

<b>KNOWES HOUSING ASSOCIATION LTD</b>	
<b>Policy Name</b>	Void Management Policy
<b>Policy Category</b>	Housing Management/Technical Services Section
<b>Policy Number</b>	HM14
<b>Date to Housing Services Sub Committee</b>	May 2019
<b>Previous Reviews</b>	September 2007 / December 2009 / December 2012 August 2014, 2017
<b>Next Review Date</b>	May 2022
<b>Consultation</b>	Staff & Committee
<b>Links to Other Policies</b>	Death of a Tenant Policy – HM02 Allocations Policy – HM04 Legal Action and Eviction Policy – HM22 Abandonment Policy – HM10 Repairs Policy – MDS 05 Recharge Repairs Policy – MDS 17

## **1. AIMS AND OBJECTIVES**

- 1.1 The turnover of housing stock is an integral part of social housing provision that inevitably results in periods where properties are void (empty). Knowes Housing Association is aware that the good management of void properties and the limitation of void periods is vital to maximise rental income, provide a quality service, meet housing need and achieve good estate management.
- 1.2 When a tenancy ends and the Association has to prepare it so that it is ready to be re-let, the period where it is un-tenanted is called a void. A void property continues to have a rent charge applied to it and the main aim of the Association is to minimise the time a property lies empty and to reduce the void rent loss.
- 1.2 This Void Management Policy is to be read in conjunction with the Void Management Procedure and will be implemented by both Housing Management and Technical Services sections.
- 1.3 The Association has clear procedures and a clear allocation of responsibilities with effective partnership working and communication between the various sections involved.
- 1.4 The Association will involve tenants in void management by;

- Raising tenants awareness about the costs incurred as a result of leaving properties in poor condition and encouraging tenants to participate in the Void Incentive Scheme which was introduced to encourage tenants to remove all items from the property and leave it in a clean and tidy condition;
- Ensuring all New Tenants receive an Application/Allocation Satisfaction Questionnaire to identify gaps in either the void management or the allocation process. The results of this are analysed and reported to the Housing Services Sub Committee at regular intervals.
- Providing tenants with details of our void process in our tenants handbook and how they can contribute
  - Request that tenants notify the Association if they are aware that a property is lying empty so that we can investigate and recover through our Abandonment process.

## **2. SCOPE OF THE POLICY**

- 2.1 The purpose of this policy is to set out the Association's position on the management of voids.
- 2.2 Void management activity covers a number of related activities. These include
- tenancy termination
  - property inspections
  - identifying rechargeable works and other tenant responsibilities
  - ordering and supervising repair work
  - offering tenancies and arranging viewing
  - creating tenancies, signing tenancy agreements etc.
- 2.3 The Void Property Management Policy applies to all rented property owned or managed by the Association.
- 2.4 The Void Property Management Policy complies with and supplements Knowes Financial Regulations.

## **3. LEGAL BACKGROUND AND COMPLIANCE**

- 3.1 The Void Property Management Policy meets with legislative and good practice requirements; this includes the following:

**Scottish Secure Tenancy** – The Association can exercise direct control over its tenants via the terms of the Scottish Secure Tenancy Agreement. The purpose of this is to protect the interest of its tenants, the wider community and the Association.

**Housing (Scotland Act) 2001** - The Void Property Management Policy adheres to the Housing (Scotland) Act 2001, in particular guidance in relation to the termination of a tenancy (notified or abandoned), compensation for improvements and access rights for inspection.

**The Energy Performance of Buildings (Scotland) Regulations 2008** – the Association will ensure that it allocates void properties that have a valid Energy Performance Certificate in place.

**The Gas Safety (Installations and Use) Regulations 1994 and the Gas Safety (Installation and Use) (Amendment) Regulations 2018 which came into force on 6 April 2018.** ... This guidance is for anyone who may have a duty under the Gas Safety (Installation and Use) Regulations 1998, including those who install, service, maintain or repair gas appliances and other gas fittings. The Association will ensure that it allocates void properties that have benefited from an annual inspection of gas installations and appliances as appropriate. In all cases a gas safety check will be carried out prior to handover of keys.

**The Construction, Design and Management Regulations** – The Association ensures that it meets Health and Safety requirements in the management of voids, particularly relating to repairs by Association or contracted staff.

**General Data Protection Regulations** - Within the legislation of GDPR the Association will ensure that information provided by an applicant and/or tenant, or sought by the Association is relevant only to the management of void properties and that all such information received is treated in the strictest confidence.

Under the provisions of GDPR, individuals have the right to see and receive a copy of any personal information (for which a small fee may be charged) that is held about them by the Association and to have any inaccuracies corrected.

- 3.2 The Void Property Management Policy also complies with the guidelines set by The Scottish Government in the Social Housing Charter. In terms of the management of voids, the Charter states that every social landlord must:

**“Housing quality and maintenance**

**4: Quality of housing**

Social landlords manage their businesses so that:

- tenants’ homes, as a minimum, meet the Scottish Housing Quality Standard (SHQS) by April 2015 and continue to meet it thereafter, and when they are allocated, are always clean, tidy and in a good state of repair.”

