



PEAKS & PLAINS
Housing Trust

The Trust

EMPTY PROPERTY MANAGEMENT POLICY

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1. INTRODUCTION

- 1.1. This policy is to set out the principles and guidelines that Peaks and Plains Housing Trust (the Trust) commit to in terms of managing empty properties, under social and affordable rents.
 - 1.1.1. This policy applies to the management of properties following tenancy termination; void properties for re-letting, requiring major works or evaluation prior to investment or disposal.
- 1.2. The purpose of the Empty Property Management Policy is to facilitate the efficient and effective repair of empty properties where they are to be re-let or to require prompt decision making if disposal is required. The process starts as soon as any information of a tenancy ending is given by the outgoing tenant or is triggered in some other way, and is completed when the property is re-let or disposed of.

2. SCOPE

- 2.1. The purpose of the Empty Property Management Policy is to:
 - Minimise the number of days properties remain empty
 - Ensure empty properties are safe and secure and help to improve the neighbourhood
 - Bring void properties to a standard of repair to meet the lettable standard
 - To deal with abandoned property

3. LEGAL & REGULATORY REQUIREMENTS

- 3.1. This policy complies with the Trust duties under the following legislation:
 - Equality Act 2020
 - Human Rights Act 1998
 - Housing Act 1985, 1988, 1996, 2004
 - Prevention of Social Housing Fraud Act 2013
 - Decent Homes Standard 2006
 - Gas Safety (installation and Use) Regulations 1998
 - Health and Safety at Work Act 1974
 - Social Housing White Paper and Consumer Standards
 - Social Housing Regulation Act 2023
- 3.2. The Trust is committed to the provision of an affordable housing programme in conjunction with the [Regulator of Social Housing \(RSH\)](#). Registered providers are expected to have a strategic approach in ensuring the best use of their stock and whether they should be used to support the generation of additional capacity through sales and conversions.

3.2.1. The RSH's current Regulatory Framework that came into force from April 2012 has some specific outcomes and expectations within the Home and Tenancy Standards that relate to this policy, under the Home and Tenancy Standard. This policy will be reviewed to ensure it remains compliant with the RSH's Regulatory Framework as and when changes are made following the Social Housing and Regulation Act 2023 receiving royal assent.

3.3. Home Standard

3.3.1. One of the specific expectations of this standard in relation to Repairs and Maintenance states that;

"2.1 Registered providers shall ensure a prudent, planned approach to repairs and maintenance of homes and communal areas. This should demonstrate an appropriate balance of planned and responsive repairs, and value for money. The approach should include; responsive and cyclical repairs, planned and capital work, work on empty properties and adaptations".

3.4. Tenancy Standard

3.4.1. One of the required outcomes of the Tenancy Standard relating to Allocations and Mutual Exchange states that;

"1.1 Registered providers shall let their homes in a fair, transparent and efficient way. They shall take into account the housing needs and aspirations of tenants and potential tenants. They shall demonstrate how their lettings;

- *Make best use of available housing.*
- *Are compatible with the purpose of the housing.*
- *Contribute to local authorities' strategic housing function and sustainable communities".*

"2.1.5 Registered providers shall minimise the time that properties are empty between each letting. When doing this, they shall take into account the circumstances of the tenants who have been offered the properties."

4. DEFINITIONS

4.1. An "Empty Home" is any property in management which is not let. A property is empty when a tenancy ends and ceases to be considered an empty home when a new tenancy starts. It may also be referred to as a "void".

4.2. Void properties may go through different stages:

- Standard voids - where none of the below apply
- Major voids – where multiple component replacements are needed
- Options Appraisal – properties with the Asset Team for assessment
- Structural Voids – when we have identified work and the appraisal suggests it will result in a positive NPV so the work is carried out
- Management voids – where we are not actively letting the property
- Ready to let – where work is completed and the property is back with the Neighbourhood Team for letting.

