

	<b>Policy</b>	Void Management Policy.
	<b>Policy category</b>	Housing Management (HS 18)
	<b>Date adopted</b>	17 May 2023
	<b>This review</b>	

## 1. INTRODUCTION

The Leadership Team have reviewed the above policy. Where appropriate recommended feedback from staff and other stakeholders have been taken in to account.

<b>Purpose of Policy</b>	The Purposed of the Policy is to minimise the period of time that properties are void in order to maximise rental income; limit the length of time that applicants are on the waiting list; and achieve customer satisfaction.
<b>Significant Problems</b>	There is a low turnover of properties therefore, a lengthy void period will impact on the number of properties available to let.
<b>Financial Implications</b>	A lengthy void period will also have financial implications with increased loss of rental income and fewer properties available to let.
<b>Equality &amp; Diversity Implications</b>	The policy ensures clear guidance for staff when dealing with the management of void properties ensuring consistency and fairness.
<b>GDPR Compliance</b>	The policy is compliant with GDPR requirements.
<b>Customer Feedback</b>	N/A
<b>Recommended Changes</b>	<p>The policy was last reviewed in 2015, the changes to the policy are:</p> <ol style="list-style-type: none"> <li>1. Updating job titles from Technical Services to Property Services.</li> <li>2. Section 3 – Termination of Tenancies – Death of a Tenant - The next of kin will be given 14 calendar days following the date of death to empty and clean the property and return the keys to the office – changed from 7 days to reflect current practice.</li> <li>3. Section 5 – Deletion of reference to Right to Buy</li> <li>4. Section 7 &amp; Appendix 5 – Deletion of Tenant Inspections</li> <li>5. New Appendices – A1, Equality Impact Assessment A2- 5= Procedures and standard letters</li> <li>6. Appendix 6 – previously Appendix 1 Re-lettable Standards</li> <li>7. Section 3 – Deletion of reference to Tenant Inspectors</li> </ol>

## 2. RECOMMENDATION

Members of the Sub Committee are requested to approve the changes to the above policy.

## 1. Introduction

An effective and efficient void management policy is central to the good management of void properties. The Association aims to minimise the period of time that properties are void in order to maximise rental income; limit the length of time that applicants are on the waiting list; and achieve customer satisfaction.

### 2. The Scottish Housing Regulator (SHR)

The SHR defines the void period as the time - measured in calendar days – between the date of termination of a previous tenancy or repossession and the start of a new tenancy. A void is a property that has no tenant for a period of time (source: Annual Return on the Charter (ARC)).

The Scottish Social Housing Charter (SSHC) sets out the outcomes and standards that all social landlords should be achieving for their tenants and other customers through their housing activities. This includes the quality of housing and how the Association delivers value for money.

The void management process encompasses a number of related activities ranging from when a tenant gives notice to end his/her tenancy until a date of entry has been arranged for the new tenant. These include:

- Pre end of tenancy – notice period
- Tenancy termination
- Property Inspections
- Identifying re-charges and other tenant responsibilities
- Ordering and undertaking void repair work
- Allocating, offering and viewing properties
- Creating tenancies and signing-up new tenants

Consequently this policy links to other policies and procedures such as Repairs, Gas Servicing and Allocations.

In order to ensure best practice, effective joint working between housing services and technical services staff is essential during void periods to ensure that void repairs and allocations processes work in tandem, and that the Association complies with all legislation in relation to void management. However, in terms of the 'ownership' of the policy, this lies with Housing Services, and specifically with the Housing Officers.

The purpose of this policy is to ensure that our activities for dealing with empty properties are co-ordinated, measurable, transparent and efficient.

## 2. Legal Framework

The Association must comply with the legal requirements as contained in the Housing (Scotland) Act 2001, 2010 and 2014 and any other relevant legislation. The Act sets out our obligations and rights as landlord and the obligations of our tenants.

Other relevant legislation includes The Gas Safety (Installation and Use) Regulations 1994; the Construction, Design and Management (CDM) Regulations 1994; The Control of Asbestos Regulations 2006; and The Control of Legionella bacteria in Water Systems – Approved Code of Practice and Guidance.

