

# Void Management Policy

### **Our Commitment**

Argyll Community Housing Association is committed to provide equal opportunities across all services and to avoid discrimination. This policy is intended to assist ACHA to put this commitment into practice. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination.

**This policy can be made available in other formats, for example in large print, audio-format or Braille: the document may also be available in other languages, in full or summary form, as appropriate.**

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### Section 1 – Context

1.1 Argyll Community Housing Association Ltd (ACHA) is the registered social landlord for over 5,000 properties within the Argyll & Bute area.

Void management is a core function of ACHA and is a Key Performance Indicator (KPI) used by the Scottish Housing Regulator when assessing a social landlord's overall performance.

All registered social landlords must comply with the legal requirements contained within the Housing (Scotland) Act 2001.

ACHA adopts the definition of a void property as ***“any property that has no tenant for a period of time”***. Or in simplest terms, ***“when there is no person liable for the rent during the period the property is empty”***.

### Section 2 – The Law, Good Practice and links to other ACHA Policies and Strategies

2.1 In order to effectively deliver the aims and obligations of this policy, ACHA will meet the requirements of:-

- Housing (Scotland) Act 1987 1988, 2001
- Matrimonial Homes (Family Protection) (Scotland) Act 1981
- Scottish Secure Tenants (Compensation for Improvements) Regulations 2002
- Energy Performance of Buildings (Scotland) Regulations 2008
- Data Protection Act 1998
- Equality Act 2010
- Human Rights Act 1998
- Building (Scotland) Act 2003
- Control of Asbestos Regulations 2012
- Gas Safety (Installation and Use) Regulations 1998
- Performance Standards for Registered Social Landlords in Scotland as detailed within the Scottish Housing Charter

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- The terms of the Scottish Secure Tenancy Agreement or any other lease agreement in place.

#### 2.2 ACHA Policy and Strategy Links

- Abandonment Policy
- Adaptation Policy
- Arrears Management & Monitoring Policy
- Asbestos Management Policy
- Asset Management Strategy
- Building Works Procurement Policy
- Compensation for Improvements Policy
- Gas Safety Policy
- Heating Policy
- HOME Argyll Allocations Policy
- Health and Safety Policies
- Investment & Regeneration Annual Plan
- Legionella Policy
- Low Demand Strategy
- Mutual Exchange Policy
- Repairs & Maintenance Policy
- Tenant Involvement Strategy

### Section 3 – Our Policy Aims and Objectives

**3.1** ACHA's objective is to ensure that we minimise rent loss by turning around empty properties quickly and efficiently. This policy reflects legislation and current good practice in void management.

The specific objectives of this Policy are to achieve the following:

- To ensure that individuals are allocated a property that meets ACHA's defined re-letting standards
- To minimise the void days and rent loss on empty properties
- To minimise the cost of void repairs
- To ensure that outgoing tenants are aware of their responsibilities prior to a termination date in order to keep repair costs to a minimum

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- To ensure that voids are relet as quickly as possible to meet the demand for the Association's properties
- To provide meaningful performance information which meets the requirements of both internal and external scrutiny
- To monitor and report on void performance in order to highlight both successes and weaknesses making the maximum use of information technology
- To comply with legal duties, regulatory requirements and good practice standards
- To have a procedure that adheres to all of the above that is clear, accessible and easy to follow
- To ensure sustainability in provision, management and maintenance of housing stock
- To provide and maintain properties to meet identified need

## Section 4 – Implementing Our Policy Objectives

### 4.1 Definition of Void Properties

ACHA identifies that there are different ways a property can become void and defines them as follows:

- **Abandonment** – Where ACHA issues a legal notice to a tenant who has vacated the property without notice. Reasonable enquiries will be made to establish the whereabouts of the tenants. If it is established that the property has been abandoned it will be made secure as soon as possible. In certain circumstances ACHA may enter the property in order to make safe, e.g in the event of cold weather to drain the water, or to attend to gas leaks. ACHA have a right of access at all times of the year where necessary to prevent possible damage to either the property or other tenants.
- **Death of Tenant** – Where ACHA are notified of the death of a tenant and there is no successor the tenancy will terminate from the date of death. The Next of Kin will be advised that keys to the property should be returned as soon as possible after bereavement. An equivalent of the

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rental charge will be made for the period from death to the date the Next of Kin returns the keys of the property.

- **Decants** – Where a tenant has to be moved, usually temporarily, from their property for the purposes of refurbishment or as a result of the property becoming uninhabitable, e.g. fire, flood.
- **Eviction** – Where ACHA completes court action to evict a tenant. We will terminate the tenancy on the date we repossess the property. Where furniture or belongings have been left ACHA may create a storage account, equivalent of the weekly rent charge.
- **Formal Termination** – The tenant is required to give 28-days written notice in terms of their tenancy agreement of their intention to leave the property. Their rent liability will continue if the keys are not handed in on time. There are circumstances in which a tenant may not reasonably give 28-days' notice prior to vacating their property. These circumstances will be reviewed by the Regional Manager and a decision taken as to whether the tenant will be held liable for the rent for the full notice period.
- **New Build Voids** – Where a new property is handed over to ACHA as complete and is untenanted.
- **Transfers** – Where the tenant is re-housed by ACHA or another HOME Argyll Partner. ACHA tenants transferring from one ACHA property to another will not be required to provide 28 days written notice. The tenant will, however, also be responsible for the rent on the old property until the keys are returned.

