this inspection is to:

- Ensure that the general condition of the property is satisfactory and to advise the tenant what work requires to be carried out by the tenant prior to the tenant leaving.
- To identify who utility providers are.
- Identify any repairs that are the responsibility of the Association.

- To identify and check any alterations or improvements carried out by the outgoing tenant. It will also be useful to determine if any compensation may be required for improvements carried out by the tenant as per Section 30 Housing (Scotland) Act 2001.
- To identify any adaptation or special features of the property that may assist the Association in the allocation process.
- To agree the general condition of the property on termination.

4.5.2 Post Inspections

The Association will carry out post termination inspections within 2 working days of the keys being received. The purpose of this inspection will be to:

- Ensure the property meets the Association's minimum standards for properties to be relet.
- Ensure that the property is completely safe for reletting.
- Identify any further repairs that are required to the property.
- Identify whether there are any outstanding items of disrepair that are the responsibility of the outgoing tenant.
- Review qualifying improvements for compensation.
- Review the level of decoration.
- Determine whether the property can be viewed by prospective tenants.

4.5.3 Statutory Works

The Association has a statutory duty to carry out specific work when properties are void, as a minimum. These are:-

- Gas Safety Check
- Full Electrical Safety test
- Fire Detection Check
- Legionella checks
- Inspection of Sprinkler System
- Valid EPC

In most empty houses, no power will be available and consequently, some of these checks will be carried out when the new tenant takes up tenancy. The Association has robust procedures to ensure that this process is managed effectively.

4.6 Decoration Allowances

In circumstances where the decorative condition of an empty property is considered to be particularly poor by staff, a decoration allowance may be offered following discussion between Housing and Maintenance Officers.

4.7 Offering Tenancies

The allocations process will be initiated as soon as notice to terminate a tenancy is received. Void properties will be advertised on These Homes for 1 week with adverts being posted every Tuesday and Thursday. Prospective applicants will be able to note interest (bid) on available properties based on their housing need in accordance with the Association's Allocations Policy. It will be our intention to pre-allocate the property during the notice period. All offers will be made in writing, although initially prospective tenants may be notified verbally. Every offer letter will contain the following information:

- Size/type of property
- Rent
- Proposed tenancy commencement date
- Acceptance form
- Summary tenancy agreement
- Named contact for queries

Applicants will be expected to respond to an offer within 3 working days of receiving the letter. If the offer is refused, the applicant will be asked to complete a refusal form giving details of the reason for refusal. Where these reasons relate to the condition of the house or concerns about neighbours, the Issues will be referred to the Housing Manager for comment or action.

4.8 Accompanied visits for viewing properties

The Association has found from experience that this is worthwhile and will continue to ensure that Housing Officers or Housing Assistants accompany prospective applicants when viewing properties.

4.9 Communication

The co-ordinating of voids involves input from more than one department and external organisations. It is essential that staff and contractors keep each other informed of progress throughout the void period to ensure that the aims of the policy are achieved.

5. SUPPORTED HOUSING

It is recognised that some Supported Housing (such as Broomfield in Montrose) may not be able to be relet as quickly as more general needs housing. It is therefore possible that such properties may remain void for longer periods than would otherwise be normal. Clearly it is important to allocate such properties to the most appropriate applicants. In such circumstances we will notify the Support Provider and Social Work Department as soon as we become aware of a void occurring. In those circumstances we will encourage other partners to share the void loss where possible.

For example:

Broomfield, Montrose, the Association will be responsible for the first 28 days of any void and SWD will pay for the remaining cost of the void period.

6. TRAINING

The Association through the Internal Management Plan is committed to training and developing staff, Committee Members and Repairs Contractors so that they have a good knowledge of the procedures and systems in place for void management that meets the expectations of tenants, members of the public, colleagues and external organisations.

7. EQUAL OPPORTUNITIES

The Association will ensure that in implementing this Policy it will not unfairly discriminate against any individual, household or group on the grounds of sex or marital status, on race grounds, or on the grounds of disability, age, sexual orientation, language or social origin, other personal attributes, including beliefs or opinions such as religious beliefs or political opinions.

8. TENANT INVOLVEMENT AND REVIEW OF SERVICE

In reviewing the void management, feedback will be obtained from members and used to improve service delivery by:

- Getting feedback from tenants through New Tenants Satisfaction Questionnaires, Maintenance Questionnaires and Housing Management visiting new tenants.
- Monitoring comments and complaints from tenants.
- Void related feedback from tenant representatives.

The value of tenant involvement in identifying vandalism, suspected abandonment etc should not be underestimated. Information on how tenants can become involved should be clearly outlined in the Tenants Handbook and featured from time to time in the Tenants Newsletter.

