



Policy:

Voids

Housing Services

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CONTENTS

	<u>Page Number</u>
1. Introduction	4
2. Voids Definition	4
3. Void Period & Re-let Time.....	4
4. Aims and Objectives	4
5. Scottish Social Housing Charter Outcomes	5
6. Annual Return on the Charter (ARC) Indicators	6
7. Void Categories	6
8. Void & Re-Let Targets.....	7
9. Void Stages.....	7
10. Tenants' Responsibilities and Rights.....	7
11. Death of Tenant	8
12. Abandoned Properties	8
13. Inspections	9
14. Safety and Security	10
15. Minimum Lettable Standard	10
16. Partnership Working.....	10
17. Allocation Issues.....	11
18. Tenancy Sustainment	11
19. Benchmarking	12
20. Equality and Diversity.....	12
21. Legal Framework, Guidance and Good Practice	13
22. Role of the Management Committee	13
23. Monitoring and Reporting.....	13

24.	Delegated Authority	13
25.	Decision Review	14
26.	Complaints.....	14
27.	Review of Policy.....	14

VOIDS POLICY

1.0 Introduction

- 1.1 Provanhall Housing Association is a community based not-for-profit organisation located in the Provanhall area of Easterhouse. The Association is run by an elected and voluntary Management Committee made up of local tenants and residents. Policies of the Association are agreed and approved by the Management Committee with the implementation of these policies the responsibility of staff.
- 1.2 The Association recognises the need to ensure rent loss incurred through void properties, together with the lost opportunity to provide accommodation for applicants in housing need, is kept at a minimum.
- 1.3 The Association is committed to ensuring all void properties are re-let as quickly as possible and within agreed budgets.
- 1.4 Please see the Voids Procedure for full details and actions of each of the areas outlined under this policy.

2.0 Void Definition

- 2.1 A void property is:

“a property owned by a landlord which has no tenant” (‘Scottish Social Housing Charter, Technical Guidance for Landlords’) Scottish Housing Regulator, March 2020.

3.0 Void Period & Re-Let Time

- 3.1 The void period and time to re-let the property is:

“the amount....measured in calendar days between the date of termination of a previous tenancy and the start date of a new tenancy”.
(‘Scottish Social Housing Charter, Technical Guidance for Landlords’) Scottish Housing Regulator, March 2020.

4.0 Aims and Objectives

- 4.1 Minimise void periods and loss of rental income and assist in meeting housing need by ensuring all void properties are re-let as quickly as possible.

- 4.2 Minimise the cost of void repairs, including rechargeable repairs, through effective property and tenancy management. This includes pre-inspections to all terminating tenants including internal transfer applicants in advance of future offers of re-housing.
- 4.3 Minimise tenancy turnover and the number of voids through effective estate, property and tenancy management which encourages tenancy sustainment and community stability.
- 4.4 Effective monitoring of void policy and procedure through setting clear standards, targets and benchmarking with other organisations.
- 4.5 Comply with legal duties, regulatory requirements and good practice standards.

5.0 Scottish Social Housing Charter Outcomes

- 5.1 The purpose of the Charter is to *“help to improve the quality and value of the services that social landlords provide”*. (*The Scottish Social Housing Charter, April 2017*) Scottish Government, April 2017.

The following charter outcomes and standards are directly relevant to the Voids Policy:

- 5.2 Charter Outcome 4 ‘Quality of housing’:
“tenants’ homes, as a minimum, meet the Scottish Housing Quality Standard (SHQS) when they are allocated; are always clean, tidy and in a good state of repair; and also meet the Energy Efficiency Standard for Social Housing (EESH) by December 2020.
- 5.3 Charter 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”.
- 5.4 Charter Outcome 6 ‘Estate management, anti-social behaviour, neighbour nuisance and tenancy disputes’:
“tenants and other customers live in well-maintained neighbourhoods where they feel safe”.
- 5.5 Charter Outcome 11 ‘Tenancy Sustainment’:
“tenants get the information they need on how to obtain support to remain in their home; and ensure suitable support is available, including services provided directly by the landlord and by other organisations”.
- 5.6 Charter 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”.