5. OUR POLICY

- 5.1. The Trust recognises that effective management of empty properties is important to maximise the availability of affordable homes and avoid any negative impact on communities and neighbourhoods. In addition, there is also the important financial impact to the Trust in having empty properties.
- 5.2. The Trust is committed to meeting the local housing need and maximising rental income by having the lowest number of empty properties through operating an efficient void and lettings process.
 - 5.2.1. Void properties are an unavoidable part of the provision and management of rented accommodation, as tenancies end. The Trust will measure and report to the Executive upon the rate of terminations (turnover) and reasons for termination.
- 5.3. A property is void when it is permanently vacated by the occupant and a rent or service charge is no longer being charged for the property.
 - 5.3.1. Typically this occurs:
 - When a tenant has formally terminated the tenancy by written notice
 - Where a tenant transfers from one Peaks & Plains property to another
 - By implied surrender or abandonment of a tenancy; where the appropriate legal notices have been served in accordance with our procedures
 - Due to eviction by the Trust (supported by the relevant court action).
- 5.4. It is essential that we have an effective and efficient system in place to manage void properties and limit as far as possible the length of time that they remain void, thus minimising the amount of rental income lost through voids.

6. PROCESS

- 6.1. Tenants are informed within their tenancy agreement, on the Trust website and other information leaflets on what action they need to take to end their tenancy.
 - 6.1.1. Tenants must give 4 weeks' notice in writing to end their tenancy. In circumstances where the tenancy needs to end as a result of death or incapacity (mental or physical) of the tenant, notice may be served by the tenant's executor, a public trustee of the deceased, a personal representative or an appointee with the tenant's power of attorney.
- 6.2. A tenancy may also end by way of an order through the court giving the Trust possession of the property, or through the service of relevant notices in cases where a property has been surrendered or abandoned in accordance with our procedures.
- 6.3. The Trust will attempt to contact all tenant(s) who wish to terminate their tenancy at the earliest opportunity, during the termination period. This is to identify remedial repairs and give the outgoing tenant(s) relevant information to enable them to end their tenancy with no or minimal repairs for which they will be liable and to identify the approximate duration a property is likely to be void due to repairs.

- 6.3.1. Trust tenant(s) are obligated to leave the property and garden areas in a clean and tidy condition as explained in the tenancy agreement, outgoing tenants will be reminded of their rights and responsibilities. They will also be contacted by the Income Team regarding the status of their rent account and encouraged to clear any outstanding debt before the end of tenancy. If this is not possible, tenants will be required to set up a repayment agreement on the monies owed to the Trust.
- 6.4. The Trust will begin the process of allocating at the likelihood of a re-lettable void property occurring. This will be managed sensitively where appropriate.
- 6.5. Once the property has become empty and the keys returned, a further inspection will be carried out to identify any further works required to meet the lettable standard. A schedule of works and costs will be produced no more than 10 working days post tenancy.
 - 6.5.1. Where property repairs are anticipated to be above £15,000, or structural issues are identified, or the length of time to re-let the property exceeds 6 months, the Voids or Housing Manager will pass the property to the Asset Team to review as part of an “Option Appraisal” to decide whether to proceed with the high value works/letting process or to dispose of the asset which will then follow the Trust’s Disposal policy.
- 6.6. We will where possible, carry out accompanied/virtual viewings with the prospective tenant at the earliest stage of the void process to establish if the property will be accepted.
- 6.7. All applicants will have a risk assessment completed before any sign up appointment is completed to ensure the property matches their needs and so that any support required can be put in place to aid a sustainable tenancy. This will include an affordability check.
- 6.8. We will carry out a gas safety check, and a copy of the gas safety certificate will be issued at sign up. The gas will remain capped at sign up and the incoming tenant will need to book an appointment for the gas turn on and test. Any future gas installation by the tenant, including gas cooker connections, must be carried out by a Gas Safe certified installer.
- 6.9. We will carry out an electric safety inspection and provide the incoming tenant with a copy of the electrical safety certificate at the sign up appointment.
- 6.10. The property will meet the Trust’s lettable standard. This will include having been left in a clean and hygienic condition. The property will have been cleared of any rubbish left. All windows and doors will be secure and in good working order. All external locks will be changed (this does not apply to Sheltered Schemes).
- 6.11. The location of meters, stopcocks and wheel valves will be identified and noted on the lettable standard by the Voids or Asset team, and will be shown to the incoming tenant by the Neighbourhood Team.

- 6.12. We will inform the incoming tenant of any repairs that will be carried out post-occupation, for example, garden works.
- 6.13. We will inform the outgoing tenant of any repairs that will be recharged to them within 21 days of final end of tenancy date and charges will be made in accordance with our Rechargeable Repairs Policy. They will also be responsible for the full costs for clearing out the property and or garden in line with the terms and conditions of their tenancy agreement.
- 6.14. In cases where a TORT notice has been served, for example following an eviction or following taking possession of an abandoned property, any repairs that they are due to be recharged for will be added to the account within 21 days of the TORT expiring.
- 6.15. Photos and / or videos will be taken of a void property at the time of inspection and at the time that voids work is completed.