**3. RISK MANAGEMENT**

- 3.1 By having a detailed Void Management Policy & Procedure the Association minimises risks associated with this area of work. These

documents highlight who has responsibility for the different stages in the Void Procedure and ensures that potentially hazardous elements such as gas and electricity are checked by registered tradesmen prior to letting a void property to a new tenant.

- 3.2 In addition, the risk of not having such a policy and procedure in place is that properties will be let out with the scope of legislation and the lettable standard which Knowes subscribes to. By doing this puts our tenants and the organisation at risk both from a safety/physical perspective and also a potential financial risk through penalties etc.
- 3.3 The risk of not adhering to this Policy & Procedure would result in delays in properties being relet, or properties becoming less desirable due to the lower standards, all resulting in void loss which has a financial impact on the association.

#### **4. PROCEDURES**

- 4.1 The Association has a detailed Void Management Procedure which contains a number of appendices which are used to implement the procedure. The procedure describes the processes involved from termination of a tenancy through to the allocation and letting of the property to a new tenant.

#### **5. TERMINATION OF TENANCY**

- 5.1 The void management process will start when the Association receives notification that a tenancy is ending. Generally, we ask for a signed and completed Notice of Termination of Tenancy or letter, however we will also accept an email from the tenant. We will not accept verbal notice in person or by phone.
- 5.2 A minimum of 28 days' written notice must be given in accordance with the Tenancy Agreement. The Housing Manager has the discretion to shorten this period in circumstances where a new tenant has been identified and this is acceptable to the outgoing tenant, or other exceptional circumstances.
- 5.3 Properties may be recovered due to a tenant abandoning their tenancy, in such cases reference should be made to the Abandonment Policy & Procedure – HM10 which should be implemented in conjunction with this policy.
- 5.4 Properties may be recovered due to the tenant being evicted, in such cases reference should be made to the Legal Action & Eviction Policy & Procedure – HM22 which should be implemented in conjunction with this policy.
- 5.5 Tenancies may end on the death of a tenant, in such cases reference should be made to the Death of a Tenant Policy – HM02 which should be implemented in conjunction with this policy.

## **6. END OF TENANCY INSPECTIONS AND KEY ISSUES**

- 6.1 An end of tenancy house inspection with the outgoing tenant will be encouraged. This will be carried out by the Technical Services Inspector/Assistant and is to identify any defects in the property that may result in the outgoing tenant incurring rechargeable repair costs, and to impress upon the tenant the need to leave the dwelling clean and free of rubbish.
- 6.2 Details will also be passed to the relevant Housing Officer to flag up a future change of tenancy, which will prompt them to check the rent account for the tenancy being ended. The Housing Officer will contact the outgoing tenant as soon as possible to discuss how much rent is payable to the end of tenancy date.
- 6.3 The outgoing tenant must return 2 full sets of keys (i.e. 2 sets of house keys, 2 controlled entry keys and a back door key), otherwise the tenant will be recharged the costs of changing the locks to the property. In cases when keys are returned after the proposed date of termination will result in the outgoing tenant being charged rent up to this date.
- 6.4 In the event of keys not being received by the due date, the Allocations Officer/Housing Officer will pursue them as soon as possible. The Housing Officer should liaise with the Housing Manager as to whether to pursue the outgoing tenant or to commence the Abandoned House Procedure.
- 6.5 If keys are returned with no termination form, they will be passed to the Housing Officer to pursue the outgoing tenant for a signed Termination of Tenancy Form, otherwise the Abandoned House Procedure will commence.
- 6.6 If keys are returned before the 28-day notice has ended the Association will begin the void work and if the property is re-let before the 28-day period has lapsed we will end the tenancy and the out-going tenant will only be charged rent up to this date.
- 6.7 In the event that a tenant hands in keys without providing 28 days' notice we will start this notice period from the date we received the keys.
- 6.8 In cases where we have been informed of the death of a tenant and there is no succession to the tenancy, the Association will contact the next of kin or nearest relative and a death certificate sought. (For more detail see Death of a Tenant Policy HM02). We will use the date that they keys are returned to us by a relative or next of kin as the tenancy termination date.
  - 6.5.1 When the Association is notified of a death of a tenant, the Allocations Officer/Housing Officer will contact the next of kin or nearest relative to request both keys and a copy of the death certificate.

6.5.2 In such cases, a period of 2 weeks should be allowed for the house to be cleared. However, in cases where the property cannot be cleared by relatives and the keys are made available timeously by the next of kin/relative, the Association will offer to carry this out as soon as the keys are returned. The Association recognise the difficulties and sensitivities associated with clearing the belongings of a deceased person, therefore the Housing Manager has discretion to extend this 2-week period if required.

## **7. VOID INSPECTION AND SECURITY**

7.1 Once the Technical Services Team receive keys to a void property, the appropriate paperwork will be completed and issued to the Technical Services Inspector/Assistant to carry out the house inspection. The inspection will be completed and the works orders issued to the contractor by close of business the following working day of the keys being received. In cases where the void cannot be inspected due to the poor internal condition of the property the timescale will potentially extend the target date by up to a maximum of 48 hours.