## 3. Termination of Tenancies

On average, around 70 of our properties become void each year. These result from:

- Notice - where the tenant gives at least 28 days written notice to end the tenancy, for example to move out with the area. Under the Matrimonial Homes (Family Protection) (Scotland) Act 1981, the consent of the “non-entitled” spouse or any joint tenant giving up the tenancy is also required.
- Written Agreement – between the tenant and Bridgewater
- Court Order - under the grounds in Schedule 2 of the Housing (Scotland) Act 2001
- Abandonment of the property – and legal notices are served
- Death of the tenant – where the statutory right to succeed is not met
- Transfers – where the tenant moves to another Bridgewater property

Bridgewater’s Scottish Secure Tenancy (SST) Agreement stipulates that the tenant will give at least 28 days written notice, and where such notice is given, the tenant will be asked to complete an end of tenancy form. Arrangements will be discussed for the submission of keys to the Association’s office in addition to arrangements for prospective new tenants to view the house. Where the tenant fails to submit keys by the due date, or requests an extension to the termination date, rent charges will be imposed on a daily basis until such times as the keys have been received at the Association’s office. The end of tenancy date will be extended accordingly.

Where a tenant leaves the property without the required 28 days notice, the Housing Officer will try to contact him/her through contact details previously supplied. The tenant will be advised (in writing where possible) of the end of tenancy process as described above.

In the event that keys are submitted without the required period of notice with a signed letter from the tenant, the tenancy shall be terminated twenty-eight days later.

Where only keys are submitted, the Abandoned House Procedure will be instigated.

### **Death of the Tenant**

The tenancy is terminated by the death of the tenant if there is no statutory successor. The tenancy end date will therefore be the date of death. We appreciate that the death of a relative is a difficult and stressful time for a next of kin, and staff will deal with end of tenancy procedures sensitively.

The next of kin will be given 14 calendar days following the date of death to empty and clean the property and return the keys to the office. If this is achieved, liability to pay rent for the tenancy will cease at the date of death and no further charge will be made by the Association.

If, however, the next of kin of the deceased tenant, or the executor or prospective executor of the deceased tenant’s estate, contact us within the 7 day period to request that a longer period of time be granted in order to empty and clean the house and return the keys to us, we may agree to a longer period (at our discretion) but only on condition that the next of kin or executor/prospective executor agree in writing (by signing the Association’s standard form) to be personally responsible for paying to the Association monetary compensation for the additional period. Payment of this will be requested up front at the time that the form is signed. The amount of this compensation will be the sum which is equal to the amount of rent which the Association could have charged for the house in terms of the deceased’s tenancy agreement, for the period commencing 15 days after the date of death of the tenant and ending on the date when the keys to the house are finally returned to us.

If the next of kin or executor /prospective executor does not sign the Association’s standard form agreeing to be personally responsible for the sums set out above, then no extension of time will be permitted.

### **Property**

The furniture, and other property of a deceased tenant who is intestate, will pass to the next of kin, if there is one. In the event that keys are submitted and the house has not been emptied of all possessions, the

next of kin may be charged for additional days (as above) until such times as all belongings have been removed.

If there is no next of kin, the property goes to the Crown. The Association will send an inventory of the goods left in the home to the Treasury Solicitor at Queen Anne's Chamber, 28 Broadway, London SW1H 9JS. The Treasury Solicitor will advise the Association whether it intends to take over the goods, or whether the local authority Property Protection Officer will do so, or whether the Association can dispose of them.

Rechargeable repairs will be raised against the former tenant's estate where the Association is required to empty the property.

### **Information**

Where notice has been given to end a tenancy, we will always try to obtain the following information: why the tenant is leaving; where they are moving to; and what they think of their home and the services they have received. This information will be obtained either by telephone or during the office or home visit.

This feedback will help us improve standards in service delivery and inform strategic issues such as sustainable tenancies and communities.

### **Acquisitions**

The Association may acquire properties, for example, through Mortgage to Rent (MTR).

Repairs to MTR properties will be undertaken with the tenant in situ as no void period occurs.

### **4. The Re-let Period**

Once it is known that a property will become void, a number of steps require to be put into place.

