



**STROUD
DISTRICT
COUNCIL**
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Empty Council Homes Policy

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Policy Owner: Head of Assets
and Investment

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Contents

1. Purpose	1
2. Scope.....	1
3. Key Principles & Service Standards	1
4. Background.....	2
5. Legal & Best Practice Framework	2
6. Equalities Statement.....	3
7. Policy Detail.....	3
7.2.1. Pre-Termination Inspections	5
7.2.2. Key-Return	5
7.2.3. Post-Termination Inspections.....	5
7.2.4. Terminations Following the Death of the Tenant.....	6
7.2.5. Evictions and Abandonments.....	6
7.2.6. Transfers	6
7.2.8. New Purchases	6
7.2.9. Recharges	7
7.3.1. Selection of New Tenant(s).....	7
7.3.2. Viewings and Offers	7
7.3.3. Creating New Tenancies	8
7.4.1 Utilities and Services	9
7.4.2 Major Voids.....	9
7.4.3 Low Demand Properties.....	10
7.4.4 Adapted Properties.....	10
7.4.5 Redecoration & Re-Let Standard	10
8. Financial Implications	11
9. Measuring Quality & Performance.....	11

1. Purpose

This policy is designed to contribute to the priorities in the Council Plan and the Housing Revenue Account Business Plan.

The specific objectives of this policy are:

- to ensure that properties achieve a consistent and acceptable standard when let;
- to clearly define the responsibilities of tenants and the Council in relation to void management and be open and accountable for all actions and decisions;
- to ensure that tenants and prospective tenants understand the basis for our decisions in managing vacant properties and organising for these to be re-let quickly and appropriately;
- to ensure that the Council makes the most effective use of its housing stock;
- to minimise the loss of rental income and Council Tax costs as a result of properties being empty.

2. Scope

The Empty Council Homes Policy sets out the council's commitment to managing its empty homes in order to achieve good standards of repair, value for money and maximise rental income. Voids management includes the following activities:

- tenancy termination;
- inspections;
- viewings and offers;
- work to void properties;
- creating tenancies;
- management of long-term voids;
- management and minimisation of low-demand properties.

3. Key Principles & Service Standards

This Policy will apply to all buildings in the Council's full ownership and to all individuals employed and / or engaged by the Council. It covers all aspects of the void management service affecting re-lets and new lets delivered by the Council and its partners, contractors, or other agencies.

This policy aims to ensure that a property is properly managed when it becomes vacant, is brought up to the council's Lettable Standard before a new tenant moves in, and that the rent loss is minimised within the whole process.

This policy is be aligned to the HomeSeekerPlus Policy to ensure the most effective use of the housing stock in order to help meet housing need in Gloucestershire and West Oxfordshire. This policy will ensure that a forward-thinking and strategic approach is adopted to void management by:

- ensuring that outgoing tenants are aware of their responsibilities prior to leaving the property in order to keep repair costs to a minimum;

- ensuring that tenants who are found to have wilfully damaged or neglected their homes are recharged for repairs;
- reducing rent loss by minimising the length of time during which properties are void;
- ensuring properties are available as quickly as possible for people in housing need.

4. Background

The Council owns and manages around 5,000 properties across the Stroud District. Each year, there are approximately 350 properties available to let. The council is responsible for ensuring void properties are brought up to an appropriate standard and let as efficiently as possible. All repairs and maintenance and health and safety work carried out to council properties, including void properties, is undertaken by Property Care and its contractors. The Council has developed a lettable standard to improve the quality of stock that is offered to applicants, this forms part of the Voids Management Procedure.

5. Legal & Best Practice Framework

This Empty Council Homes Policy and the way in which services are delivered comply with the requirements of the following standards and legislation:

- Localism Act 2011;
- The Housing Act 1985;
- Local Government (Miscellaneous Provisions) Act 1982;
- Housing Act 1996 (Part 6);
- Gas Safety (Installation and Use) Regulations 1998 (GSIUR) as amended 2018. Approved Code of Practice and guidance;
- British Standard 7671 As Amended (Electrical Installations);

This policy is also compliant with the Homes England and Regulator of Social Housing Framework – The Tenancy and Home Standard by specifically addressing the following requirements:

- minimising the time that a property is empty between lettings;
- meeting all applicable statutory requirements that provide for the health and safety of new occupants;
- ensuring that tenants' homes meet the standard set out in the Government's Decent Homes Guidance.

