



**Craigdale**  
HOUSING ASSOCIATION

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## VOID MANAGEMENT POLICY

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**Date of Review:** October 2020

**Date of Approval:** 09.11.20

**Date of Next Review:** 2023

Craigdale Housing Association can provide this document on request, in different languages and formats, including Braille and audio formats.

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## 1. Introduction

- Turnover of housing stock is an integral part of Craigdale Housing Association's (CHA) housing provision which inevitably results in period where properties are void. CHA understands good management of void properties and limitation of void periods is vital to maximise rental income, provide a quality service, meet housing need, and achieve good estate management.
- The main purpose of this Policy is to give guidance on compliance with the legal and regulatory frameworks within voids must be managed, and then to provide guidance on voids policy and practice.

## 2. Definitions

- A void is a property for which there is a current rent account but for which no current tenancy exists. For the purpose of reporting in the Annual Return of the Charter a property may be counted as a void on more than one occasion during the year. The void period is measured in calendar days and is calculated between the date of termination of a previous tenancy or repossession and the start date of a new tenancy.

## 3. Aims & Objectives

This Policy aims to:

- To adhere to statutory and contractual obligations in relation to processing tenancy terminations, maintaining void properties, monitoring demand, and letting properties.
- To adhere to good practice and to the Scottish Government Social Housing Charter outcomes 1, 4, 5, 11 & 13 which state that:-

**Outcome 1: Equalities** "Every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services".

**Outcome 4 – Quality of housing** "Tenants homes as a minimum, meet the Scottish Housing Quality Standards by April 2015 and continue to meet it thereafter, and when allocated, are always clean, tidy and in a good state of repair"

**Outcome 5: Repairs, Maintenance and improvements** "Tenants homes are well maintained, with repairs and improvements carried out when required, and tenants are given reasonable choices about when work is done"

**Outcome 11: Tenancy Sustainment** “Tenants homes are well maintained with repairs and improvements carried out when requires and customers are given reasonable choices about when work is done.

**Outcome 13 – Value for money** “Tenants, owners and other customers receive services that provide continually improving value for the rent and other charges they pay”

- To minimise void rental loss, void periods, and void repair costs.
- To ensure that tenants are fully aware of their tenancy obligations in relations to giving notice of tenancy ends and the condition in which the property must be left.
- To bring void properties to a lettable standard as quickly as possible.
- To have systems in place for the prompt re-letting of void properties.
- Comply with legal duties, regulatory requirements and good practice standards.

#### **4. Legal and Regulation Requirements**

The following legislation and regulations are relevant to this policy.

- The Housing (Scotland) Act 2001
- The Housing (Scotland) Act 2010
- The Housing (Scotland) Act 2014
- Equality Act 2010
- Human Rights Act 1998
- Data Protection Act 2018
- Energy Performance of Building (Scotland) Regulations 2008
- Gas Safety (Installations and Use) Amendment Regulations 2018

#### **5. Tenancy End by Formal Notification**

Craigdale Housing Association ensures that tenants are fully aware of their responsibilities relating to leaving their property:

- End of tenancy details will be provided in the tenancy agreement and explained to the incoming tenant when signing the tenancy agreement. The end of tenancy procedure will also be outlined in the tenant's calendar and periodically in the Associations newsletters/website.
- The requirement to give 28 days' notice in writing is emphasised. It is clearly stated in the tenancy agreement that full rent will be charged until formal notice has been

received and the notice period has elapsed, and that Craigdale will pursue outstanding arrears in such cases.

- Information will be provided to the tenant confirming the correct procedure that should be followed to meet the contractual obligations of the tenancy agreement.
- Housing Services Staff will arrange to visit the property during the notice period to assess the repair and decoration standard and discuss any other matters relating to the tenancy such as the rent account or qualification to the Right to Repair Compensation Scheme.
- Outgoing tenants will always be encouraged to provide forwarding contact details in the event that the Association requires getting in touch once their tenancy has ended.
- The process to reallocate a property begins as soon as termination notification is received. Housing Services Staff will arrange with outgoing tenant an accompanied viewing of the property with prospective tenants.
- Craigdale has the right to recharge outgoing tenants for any repairs which are due to tenant damage or neglect in such cases the tenant will be advised in writing of the work requiring to be done to a professional standard and the available time for the work to be completed by the tenancy termination.

## **6. Tenancy End by Abandonment**

- From time to time, tenants leave their home with no intention of returning and fail to advise the Association. This is known as abandoning a property. The Association has a separate procedure on abandonment to provide guidance to staff on how to deal with such situations.
- Where the Association has reason to believe that a property has been abandoned, relevant checks will be made to confirm the position. The nature of these checks will be dependent on the individual circumstances of the case but may include investigations with neighbours, family, hospital, social work department or prison.
- Where investigations conclude that a property has been abandoned, a legal notice will be delivered to the address of the property advising the tenant that the house is considered to be unoccupied and that if the tenant has intentions of occupying it as their home, they must advise the Association in writing within 28 days from the date of the first abandonment notice.
- The notice also advises that if there are personal belongings within the property, they must be removed within 28 days from the date of the notice or they will be disposed of unless the value exceeds the costs of storage for 6 months.

- If the tenant has not contacted the Association at the end of the 28 day period, a second notice will be served on the 29<sup>th</sup> day, thus terminating the tenancy and resulting in the locks being changed.
- If belongings are found in the property, the Association is bound in terms of legislation to act in the following way:
  - Take an inventory and photographs of the goods.
  - Store the goods if, in the Associations opinion, the value of the goods is equivalent to storage costs. Otherwise, they may be disposed of.
  - If after 6 months in storage the goods are not collected, the Association may sell them and use the proceeds to cover the storage costs or other sums due such a rent arrears.
  - If any time, the tenant wishes to take possession of the goods, the storage costs must be paid in advance.