- ◆ The Housing Officer and Property Services Officer will aim to undertake a pre-termination visit to the tenant's home within 3 working days of notice being given. This will establish the extent of repairs which may be required before the property is re-let; whether unauthorised 'improvements' or alterations to the property have been carried out which necessitate further action; whether the level of house-keeping is such that the tenant may require to undertake decoration before vacating the property; whether any damage or vandalism has occurred for which the tenant will be recharged or liable to repair.
- ◆ Where a property has been vacated without damage being made good, or repairs that the tenant has been advised of are not complete, the Association may decide to give the tenant a chance to have the work completed to a professional standard within a short period of time, for example, one week. Where this is not appropriate, we will complete the work and re-charge the former tenant.
- ◆ Repairs which can reasonably be undertaken by the Association before the tenant vacates may be carried out. Discretion will be exercised by the Property Services Officer, based on the condition of the property and the household circumstances.
- ◆ The Housing Assistant will make arrangements with the outgoing tenant for viewings to take place before the property is vacated, where possible. Access arrangements will also be made for contractors where applicable.
- ◆ Repairing empty properties and carrying out required safety checks promptly and quickly is the key to minimising void repair periods consequently when the property becomes void, a full empty house inspection will be carried out by the Clerk of Works/Technical Officer within 2 days to identify any repairs which may need to be instructed. The purpose of the inspection will be to:
  - ◆ Ensure that the property is empty (of both people and goods)

- ◆ Ensure the property is secure
- ◆ Complete the mandatory checks according to our inspection form
  - ◆ Assess repairs
  - ◆ Assess cleaning required
  - ◆ Assess decorative standard
  - ◆ Advise of possible rechargeable repairs
  - ◆ Ensure necessary action is taken
- ◆ Arrange for gas and electrical appliances and installations to be professionally checked. Gas central heating services will be 'turned on and tested' or serviced if due within the following 6 months, and electrical installations will be inspected and tested.
- ◆ Arrange for Energy Performance Certificate (EPC) – and for it to be displayed in the property
- ◆ Carry out a full Scottish Housing Quality Standard (SHQS) inspection. This will be consistent with our approved Standard Delivery Plan
- ◆ Arrange for taps and shower heads to be disinfected to eliminate legionella
- ◆ Take final meter readings (the Housing Officer will arrange for 'Utility Aid' to deal with end and start of tenancy fuel suppliers)
- ◆ Repairs will be undertaken consistent with the void targets agreed with the contractor. Currently these are 5 working days, where the estimated cost of work are over £500, and 10 working days where the cost of work exceeds £1,000.
- ◆ Where the property has been vacated but items of furniture and possessions have been left behind, the Property Services Officer will arrange for rechargeable repairs to be raised against the former tenant.
- ◆ The Housing Officers will liaise with the Property Services Section on a day to day basis over the progress and completion of repairs, and ensure that all relevant steps are being taken to expedite repairs.
- ◆ The property will be re-let once it is in a tenantable condition and meets the Association's lettable standard, and a post-inspection has been undertaken by the Clerk of Works/Property Services Officer.
- ◆ All repairs, unless essential, will be deferred until after the new tenant has moved into the property to minimise the void period. Such repairs will be carried out in accordance with the Association's time-scales.

## **5. Allocation Process**

The process to re-let the property will run alongside the property inspection and repair processes, and will start immediately notice is received to terminate the tenancy. The Assistant is responsible for making all selections. In accordance with the Association's Allocations Policy, prospective tenants will be selected from the appropriate Priority Group and the details given on the application form will generally be verified at a pre-allocation visit.

Prospective new tenants will be selected within 2 working days of confirmation of the end of tenancy and the process defined with the Void Management Procedure will be followed.

Where an offer of housing is being made, an accompanied viewing will be carried out with the prospective tenant and Housing Officer meeting in the property. The purpose of the visit will be to familiarise the prospective tenant with the property and to discuss any outstanding repairs issues.

Once the tenant accepts the tenancy, arrangements will be made to sign the Tenancy Agreement. This will normally be achieved on the day of the viewing.

In the event that the offer is refused or withdrawn, other applicants will be selected and the process repeated until such times as the property has been accepted.

## **6. Re-let Standard**

The Association's re-let standard sets out the minimum standard of the properties we will let to our tenants. A copy is attached at Appendix 5 of the Void Management Procedures. It aims to strike a balance between aspirations and cost in order to ensure value for money is achieved.

## **7. Decoration**

It is the Association's Policy to not carry out decoration work in empty properties or to provide decoration allowances.

Exceptions may be made where properties are in a very poor condition. Such decisions will be made by the Housing Officers and be based on allowances approved within the lettable standard.

## **8. Special Needs Housing**

The Association has a limited number of properties which are suitable for wheelchair users and people with other mobility needs. Consequently where there is demand for further accessible properties, staff will seek to make best use of existing mainstream stock by identifying properties which may be suitable for adaptation or extension during the re-let period.