Linked Policies & Procedures

This Empty Council Homes Policy is intended to be consistent with and complement other policies and procedures, in particular:

- Homeseekerplus Policy
- Tenancy & Estate Management Policy
- Income Collection & Recovery Policy

It should also be considered in conjunction with the Council's other wider policies and policy framework.

6. Equalities Statement

The Council recognises that it provides housing for communities which include wide social diversity and is committed to providing equal access to services. This policy aims to treat all customers fairly, with respect and professionalism.

In cases where housing applicants have particular needs, whether based on protected characteristics or other evidenced needs, and require additional works not normally undertaken as void works, sympathetic consideration will be given to these. For example, works to adapt a property to make it suitable for a disabled tenant or member of their family may be required. Each case will be considered on its individual merits, looking at the options available to meet the applicant's needs and the feasibility and practicability of the proposed works.

Consideration will therefore be given to language barriers, accessibility and cultural issues which may affect a tenant's ability to manage their tenancy or seek advice on problems, and resolutions which take account of the individual's beliefs and abilities. The Council will enable all of our tenants to have clear information and equal access to available services and information in a range of appropriate languages and formats will be provided when requested.

This policy has been designed to be fully inclusive regardless of the ethnicity, gender, sexuality, religious belief, or disability of service users or residents.

From time to time, the Council may ask tenants to provide details of their gender, age, religion, disability, ethnicity, and sexual orientation in line with the protected characteristics identified within the Equalities Act 2010. This is to help the Council to deliver more effective, appropriate, and inclusive policies and practices. All data collected is kept securely, used only for monitoring purposes and is de-personalised at the point of analysis to protect individuals' privacy.

7. Policy Detail

The Council, in its formal approval of this policy, acknowledges that it accepts full responsibility for its implementation. Day-to-day responsibility for the operation and monitoring of this policy lies with the appropriate officers. All relevant officers have a responsibility to ensure that this policy is applied as instructed.

7.1. Our Void Process

The Council operates a three-stage voids management process (see Figure 1 below for a high-level overview). This encompasses:

- Stage 1 (Pre-Void) – this covers the point from the provision of valid notice, to the end of the tenancy and the handover of keys to Property Care;
- Stage 2 (Void) – this covers the point from the handover of keys to Property Care (from Tenancy Management) to the property being ready-to-let. Stage 2 involves the scheduling and completion of any necessary repairs (excluding those that were agreed to be completed pre-void).

- Stage 3 (Ready-To-Let) – This covers the point from the property being ready-to-let through to letting. Stage 3 involves the advertisement, viewing, and letting (sign-up) processes.

In order to minimise the total void time, Stages 2 and 3 may overlap.

The Council is committed to ensuring that the voids management process proceeds as efficiently and effectively as possible. Stages 1-3 above are monitored in line with our approach to Measuring Quality & Performance (see Section 10), each assigned to a senior officer who has the responsibility for delivering the required outcomes and meeting the agreed targets.