7.2 All voids are normally post-inspected by Technical Services staff, however if for any reason this cannot be done, Housing Management staff will undertake this duty. No prospective tenant should sign up for a new tenancy unless the property has been checked and passed as lettable by the appropriate staff. A New Tenant Welcome Pack will be left in the property for the new tenant at the post-inspection stage along with a copy of the Energy Performance Certificate.

7.3 As a general rule, we do not fit security on void properties, however where there is potential for damage we will require security but Housing Management staff will be consulted as to whether this should be fitted in any of our vacant properties.

7.4 Where required the Association endeavour to have security fitted the same day the keys are received. If tenants are unable to hand in their keys before 12 noon on their tenancy end date, they will be asked to contact the office prior to handing in the keys, so that security can be ordered for later that day.

7.5 Where security is fitted this should be removed the day before the new tenancy starts.

## **8. DECORATION ALLOWANCES**

8.1 When a void is proving difficult to let due to poor décor, then the Allocations Officer should make a recommendation to the Housing Manager that a decoration allowance be made available to the incoming tenant.

8.2 The Allocations Officer will make this request to the Housing Manager who will be responsible for authorisation. The allowance will be paid by cheque and will be set at a maximum of £30 per room. It will not always be the case that every room requires major redecoration, and the number of rooms should be stated in the initial request.

## **9. MUTUAL EXCHANGES & ASSIGNATION OF TENANCY**

- 9.1 Mutual Exchange or Assigination of Tenancy applications will require a house inspection to be carried by the Technical Services Inspector/Assistant. Where there is minor work required which is considered tenant responsibility, the tenant will be given time to complete the necessary repairs. Once these are completed a further inspection will be carried out to determine that they have been satisfactorily completed. A suitable timescale will be agreed to allow this work to be carried out but this should not extend beyond the timescales defined in the Mutual Exchange procedure or the request will be refused.
- 9.2 If the work is substantial, the Mutual Exchange/Assigination will be refused which will be confirmed in writing to the tenant(s).
- 9.3 Mutual Exchanges, Successions and Assigination of Tenancies will be required to accept the properties in their current condition at the time of approval and in accordance with the relevant Policy, no non statutory repairs will be carried out except any responsibilities which fall under the Association's remit as detailed in the Tenancy Agreement such as gas and electrical safety checks.

## **10. PERFORMANCE MANAGEMENT**

- 10.1 Day to day performance in all aspects of void management is monitored through the use of the Void Process Monitoring tool which is set up on the Excel Common drive, and used by both Housing Management and Technical Services staff. This is an efficient and effective monitoring tool and allows for excellent partnership working between the sections and facilitates an overview of performance across all the areas associated with void management.
- 10.2 The Current Void Register will also be used to monitor both voids and allocations. This is also an Excel document which is used by Housing Management staff and will be updated on a daily basis by the Allocations Officer.
- 10.3 The Association sets performance targets and priorities for all activities associated with empty properties e.g. target times for inspecting vacated dwellings and for carrying out repairs. External contractors involved in the void procedure will also be set targets and standards in terms of safety checks and repair timescales. It should be noted that all properties will be repaired to a minimum lettable standard.
- 10.4 Below is a summary of the key performance measurements set by the Association: -
- Void loss is reported each month to the Housing Services Sub-Committee. This should be stated as a % of the Monthly Debit and cumulatively as a % of the cumulative annual debit. This target is

reviewed yearly by the Housing and Technical Services Team before being approved by the Associations Housing Sub-Committee.

- The days taken to let voids are reported quarterly to the Housing Services Sub-Committee with average number of calendar and working days highlighted against targets set. At present the target is 7 calendar days and 5 working days and our average letting period is measured against this. This is reviewed annually by the Housing Services Sub Committee. In addition, in accordance with the Annual Return on the Charter for the Housing Regulator, all lettings examine how long the property was void for, and this is expressed in under 2 weeks, 2 – 4 weeks and over 4 weeks – this is reported monthly and cumulatively over the year.
- Void repair work will be completed in either 24 hours, 48 hours, 5 or 10 working days. Once keys have been received, the Association have until the close of business the next working day to inspect the void property and issue works to the contractor. The post inspection will be carried out the same day the work is complete, this inspection will be carried out jointly with the contractor. The performance in meeting these void repair targets are reported quarterly and cumulatively to the Housing Services Sub Committee.

## **11. COMPLAINTS PROCEDURE**

- 11.1 Any tenant who feels aggrieved by their treatment under this Policy can ask for a copy of the Association's Complaints Policy which is available at the Associations office. Tenants also have a right to complain to the Public Services Ombudsman. The Complaints Policy details the way in which Tenants can complain and the timescales for responding.

## **12. EQUALITIES COMMITMENT**

- 12.1 Knowes Housing Association Ltd is committed to tackling discrimination on the grounds of sex or marital status, racial grounds, or grounds of disability, age, sexual orientation, language, social origin, or of other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions.
- 12.2 Knowes' seek to embrace diversity, promote equal opportunities for all and eliminate any unlawful discrimination in all areas of our work.