## **7. Tenancy End by Death**

- Where a tenant dies leaving no successors to the tenancy, Craigdale will allow the relatives one week after the funeral to clear the property or two weeks in total from date of tenant's death (whichever is the most appropriate).
- The tenancy will officially end upon the date of death of the tenant. Rights to housing costs entitlements will also end on the date of death. The Association has the discretion to claim the tenant's estate for the period in which the clear out of the property takes place.
- In the majority of tenants' deaths, the Association is generally advised of the death by the next of kin who takes responsibility for all necessary arrangements. The person responsible for the tenants' affairs will be asked to produce a death certificate to establish the date of the tenancy end and the identity of the deceased.
- The next of kin normally arranges to clear the property of furniture and personal effects. The Association has the discretion to assist by clearing out items of furniture where disposal is requested.
- In the event of no next of kin coming forward, the Association will try and find a next of kin. The Association may contact other organisations such as Police Scotland.
- If no next of kin can be identified, Police Scotland will liaise with the Local Authority in the first instance.

- In the case of sudden, suspicious, accidental or unexplained death the Association will need to liaise with the Procurator Fiscal and / or next of kin.
- The Association needs a copy of the death certificate to end a tenancy. If there is no next of kin, close liaison is required with Police Scotland.

## **8. Tenancy End by Eviction**

- The process for eviction is dealt with under the Association's policy and procedures for rent arrears. The tenancy termination date is the date that an actual eviction takes place.

## **9. Other Tenancy Terminations**

There are some circumstances where tenancy terminations will not result in properties being classified as void. These are detailed below, and the processing of such tenancy ends will be dealt with under their own individual policies and procedures.

- Mutual Exchange
- Assignment / Sub Letting
- Succession
- Joint to single tenancies/single to joint tenancies.

## **10. Managing Voids**

- The Association manages its voids in a way that ensures the property is in a good condition for letting and maximises the Association's rental income by minimising the void period. We work efficiently to carry out repair works and identify potential new tenants within the shortest possible timescales.
- We will if necessary, arrange security to be installed once void, or take other precautionary safety measures, if a property is deemed at risk.
- If keys are not returned in line with the tenancy termination date, rent will be charged until the keys are handed in or the Association is forced to gain access. Legal advice will be sought in these cases.
- Assess the quality of the decoration of the void property and establish any potential entitlement to assist the new tenant with decoration. Craigdale may offer a redecoration allowance voucher to assist the new tenant to bring the property up to a reasonable standard. If the decoration of the void property results in a refusal or the new tenant is unable to carry out the decoration, then the Associations contractor will be instructed to decorate the property.

- Ensure every prospective tenant is issued with a copy of the tenancy agreement before they make a decision on whether or not to accept the offer of a tenancy.
- Carry out weekly visual inspections of the exterior of the property during the void period.
- Pre allocate the property.
- Carry out accompanied viewings.

## 11. Letting the Property

The Association's Allocation Policy details how the Association will allocate its void properties. New tenants will be liable for rental payments from their date of entry and the property will be habitable from that date.

Staff will carry out a settling in visit within 4 weeks from the tenancy start date to ensure the void property is fully occupied and deal with any tenancy issues that have arisen.

## 12. Lettable Standards

Our lettable standards are:

- To let the house in an acceptable standard in terms of repair and decoration.
- To have a full gas safety check undertaken and compliance certificate issued to new tenant, copy to Craighdale.
- The smoke alarm(s) should be tested as part of the gas safety check.
- All electrics must be checked, and a certificate of inspection issued to new tenant, copy to Craighdale
- Up to date EPC and copy of certificate issued to new tenant, copy to Craighdale
- All repairs will be completed before the property is let.
- Minimal repairs can be carried out once the tenant has signed for the tenancy.
- All windows should be fully operational and checked for safety. Window keys if possible, should be issued to tenants where we have fitted locks.



- Front and Back door locks to be changed, doors checked for security and drafts. All pass doors should be intact and operating properly. Living room and kitchen doors should have door-closers. Bathroom doors should have locking device.
- The house will be cleared of furniture, carpets, and personal belongings and rubbish from the previous tenant.

### **13. Reports to Operational Services Committee**

Quarterly reports to Operational Services Committee will include but are not limited to details on the following:

- Rent lost due to void properties - Target 0.5%
- Turnover of stock and number of lettable voids.
- Refusal of properties.
- Average re-let times of void properties – Target 10 days
- Spend on void properties.

### **14. Complaints**

We have a separate complaints policy and procedure. Leaflets and copies of the complaint's procedure are available from the Association's office and on our website. We also provide information on how our customers can make a complaint to the SPSO, Bridgeside House, 99 McDonald Road, Edinburgh, EH7 4NS, telephone 0800 377 7300 or 0131 225 5300.

### **15. Equalities and Human Rights**

We are committed to the principles of equality and diversity, including working towards a Board and staff team that is representative of the communities it serves in respect of Protecting Characteristics.

### **16. Freedom of Information (FOI)**

The Association is subject to FOI and all enquiries with respect to Void Management Policy will be handled strictly in line with FOI and confidentiality policies.

### **17. General Data Protection Regulations (GDPR)**

The organisation will treat personal data in line with our obligations under the current GDPR regulations and our own policy.

## **18. Review of Policy**

This policy will be reviewed at least every 3 years or in light of changes to legislation.