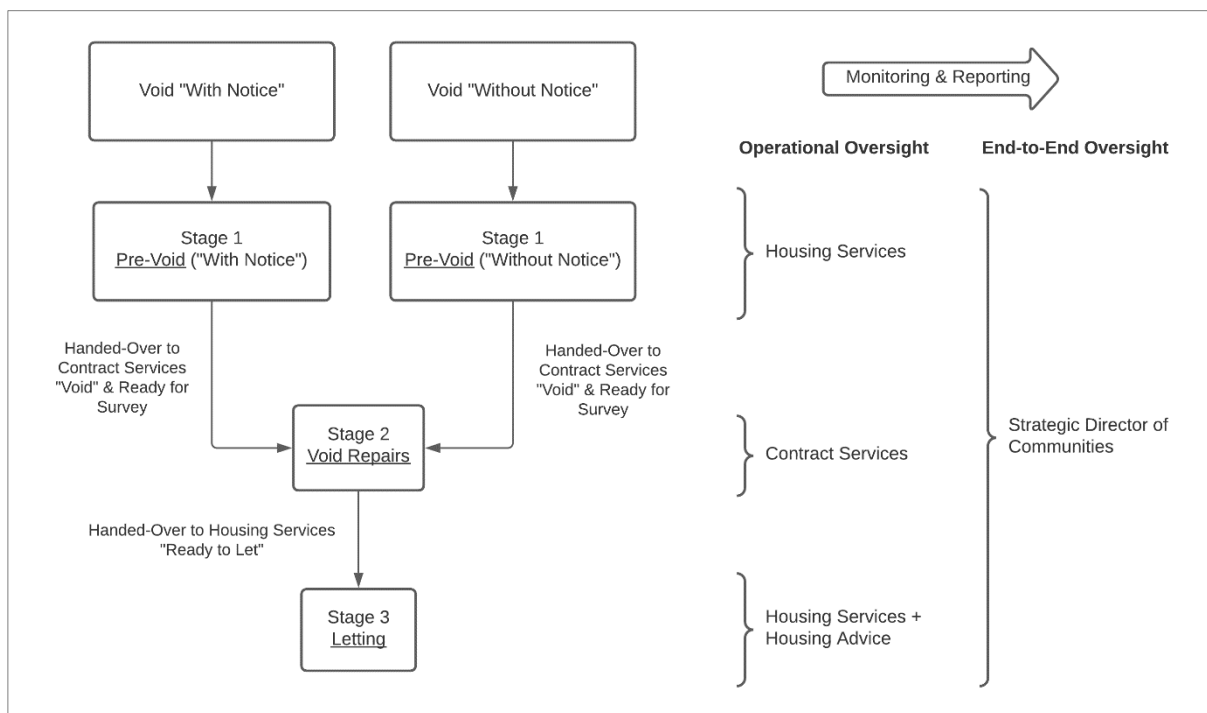


Figure 1: Stroud District Council's approach to voids management.

7.2. Tenancy Termination

The requirement set out in the Tenancy Agreement is for 4 weeks' written notice to terminate a tenancy. Full details about ending a tenancy can be found in the Tenancy Agreement and Tenants' Information and Property Update.

Tenants who are transferring to another social tenancy may be permitted to give a reduced notice period. All decisions in this respect will be agreed with the Council in advance and confirmed to the tenant/applicant in writing.

Where the outgoing tenant has given notice and fails to leave the property after the end of the notice period, legal action may be taken to remove them from the property. The Council will, wherever possible, inspect properties becoming vacant, both prior to and following the termination of a tenancy.

The procedure following the death of a tenant is described in 7.2.4 below.

7.2.1. Pre-Termination Inspections

Once written notice has been received, a pre-termination inspection will be undertaken. This visit will determine the condition of the property and highlight any repairs that the tenant will be required to undertake before leaving the property. At this stage, if the tenant has undertaken their own improvements, where permission has not been authorised, the inspecting officer will assess whether these may remain for the new tenant, or whether they do not meet our standards and must be removed. The outgoing tenant is liable for all costs associated with returning the property to the original state and rectifying unsafe/unacceptable work.

If the tenant is transferring to another council property their transfer may be suspended or cancelled until all works which are their responsibility are completed. Alternatively, they may be recharged for the Council undertaking the necessary works.

Where improvement work of a good standard has been carried out to the property, the outgoing tenant may request compensation to cover part of the costs.

7.2.2. Key-Return

Keys must be returned to the Council's offices at Ebley Mill by 10.00 on the Monday specified as the end date of the tenancy. If keys are not returned by this deadline, the tenant will be charged rent for another week. If keys are not returned the following week, the Council will contact the tenant and warn them that unless the keys are returned promptly, the locks will be changed and this will be recharged to the tenant. If this is necessary, the Council will advise the tenant of the proposed date of the lock change and give them a final opportunity to return their keys.

7.2.3. Post-Termination Inspections

A post-termination inspection will be undertaken on all void properties as soon as possible after the tenant leaves. The purpose of this inspection will be to:

- ensure the property is empty, and to remove any items that pose a risk to the health and safety of prospective tenant(s), staff or contractors;
- determine whether prospective tenants may view the property while works are undertaken;
- ensure the property is secure and change the front and back door locks;
- identify any outstanding disrepair which may be the responsibility of the previous tenant;
- arrange for gas and electrical appliances and installations to be checked;
- identify if the property requires a pre-clean or other works before prospective tenants can view;
- identify any major repairs;
- identify works needed to comply with health and safety requirements;
- identify necessary repairs which are required to enable a property to be re-let as soon as possible.