Where such a property is identified, the Housing Assistant will verify demand from the Association's waiting list and will notify the Property Services Manager of requirements within 1 working day. The Property Services Manager will then have responsibility for verifying budget provision and instigating contract procurement, where appropriate. The work will be carried out promptly, having regard to the Association's Procurement Policy.

## **9. Aids and adaptations**

Demand for aids and adaptations is increasing, driven by a greater awareness of assistance available, and an ageing population profile. The incidence of disability and the need for support rises with age, however the need to provide adaptations to maintain independent living is an issue for people of all ages.

In light of this demand, where a property has previously been medically adapted/extended/converted, every attempt will be made to re-let the property to a waiting list applicant with mobility needs who can maximise usage of the features of the property.

## **10. Conversions**

The high level of Right to Buy sales throughout the Association's housing stock has led to a shortage of 4 apartment properties. In order to maximise our ability to re-house applicants who require level accommodation on the ground or first floor because of ill health, 3 apartment flats with 2 bedrooms and a dining room may be converted to 3 bedroom (4 apartment) properties where demand exists. Such conversions will only proceed with the consent of Building Control. (Refer to HM Procedure Note 13).

### **11. Sheltered and Extra Care Housing**

Applicants for sheltered housing require to have a demonstrable need for our housing support service, so support needs require to be assessed in conjunction with housing needs. The Housing Assistant will ensure that collating this information does not delay the re-let process.

Applicants for our extra care housing will have their care and support needs assessed by the Joint Allocation Panel (JAP). The Housing Officers will attend meetings of the JAP and will ensure that the process is sufficiently robust to ensure that applicants have been assessed in advance of void properties being available for re-let.

### **12. Abandoned Properties**

From time to time, staff will discover or will otherwise become aware of properties which appear to have been abandoned.

In such circumstances, the Association's Abandoned House Procedure (Housing Management Procedure Note: 4) will be implemented to ensure that properties are repossessed at the earliest opportunity.

### **13. Performance Monitoring**

Voids monitoring is undertaken for five specific purposes:

- To ensure the efficiency and effectiveness of the void management process
- To monitor our overall performance in relation to voids over a period of time
- To provide good quality information about our voids performance against our stated objectives and inform service review
- To allow benchmarking against other landlord organisations to improve performance
- To fulfil our regulatory purposes.

In order to monitor demand for the Association's properties and re-let times, void management performance information will be compiled each month and presented to the Housing Land and Property Services Sub Committee on a quarterly basis. Property Services will report on repairs and expenditure, and Housing Services will report on all other information. For example, on:

- Number of terminations
- Turnaround times from tenancy end date to start dates measured in calendar days
- Lost rental income
- Reasons for refusal – where properties are difficult to let
- Void repair category – percentage of jobs completed on time
- Void expenditure – performance against budget
- Changes to the waiting list
- Number of lets by type.

Targets for voids will be based on achieving overall continuous improvement in the quality and timeliness of delivering a ready-to-let property.

Performance data for the sheltered accommodation is reported separately.

To further assist the Association in monitoring demand, equal opportunities information will also be compiled on the Key Performance Indicator (KPI) Report on changes to the waiting list and total allocations made.

The Association will continue to benchmark with the other housing associations in FLAIR (Federation of Local Associations in Renfrewshire) and with other relevant parties.

Performance information is made available to tenants in the quarterly editions of 'Bridgewater News' and in the Association's Annual Report.

This information will be made available to prospective tenants and other stakeholders.

#### **14. Referral Arrangements**

The Association will monitor the efficiency of referral arrangements with our partners. This will cover but not be limited to Section 5 Referrals from Renfrewshire Council.

#### **15. Equality and Diversity**

The Housing (Scotland) Act 2001 places an overarching duty on Registered Social Landlords to exercise the functions conferred on them by the Act in a manner which encourages equality of opportunity and observes equal opportunity requirements laid down in other legislation and regulations.

The Association's Equality and Diversity Policy covers a range of issues such as access to housing, disability and age, and has the overarching aim of mainstreaming equality in all that we do. The Void Management Policy should also reflect the principles of the Equality and Diversity Policy. The Equality Impact Assessment is detailed at Appendix 1.

#### **16. Policy Review**

The Policy will be reviewed in 3 years time and tenants will be consulted on any significant changes to the policy.

In reviewing the void management service, feedback from new tenants' satisfaction surveys with the house at the start of the tenancy and other void related feedback will be taken into account.