This policy will be approved by the Service Delivery Sub Committee and reviewed in consultation with tenants and staff. It will be reviewed every three years unless amendment is prompted by a change in legislation, operational requirements or customer feedback.

9. RISK MANAGEMENT

The Management Committee will consider the Risk Management factors of the Void Management including:

- Financial risk through potential failure to ensure that enough income is collected to cover operating costs due to excessive rent loss to voids.
- Non-compliance with Scottish Housing Regulator Performance Standards

10. HEALTH AND SAFTY

The Association will ensure that staff will work in accordance with the Lone Working Policy when inspecting properties, carrying out accompanied viewings or applicant assessments.

The Association will ensure that all inspections and work undertaken at properties will be carried out in accordance with Health and Safety guidance and regulation.

11. COMPLAINTS

The Association's complaints/appeals procedure is open to everyone who receives or is requesting a service from the Association and people acting on their behalf.

However any tenant that uses the Association's Complaints Procedure following or during the allocation of a void property will be seen as a failure by the Association to correctly apply the Void Management Policy.

12. CONFIDENTIALITY

The confidentiality of information provided to us will be respected at all times. Information will be processed and passed on in accordance with our registration with the Information Commissioner. The Association is registered under the Data Protection Act with the office of the Information Commissioner and we are the Data Controller for the purposes of the Data Protection Act.

The Association's Fair Processing Notice (FPN) explains what information the Association collect, when it is collected and how it is used. For further information please refer to the Association's FPN.

13. MONITORING AND REPORTING

The void period is the time in calendar days from the date of the end of the previous tenancy to the beginning of the new tenancy. It is therefore essential that this period is kept to the minimum number of days

The following targets will apply:

- Dealing with the Termination Notice - *Normally on the day of receipt of the Notice but within 3 days*
 - Initial Void Inspection - *Normally within 2 days of keys being received.*
 - Carryout the repairs to the property *Average 15 days*
- Advertising Property *The Association will advertise properties on These Homes within 5 days of the notice. However, there are various and many reasons why the applicant may ultimately refuse the tenancy and this can increase the “critical path” time of the void property. This is particularly so where the property falls under the Difficult to Let/Low Demand Category.*
 - The Letting of the Property - *Properties are let any working day of the week*
 - Number of void days per Property - *Target Days 20*

We will monitor the following in connection with void timescales and void rent loss:

- Average number of days void including –
 - Average number of Technical and Contractor days*
 - Average number of Housing Management days*
- Number of Refusals
- Void loss in £'s
- Void loss as % of Gross Rental Income
- Number and reason for properties being Let out with target

The Association will also report tenant satisfaction with the process in the Housing Management, Quarterly Reports.

CHAPTER TWO – DIFFICULT TO LET POLICY

1. INTRODUCTION

It should be recognised that many social landlords can experience difficulties in letting some properties and Angus Housing Associations is not exempt to these.

2. IDENTIFYING AREAS OF LOW DEMAND

The introduction of Choice Based Lettings (CBL) in May 2022 has address a number of issues previously experienced by the Associations with difficult to let properties.

The Association will identify schemes or house types within schemes, which are difficult to let. This will be done annually by identifying properties with limited interest on the Association's CBL system These Homes.

Properties Identified as Low Demand at 1 August 2022

Mainstream Housing

- Currently no low demand properties have been identified -
Prior to the introduction of CBL the Association had previously experienced low demand issues with some stock and age restricted properties, however this has been rectified following the introduction of CBL.

3. METHODS OF TACKLING HIGH TURNOVER AND LOW DEMAND

When a property has been identified as Low Demand or Difficult to Let the Association's strategy for dealing with such properties includes

Close liaison between the Housing Assistant, Housing and Maintenance Officer to identify and implement appropriate action.

- Accompanied visits including Housing Officer and Maintenance Officer discussing appropriate action with prospective tenants including any potential improvements.
- Offering higher decoration allowances
- Seeking further Nominations or Section 5 referrals
- Liaising with partner agencies such as Positive Steps
- Contact all applicants who have expressed interest in the property on These Homes
- Advertising properties on the Association's website, Facebook and Twitter pages.

4. **FUTURE IMPROVEMENTS**

Improvements to difficult to let properties will be discussed each year.

5. **DISPOSAL OF PROPERTIES**

It is not always feasible or financially viable to include certain properties for improvement. This can be for different reasons such as the Association being the minority owner in a block of flats in a low demand area, or the property requiring extensive improvements without the prospect of ever being in high demand.

Disposal of properties should be an integral part of the strategy, however a costing exercise will need to be done and a Committee of Management paper presented to determine the viability of disposal weighed against rent loss, repayment of HAG etc.