7.2.4. Terminations Following the Death of the Tenant

Legally, following the death of a tenant the only person who may give notice is the Executor of the tenant's will. If the tenant has either died intestate, or has not named an Executor, the Council will decide whether the case must be referred to the Court of Protection or whether the next of kin will be allowed to give notice.

The Executor or the next of kin for deceased tenants will be allowed up to four weeks in order to enable them to clear the property. These weeks are counted from immediately after the date that the death was registered. If the property is not cleared during this time, any additional weeks' rent and/or clearance costs, together with the cost of any rechargeable repairs will be charged to the estate.

7.2.5. Evictions and Abandonments

The outgoing tenant is responsible for removing all personal possessions from the property, but there could be instances where the tenant fails to give notice (either as a result of eviction or abandonment) and belongings are left in the property. The Council does not take responsibility for any items left on its land. We will arrange clearance of any items left by the tenant and will recharge for this.

The Council will serve a notice as per Schedule 1 of the Torts (Interference with Goods) Act 1977, advising there are personal belongings in the property and upon expiry of the notice any belongings in the property will be treated as abandoned. The Council reserves the right to recharge the outgoing tenant for costs incurred as a result of storing or disposing of goods charged at the weekly rent for the property.

7.2.6. Transfers

In order to minimise void times and rent loss, transfers to another Council property will normally only be permitted when there has been a satisfactory property inspection of the current property prior to a tenancy offer being made. The Council will arrange a pre inspection to maximise the time available for tenants to carry out any repairs. The Council will facilitate the movement of belongings, but the prospective void property must be fully transferred to the Council (e.g. keys, fobs) on the termination date. Transfers are encouraged where they help ensure the best use of the Council's housing stock to meet tenants' and applicants' needs.

7.2.7. Mutual Exchanges

Mutual exchanges are an assignment, not a transfer. As such, no void checks or repairs are undertaken by the Council for properties being exchanged. It is the responsibility of the tenants participating in the exchange to check that they are satisfied with the condition of their prospective home.

7.2.8. New Purchases

To ensure that the Council is able to meet local housing need, and due to the gradual attrition of our housing stock due to "Right to Buy", we take a proactive approach to the acquisition of new properties. These are treated as void properties, and managed similarly to other voids mentioned above where notice is given.

7.2.9. Recharges

The Council may recharge any outgoing tenant for the costs of making good or renewing any damage caused to the property (outside of normal wear and tear), removing or undertaking repairs to poorly fitted tenant improvement works and for clearing any rubbish and/or belongings that have been left at the property, including in any garden or communal space. Recharges may also be applied for the cost of cleaning and/or de-infesting the property. Photographic evidence will be obtained before the void works are carried out to formally record and prove the need for the recharge. The Council will make every reasonable effort to contact the previous tenant to inform them of any outstanding items for which they will be recharged and the means of payment. All recharges will be noted on the debtors system and may affect any future application for re-housing if they are not cleared. Further information on charges and recovery of rechargeable repairs are to be found on the Council's website under Housing – Council Tenants and Leaseholders.

7.3 Letting a Void Property

The Council aims to ensure that allocations are made giving full consideration of the customer needs, the property, and any issues in the local area. In some instances, for example where the property is in poor condition, the Council will undertake repairs to the property prior to a prospective tenant being identified. All allocations are made using the HomeSeekerPlus platform, which covers the Gloucestershire and West Oxfordshire area. Detailed guidance can be found on the Council's website at <https://www.stroud.gov.uk/housing/housing-advice/applying-for-council-housing-association-accommodation>

7.3.1. Selection of New Tenant(s)

To ensure that void rent loss is kept to a minimum, the process of selecting a new tenant for a property will begin as soon as possible after notice is received from the outgoing tenant or the Council is made aware that the property will shortly be available for re-letting. Prospective tenants will be selected in accordance with the HomeseekerPlus policy and procedures.

7.3.2. Viewings and Offers

Once a suitable applicant has been identified they will be invited to attend a viewing at the property. The viewing is intended to ensure that the property is suitable for the applicant and identify any specific work the applicant requires to enable them to move into the property. Requests for additional works will be considered if the applicant or a member of their family has specific needs due to vulnerability or a protected characteristic. Once the works have been agreed and the prospective tenant has accepted the property, a completion date for the property to be returned will be agreed. In setting the completion date, due regard will be taken of the amount of work required and any customer requirements. Prospective tenants will be advised of the date and informed in advance if this date is unlikely to be achieved, for example if additional works are identified during the course of completing the repairs.