5.7 Charter Outcome 14 and 15 'Rent and service charges':
"a balance is struck between the level of services provided, the cost of the services, and how far current and prospective tenants and service users can afford them".

6.0 Annual Return on the Charter (ARC) Indicators

6.1 The following Annual Return on the Charter (ARC) Indicators are directly relevant to the Voids Policy:

6.2 Charter Indicator 30 *"Average length of time taken to re-let properties in the last year"*.

6.3 Charter Indicator 18 *"Percentage of rent due lost through properties being empty during the last year"*.

6.4 Charter Indicator 17 *"Percentage of lettable houses that became vacant in the last year"*.

6.5 Charter Indicator 14 *"Percentage of tenancy offers refused during the year"*.

6.6 Charter Indicator 16 *"Percentage of new tenancies sustained for more than a year, by source of let"*.

6.7 Charter Indicator 6 *"Percentage of stock meeting the Scottish Housing Quality Standard (SHQS)"*

6.8 Charter Contextual Indicator 10 *"Percentage of properties meeting the EESSH"*

6.9 Charter Contextual Indicator 12 *"Energy Performance Certificates (EPC's)"*.

6.10 Charter Contextual Indicator C2 *"Number of lets during the reporting year, by source of let"*.

7.0 Void Categories

7.1 There are various reasons why a property becomes void and different categories of voids. These include:

7.2 **Termination** - tenant has ended their tenancy by giving formal notice

7.3 **Internal Transfer** – current tenant moves to another Association tenancy

7.4 **Death** - tenant has died and there is no-one to succeed to the tenancy

7.5 **Court Order** - tenant has been evicted

7.6 **Abandonment** - tenant has abandoned the property and legal notices have been served

7.7 **Decant** - property is being held for an existing tenant who has to be moved, usually temporarily, from their own property for emergency purposes such as a fire or flood or for planned refurbishment

7.8 **Development** - property is a new-build awaiting first let or awaiting re-development or undergoing other major works

8.0 Void & Re-let Targets

8.1 The Association will aim to re-let all void properties within 7 days of the termination date.

8.2 The Association recognises meeting the 7 day target may be challenging due to the circumstances involved when:

8.3 Death of tenant

8.4 Abandonment

8.5 Repossession by court order

8.6 Keys not returned until termination date

8.7 Access not provided for end of tenancy inspection, accompanied viewings etc.

8.8 Sustained adverse weather.

8.9 Significant / critical event (e.g. COVID-19 pandemic)

9.0 Void Stages

9.1 The process of passing a property from one tenant to another involves the following stages:

9.2 Tenancy termination notice

9.3 Pre-termination visit & property inspection

9.4 Identify any tenant required works & repairs

9.5 Post-termination void inspection

9.6 Void repairs to meet lettable standard including identifying any additional terminating tenant rechargeable repairs

9.7 Accompanied viewings

9.8 Allocation & sign-up of new tenant

9.9 New tenant date of entry/moves in

10.0 Tenants' Responsibilities and Rights

- 10.1** The Association will ensure that tenants are made fully aware of their rights and responsibilities with regard to ending their tenancy as outlined in their Tenancy Agreement, information given at sign-up, tenants' handbooks, newsletters and tenant consultation events.
- 10.2** Prior to leaving, tenants will also be provided with a procedural checklist of information in regard to the statutory notice of termination, their Right to Compensation for Improvements and their responsibilities regarding rent, repairs, condition of the property, keys, etc.
- 10.3** The Association will normally expect outgoing tenants to allow access for routine inspections and viewings prior to their moving, unless there are specific circumstances that prevent this.
- 10.4** Where rechargeable repairs and/or alterations have been identified, tenants will be notified and must attend to them prior to the termination date. Otherwise the Association will carry them out and recharge the former tenant. The final invoice may include a charge for administration in addition to contractor costs.
- 10.5** Outgoing tenants' reasons for leaving will be monitored to highlight any tenancy sustainment issues or patterns in regard to the management, maintenance or service provision of the Association. This will also help to minimise the risk of difficult to let or low demand property types or locations.