7. ABANDONED PROPERTIES

- 7.1. The Trust will seek to regain possession of abandoned properties in adherence to the relevant law and regulatory framework.
- 7.2. The Trust may serve a Notice to Quit (NTQ) upon suspected abandoned properties and, if required, may seek to regain possession of the property via court order. The NTQ will become effective after 28 days if the tenant has not confirmed an intention to return.
- 7.3. Upon gaining possession of an abandoned property, the Trust may serve a Goods Notice on belongings left in the property for a period of up to 28 days. Upon expiry of the Goods Notice the Trust may sell or dispose of any unclaimed goods.

8. EXCLUDED PROPERTIES

- 8.1. Properties excluded from the void period are mutual exchanges which has a separate policy (Mutual Exchange, Assignment and Succession Policy).
- 8.2. Properties that are handed over from the Development Team and are in the transition to being let to new tenants are not considered.
- 8.3. Where a decision has been made to consider selling, demolishing or reconfiguring/renovating a property, these properties will be classified as a strategic void property. These will be recorded and reported to SLT monthly, and EMT quarterly.

9. EQUALITY, DIVERSITY & INCLUSION

- 9.1.1. The Trust will make consideration for all identified vulnerable groups, we will tailor our service and customer needs case by case on an individual need.
- 9.1.2. An Equality Impact Assessment has been completed and reviewed when considering this Policy.

9.2. We will provide information in other languages, in Braille, large print or audio where needed.

10. RESPONSIBILITIES

10.1. The Executive Team are responsible for approving the policy and monitoring performance.

10.2. Overall responsibility for this policy lies with the Executive Director of Operations. The Head of Repairs and Head of Customer Experience will be responsible for the operational implementation of this policy, through their teams.

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

10.2.2. The Voids Manager will manage the repair and renovation part of the voids process – this will also include the recommendation that a void is passed to the Asset Manager for consideration for an options appraisal. The Housing Manager, through the Neighbourhood Team, will manage allocations of social and affordable rent properties including viewings and verification

10.3. The Housing Manager, Voids Manager and the Strategic Asset Manager are responsible for the operational delivery of this policy and the associated procedures.

10.4. The Housing Manager, Voids Manager and the Strategic Asset Manager are responsible for providing timely performance information.

10.5. The Voids Manager will lead on any issues regarding condition of the property that are made within 28 days, ensuring operatives attend in a timely manner where appropriate.

11. MONITORING AND REPORTING

11.1. Empty property performance will be monitored through Key Performance Indicators, this will be monitored on a monthly basis by the Voids Meeting Group and through to SLT and Executive Team.

11.2. A quarterly report is provided to the Executive Team on all voids.

11.2.1.

| KEY PERFORMANCE INDICATORS |
|---|
| • % Rent Loss |
| • % Tenancy Turnover |
| • Number of Strategic Voids |
| • Average number of empty commercial properties |
| • Number of Voids (Exc. Strategic) |
| • Average Void days |

| |
|---|
| • Average Void Cost |
| • Reasons for termination |
| • Properties empty for more than 8 weeks (excluding strategic voids). |

11.3. All new tenants are given an opportunity to feed back their satisfaction with the void management process and standard of the property when let by way of a survey.

12. CONSULTATION

12.1. Peaks and Plains has consulted on the Empty Property Management Policy with Challenge Group members.

13. REVIEW

13.1. This policy will be reviewed every 3 years. The policy will be reviewed sooner if there are major legal, regulatory or other changes that make this necessary.

ASSOCIATED DOCUMENTS

- Appendix 1 – Lettable Standard
- Assignment, Mutual Exchange and Succession Policy
- Rechargeable Repairs Policy
- Adaptations Policy
- Allocations Statement
- Disposals Policy
- Lone Working Policy
- Former Tenancy Arrears and Credits Policy
- Transfer Policy
- Gas Servicing Policy

POLICY INFORMATION

| | |
|-------------------|----------------------------------|
| Policy Name: | Empty Property Management Policy |
| Status: | Final Approved |
| Approved by: | Executive Management Team |
| Drafted By: | Housing Manager |
| Date approved: | 18 th August 2023 |
| Next Review Date: | 18 th August 2026* |

*See Para 3.2.1 – 2026 review date is for 3 year cyclical review. Earlier review may be needed.