7.3.3. Creating New Tenancies

As soon as all essential repairs are completed satisfactorily, the prospective tenant will be invited to sign the Tenancy Agreement, as in the above section. The terms of the tenancy agreement will be explained to ensure that the tenant(s) is fully aware of the terms and conditions and the consequences if these conditions are breached. The new tenant will also be provided with appropriate advice about:

- paying their rent;
- applying for benefits, if required/eligible;
- setting up utilities;
- reporting any repairs;
- fire safety.

The tenant will be given a copy of the Tenants' Handbook and the most recent copy of the Energy Performance Certificate (EPC) and gas and electrical certificates for the property. The tenant will be encouraged to read the Handbook and understand their rights and responsibilities.

7.4. Works to Void Properties

All properties will meet the Lettable Standard, as shown in Appendix 2, in relation to health and safety prior to letting, including gas safety checks as required. Prior to any works being undertaken, the Council will ensure that there is an up to date asbestos survey for the property.

In order to minimise any delay in re-letting void properties, where it is possible and appropriate repairs and improvements will be undertaken after the new tenant has moved in. Targets will be set for statutory checks/EPC and for repair work, and these will be closely monitored by the managers and teams responsible. Targets will also be set for re-letting properties once keys are in and properties are ready, and again performance will be closely monitored and reported.

The focus of works on voids will be to undertake works which are necessary to enable the tenant to live in their home. This will ensure that the property meets the Decent Homes Standard and any specific needs of the individual tenant(s). Prospective tenants will not be given access to the property before their tenancy has started while works are being undertaken, except for their viewing appointment, due to health and safety reasons.

An important element of void works is to check for and remedy any damp and mould problems. Air bricks, vents and fans should be checked to ensure that they are free from obstruction and operating properly. Damp meter readings should be taken on all external walls, and if damp and/or mould are present this should be treated and remedied. The property should be checked for rising and penetrating damp and appropriate remedial work undertaken.

External works to the property will usually be undertaken after the new tenancy has started.

The Council may also delay the completion of some works if the property is known to be included on a planned programme in the near future. In these cases the works

will be highlighted as required and undertaken as part of the planned programme and completed once the property is occupied and the planned programme of works has started. The tenant will be given written information about this.

Where a property requires an element of decoration, the tenant will be given a decorating voucher to cover the costs. This allows the tenant to decorate their home to their taste.

7.4.1 Utilities and Services

When a property has become void the Council will cap both the electric and gas supplies in order to reduce any health and safety risks. Wherever possible, the supplies will also be transferred to a preferred supplier in order to reduce any delays in managing the void process.

The electric supply will be uncapped as part of the final works to the property before the sign up is arranged. Incoming tenants will therefore have a working supply at the point of sign up – subject to appropriate levels of payment on the meter.

Fluorescent lights will be changed to LED fittings.

The gas supply will not be uncapped until the tenant confirms that they have moved into the property, this is to ensure that any risks of gas build-up are minimised. Tenants will be advised on the process for arranging the gas uncapping when they attend the sign up. The Council aims to ensure that the gas is uncapped as soon as possible following the request of the customer. When the gas is uncapped the tenant will also be provided with the annual Gas Safety Certificate.

During the health and safety checks the electric and gas meters at the property will be checked. Any evidence of tampering will be recorded. Tampering with meters is a criminal offence and the Council will provide tenancy details to utilities companies and the Police if there is evidence that a meter has been damaged.

7.4.2 Major Voids

If a void property requires major works, and therefore a high level of investment, in order to be brought up to an appropriate standard, an options appraisal may be undertaken in order to assess whether the works should be completed, or if the property should be taken out of use. Consideration will be given to:

- the rent loss if the property is not tenanted and consequent impact on the Housing Revenue Account;
- the level of demand for the property type and area;
- the overall cost of the works required;
- the anticipated remaining life of the property.

If the assessment finds that the works are financially viable they will be completed. For properties where the assessment finds that it is not financially viable to undertake the works, and there is little demand for the property type and/or area, the property may be disposed of, either through sale or demolition.