11.0 Death of Tenant

- 11.1** Death of a tenant is one of the ways outlined in the Scottish Secure Tenancy Agreement in which a tenancy can be ended. Where the tenant has died and there is no successor to the tenancy, staff will request a copy of the death certificate from the next of kin in order to end the tenancy. The Association will normally allow the next of kin up to two weeks to make necessary arrangements with regards the tenancy and clearing the property before returning keys. Staff however can use their discretion and give the next of kin additional time for key return, if requested or depending on the circumstances.
- 11.2** Where no next of kin comes forward to act on behalf of the tenant, the Association will endeavour to trace them via emergency contacts, neighbours or friends or through statutory services including police and social work or via health services.
- 11.3** If statutory or health services confirm the tenant has passed away and no next of kin, staff should arrange forced entry (if no keys returned by the police) and access the property with two staff members present to conduct a search of the property. See the Voids Procedure for full details and actions.

12.0 Abandoned Properties

12.1 If staff identify or receive a report or complaint that a house may be empty, investigations must be quickly and thoroughly carried out in order to determine whether the tenant is occupying the house or intends to occupy the house as their home.

12.2 If the Association has reasonable grounds to believe a property has been abandoned following these investigations, the statutory abandonment procedures will be instigated and legal notices served and action taken in accordance with sections 17-21 of the Housing (Scotland) Act 2001 and the Scottish Secure Tenancies (Abandoned Property) Order 2002. See the Abandoned Tenancy Policy and Procedure for full details and actions.

13.0 Inspections

13.1 Pre-termination inspections will be carried out with the outgoing tenant present to discuss the condition of the property, including any adaptations, garden areas, cellars and lofts, to be assessed against the minimum lettable standard. Any alterations or repairs required will be identified, including whether the tenant or the Association will be responsible. The tenant will sign the declaration confirming the alterations or repairs work they are responsible to carry out prior to leaving the tenancy. For Internal Transfer or Mutual Exchange applicants, this work need only be carried out by the outgoing tenant if the transfer or exchange is to be approved subject only to completion of any alterations or repairs.

13.2 The Association will try to ensure a final inspection is carried out with the outgoing tenant on or near to the termination date to check the property has been left in a satisfactory condition and the tenant has completed all alterations or repairs they were due to carry out prior to leaving. If this work has not been carried out the tenant will be informed of the declaration they signed and informed to either complete the work or they will be recharged.

13.3 Technical Services staff must always complete a post-termination void inspection once the keys are returned. Technical services staff will assess, order and post-inspect works required to ensure the property meets the lettable minimum standard prior to being re-let.

13.4 All statutory inspections and repairs, including lock changes and safety checks, together with completion of relevant certificates, (gas, electrical and energy performance) will be carried out and made available to the new tenant in advance of keys being issued and moving in. To provide accommodation and meet the housing need of applicants as quickly as possible and to minimise void periods, non-essential repairs such as minor joinery work may in certain circumstances be done after the new tenant moves in.

14.0 Safety and Security

- 14.1** The Association will take reasonable steps to ensure all void properties are both safe and secure at all times. Where a void property is likely to be empty for a longer period than usual, or is considered to be in a vulnerable condition due to the property type, location or some other reason, staff can either take action to make the property look occupied (leaving up previous tenant's blinds or curtains, fitting similar, installing lights/lamps with timers etc.) or use their discretion to take additional security measures. This can include alarm devices placed in the property or steel sheeting to the doors or windows. The need to secure the property has to be weighed against the effect or impression this can give to potential tenants viewing the property or indeed residents already living in the same building as or close to the void property. For that reason staff discretion regards the type and level of security will be determined by each void.
- 14.2** In the case of development voids or properties undergoing major works, fixed measures of security, such as metal fences or employing security personnel will be considered.
- 14.3** Where properties are void during winter, additional precautions will be taken including conducting regular inspections, draining down of pipes and heating systems or maintaining heating at frost settings.
- 14.4** The health and safety of staff and incoming tenants is paramount when viewing or inspecting void properties. Precautionary and common sense measures should be considered and taken at all times. This includes staff using personal protective equipment (PPE) and carrying charged mobile phones and personal alarms and arranging inspections and viewings in daylight hours. See the Staff Safety Policy and Lone Worker Policy for further details.