Consideration will also be given to the possibility of using the property as temporary accommodation until major works can be started.

7.4.3 Low Demand Properties

The priority for the Council is to ensure that all homes are let as soon as possible to tenants who are able to sustain the tenancy. While HomeseekerPlus prioritises housing applicants who are in housing need, some housing stock in the city is more difficult to let due to low levels of demand for the property type or area. A property will be considered to be low demand if there are not suitable applicants on the Housing Register for the property. Additional action(s) may be taken when a low demand property is identified in order to attract a suitable tenant. A combination of the following may be agreed and implemented:

- additional internal works beyond the needs of the customer;
- internal decoration;
- improved security;
- fencing and landscaping improvements;
- support for tenants moving in.

7.4.4 Adapted Properties

Properties which are adapted when they become void will be considered in line with the Council's HomeseekerPlus Policy for a direct match with an applicant needing an adapted home, with the priority being on ensuring best use of the adaptations on the needs of disabled applicants. In some instances, where a property has major adaptations, the Council may choose to leave the property void for a longer period until a suitable tenant, who requires the adaptations, can be identified. Decisions to remove major adaptations from properties will be made by a service manager based on all available information on the demand for the property.

7.4.5 Redecoration & Re-Let Standard

We will aim to ensure that all vacant properties are brought up to our current Lettable Standard before they are re-let. Where certain items covered by the standards are due to be improved within a reasonable time as part of current planned maintenance programmes the new tenant will be given the appropriate information. Internal decoration is normally the tenant's responsibility. However where the internal condition of a void property would adversely affect the time taken to re-let it, we will consider either carrying out some decoration or providing the incoming tenant with a decoration allowance, in accordance with current procedures. We will ensure that prospective tenants are kept fully informed about the commencement of their tenancy and about any delays which affect when they can move in.

7.5. Tenancy Sustainment

The Council will be mindful of households likely to abandon their property, particularly those with rent arrears, those facing legal action, first-time tenants, and vulnerable people. Whenever possible, we will offer financial advice and other support to tenants who are at risk in order to reduce the likelihood that a property will be abandoned. We will also seek to identify any potentially abandoned properties as quickly as possible by for example visiting tenants who fail to respond to contact, by following up reports of tenants moving out, and by regular estate inspections.

We will seek to minimize unnecessary voids through our tenancy sustainment procedures such as referral to support services, through effective housing management, by supporting tenants with financial inclusion advice (for example relating to benefits, debt, or budgeting), by the installation of adaptations so that tenants with particular needs can remain in their home, and by signposting tenants to the relevant resources for the provision of housing support. All new tenants will be advised where to find information on the Council's website about managing their tenancy (Housing – Council Tenants and Leaseholders) and will be given the name and contact details of their Housing Officer.

7.6. Tenant Responsibilities

Tenants must meet their obligations as described in the Tenancy Agreement and in the information on the website under Housing – Council Tenants and Leaseholders. This includes giving the required 28 days' notice (unless a shorter notice period has been agreed with us) and leaving the property in an acceptable condition which as far as possible meets the Re-Let Standard (see Appendix 2), with the exception of fair wear and tear. Where this is not the case, the Council will recharge outgoing tenants for any repairs required to the property which are due to tenant damage, disrepair, or neglect, for changing locks or replacing keys if not returned, and for the cost of removing rubbish, furniture, or personal belongings.

8. Financial Implications

Any repair work carried out in the property whilst vacated will be charged to the void budget. The management and monitoring of this budget will be undertaken by the Head of Housing Contracts, Operations Manager and Maintenance & Voids Manager.

9. Measuring Quality & Performance

9.1. Key Performance Indicators (KPIs)

The Council take a proactive approach to performance monitoring, and do so on a continuous basis. Targets are included in the quarterly Performance Monitoring and include:

- Length of time to re-let minor and major voids;
- Benchmarking void performance against other social landlords;
- Cost of void works.

If any significant issues of concern arise, these will be dealt with by the Head of Assets and Investments, the Strategic Head of Housing or the Strategic Director of Communities, who will report such matters to the Strategic Leadership Team and the Housing Committee. Any matter which demonstrates a serious failure of internal controls will also be reported immediately to the Chief Executive.