15.0 Minimum Lettable Standard

- 15.1** The Association has a minimum letting standard to which a void property will be brought up to before being re-let to a new tenant. This is to ensure each void property is safe and secure for occupation and repaired and re-let to a consistent and high standard of quality. See the Voids Procedure for full details.

16.0 Partnership Working

- 16.1** To meet fully all the aims of this policy, the Management Committee strongly believe this can only be achieved by Technical Services and Housing Services staff working closely together and in partnership with other statutory, voluntary or key organisations.

The main partner organisations under this policy which staff will have regular contact or meetings with include:

- 16.2 Maintenance Contractors (house clearance & cleaning, electrical, gas, joinery & other void works)
- 16.3 Service Suppliers (gas, electricity, water)
- 16.4 Glasgow City Council - Land & Environmental Services (bulk uplift),
- 16.5 Financial Services (Housing Benefit & Council Tax)
- 16.6 HSCP: Homeless Community Casework Team, Children & Family Services, Community Addiction Services, Mental Health Services, Adult / Older People Services, Physical Disability Services, Primary & Secondary Health Services (outgoing, transferring or new tenants)
- 16.7 Strathclyde Police (outgoing, transferring or new tenants)

17.0 Allocation Issues

- 17.1 The Association will begin identifying prospective tenants as soon as possible after notice of a void is received. This will ensure housing need is addressed quickly and minimise the length of time the property is void. Allocations to applicants with vulnerability or support issues will be closely monitored to ensure the void period is not unnecessarily extended. See the Allocations Policy and Procedure for full details and actions including identifying and dealing with vulnerable tenants.

18.0 Tenancy Sustainment

- 18.1 The Association recognises tenants choose to end their tenancy for positive reasons such as moving in with a partner, buying their own home or relocating as a result of a new job or transferring to a more suitable medically adapted or larger or smaller home. Tenancies also end for natural reasons such as a tenant passing away. Tenancy turnover therefore does not necessarily reflect a failure of a tenancies.
- 18.2 Unfortunately not all tenancies end through the choice of the tenant. Tenancy sustainment simply means keeping tenants in their home for as long as they wish to remain. As a result this helps to reduce the number of failed tenancies and potential homelessness. A failed tenancy is when the tenancy ends for negative reasons and the tenant does not necessarily choose or wants the tenancy to end. This can happen for many reasons or issues such as financial, drugs or alcohol dependency, mental health or simply not being able to cope with managing their home. Shelter defines tenancy sustainment as *'preventing a tenancy from coming to a premature end by providing the necessary information, advice, and support for tenants to be able to maintain their tenancies'*. It is for these reasons meeting the aims of this policy are so important.
- 18.3 The Association will do all it possibly can to make sure tenants remain in their home and that potential homelessness is prevented.

It is for this reason this policy and other policies emphasise working closely with the tenant and in partnership with others as being vital in successfully sustaining tenancies by keeping tenants in their home and preventing potential homelessness. As a result different policies and procedures of the Association already include many tenancy sustainment measures:

- 18.4 Housing advice during prospects for rehousing discussions
- 18.5 House visits prior to offer of housing
- 18.6 Pre tenancy viewings and discussions
- 18.7 Establishing a good relationship with new tenants from the start
- 18.8 Identify, discuss and agree any support needs or vulnerability issues
- 18.9 Furniture provision information
- 18.10 Money and benefits advice - pre and post tenancy
- 18.11 Simple and clear communication with tenants
- 18.12 Face to face or telephone personal contact
- 18.13 Tenancy visits
- 18.14 Partnership working

19.0 Benchmarking

- 19.1 The Association will benchmark its performance and use this to set, monitor and report targets. This will be done via Management Committee, Annual General Meeting, Scottish Housing Regulator Landlord Report, Annual Report and newsletters.

20.0 Equality & Diversity

- 20.1 Provanhall Housing Association is committed to promoting an environment of respect, understanding, encouraging diversity and eliminating discrimination by providing equality of opportunity for all. The Voids Policy and Procedure in its operation will adhere to all parts of the Equality & Diversity Policy.
- 20.2 The Association wishes to ensure there are no barriers in accessing its services. Relevant documents can therefore be translated into a range of languages on request. We will also ensure that translation services are available for those who wish more detailed information and to assist those who wish to make personal enquiries. For anyone with visual or audio impairment relevant documents can also, on request, be made available in larger print, on tape, in Braille or on any format required.

21.0 Legal Framework, Guidance and Good Practice

21.1 All aspects of the Voids Policy and Procedure adhere to the following Equality, Housing & Technical legislation, regulations, guidance and good practice:

21.2 Equality Act 2010

21.3 Housing (Scotland) Act 2001

21.4 Housing (Scotland) Act 2010

21.5 Housing (Scotland) Act 2014

21.6 Homelessness etc. (Scotland) Act 2003

21.7 Data Protection Act 2018

21.8 General Data Protection Regulation 2018

21.9 Housing (Scotland) Act 1987

21.10 The Scottish Social Housing Charter, (Scottish Government, March 2017)

21.11 The Scottish Social Housing Charter, Technical Guidance for Landlords (Scottish Housing Regulator, July 2020)

21.12 Gas Safety (Installation and Use) Regulations 1998

21.13 Scottish Secure Tenants (Compensation for Improvements) Regulations 2002

21.14 The Control of Asbestos Regulations 2012.

21.15 Building (Scotland) Regulations 2004

21.16 Construction (Design and Management) Regulations 2015

21.17 All current and relevant British Standards and approved codes of practice

21.18 The Health and Safety at Work Act 1974 and all subsequent amendments and regulations created by virtue of the Act.

21.19 The current edition of the IEE wiring regulations.

21.20 The current edition of the Scottish Housing Quality Standard (SHQS)

22.0 Role of the Management Committee

22.1 Staff will undertake the day to day operation of every aspect of the voids Policy and Procedure. The role of the Management Committee is to agree the policy, monitor its outcomes and review accordingly.

23.0 Monitoring and Reporting

23.1 It is important for the Association to establish whether the aims of the Voids Policy are being met. Regular monitoring and reporting helps to establish whether or not these aims are being met. Reports, including details of actual performance against targets set, will therefore be provided to the Management Committee.

24.0 Delegated Authority

24.1 The Management Committee has delegated the Housing Services Sub-Committee authority to monitor the voids policy outcomes.

25.0 Decision Review

25.1 Any applicant or tenant dissatisfied with any decision taken regarding their application or any part of the allocation or void process has the right to request a review of the decision. All applicants are advised of the review process which is as follows:

25.2 The applicant or tenant can request a review of the decision to the Housing Services Manager of the Association. Their review request can be made in person by making an appointment or by phone, in writing or by email. The Housing Services Manager will provide a written response within 5 working days.

25.3 If the applicant or tenant does not agree or accept the decision of the Housing Services Manager, they have the right to make a final review request to the Director of the Association. Their review request can be made in person by making an appointment or by phone, in writing or by email. The Director will provide a written response within 5 working days. The Director's decision will be final.

26.0 Complaints

26.1 An applicant or tenant has the right to complain if they are unhappy. We value any complaint an applicant or tenant may have as this can help improve the service we provide. See the Complaints Policy and Procedure for details.

27.0 Review of Policy

27.1 This policy will be reviewed five years from date of approval or sooner due to legislative, guidance or good practice requirements.