#### 4.2 Inspections & Rechargeable Repairs

The purpose of inspections is to ensure that maintenance costs incurred as a consequence of the property becoming void are minimised and that the outgoing tenant is informed of outstanding repairs or redecoration which are their responsibility and which, if not undertaken, will result in a rechargeable repair.

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ACHA recognises that inspections are a vital element of good void management practice. The following inspections will be carried out throughout the void process:

- **Pre-termination inspection** – when a tenant informs us that they are leaving their property an inspection will be undertaken prior to them vacating. It will be explained to the outgoing tenant that they must attend to any items that are required to be fixed, that are their responsibility. If these items are not fixed at the termination of tenancy, they will be given the opportunity to confirm if they wish ACHA to undertake these works on their behalf, or for the keys to be returned to them until the necessary work is completed. They will be responsible for the rent until the property meets the required standard.
- **Vacant House Inspection – with outgoing tenant** – where possible, a member of ACHA staff will meet the outgoing tenant at the property in order to collect the keys and to carry out a full inspection of the property. The purpose of this inspection is to ensure that the property meets the required standard. If requested by the tenant at the pre-termination inspection, it may result in the outgoing tenant being asked to complete the necessary work. They will be responsible for the rent until the property meets the required standard.
- **Vacant House Inspection** – when the tenant has vacated the property a full inspection will be undertaken. Works will be carried out to ensure that the property meets the minimum letting standard, prior to it being relet. If rechargeable works are identified the tenant will either be asked to complete the necessary work, and be responsible for the rent during this period, or ACHA will carry out the work on their behalf and recharge them the associated costs.

The association will pursue tenants for rechargeable costs arising from the termination of their tenancy.

#### 4.3 The Right to Compensation for Improvements

ACHA recognises that some outgoing tenants may have the right to receive compensation for certain approved improvement works that have been



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carried out during their tenancy. Further information can be obtained from our offices.

#### 4.4 Pre-Allocations

ACHA will pre-select an applicant for a vacant property as soon as possible after the notice has been received. This is to minimise any void rental loss.

#### 4.5 Accompanied Viewings

All prospective new tenants will be accompanied by a staff member to view the property that they have been offered.

If the property is still occupied, staff will contact the existing tenant to arrange a suitable time for a viewing.

At the viewing the prospective new tenant will be provided with good quality information and advice to allow them to make an informed decision and to ensure that they are fully aware of their rights and responsibilities.

#### 4.6 Minimum Letting Standards

We provide much needed homes to applicants from our waiting lists and aim to relet void properties as quickly as possible to meet this demand and also to minimise rental income loss. We operate to a minimum lettings standard and aim to relet properties which are suitable for immediate occupation. From time to time minor works will be carried out after the new tenant has moved in.

All void properties which have gas appliances will be subject to a gas safety check prior to the new tenant moving in. All void properties will also have a valid Electrical Safety Certificate and Energy Performance Certificates will be provided as close to the tenancy start date as practicably possible.

ACHA has defined a condition standard to which a property will be brought up to before letting it to a new tenant. This is known as the Minimum Letting Standard. It is the standard which ensures a house is safe and secure for occupation. Before a property is relet, all repairs which are considered essential to make the property habitable for health and safety and security will be done.

The Minimum Letting Standard is shown in Appendix 1.

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#### 4.7 Redecoration Arrangements

The Association may provide financial assistance to tenants where decoration is considered poor, to assist in bringing the property up to a reasonable standard.

Redecoration will only be carried out by the Association where the property is in such a condition as future letting would be compromised.

#### 4.8 Tenancy Agreements

The terms of the Scottish Secure Tenancy Agreement and the Short Scottish Secure Tenancy Agreement that are specific to the implementation of the Void Policy are found in Section 6 entitled “Ending the Tenancy”.

With regard to the Travelling persons Letting Agreement, the terms are found in Paragraphs 24 – 26.

ACHA will ensure that these terms are explained to tenants at the Sign Up Process. Where a tenant expresses their wish to move on or transfer they will be given clear guidelines on their termination responsibilities.

#### 4.9 Sign up Process

Prospective tenants will be provided with a Tenant Information pack once they have accepted the property. New tenants will be asked to confirm that they understand the terms and conditions contained within the Lease Agreement. Information will also be provided to new tenants on tenancy and property related matters. New tenants will be asked to sign to confirm that they understand their obligations.

#### 4.10 Communication

It is essential that all staff, contractors and prospective in-going tenants keep each other informed of progress throughout the void period to ensure that the aims of the policy are achieved.

#### 4.11 New Tenant Contact

ACHA will make initial contact with all new tenants within one week of their tenancy commencing. This call will be to offer advice and or assistance for new tenants who have just moved.

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#### 4.12 Settling in Visit

ACHA are also committed to ensuring that all new tenants receive a home visit within 6 weeks of the date of entry to their new home. The purpose of this visit is to make sure that they have moved into the property and to identify any support or tenancy and property related issues.

#### 4.13 Sign Up Satisfaction Survey

The Association welcomes feedback on the services to tenants. New tenants are often experiencing our services as landlord for the first time and it is, therefore, beneficial to seek their views on the sign up process. It is also important to make sure that what we are doing at sign up is relevant to the tenant and that it is effective in meeting legislative requirements. All new tenants are asked to complete a survey. Comments and suggestions on the process that are received are monitored and reviewed by the Senior Housing Management Team on a quarterly basis.

## Section 5 – Performance Management

**5.1** ACHA operates within a performance management framework which reports to and aims to meet the requirements of our tenants, factored owners, Board of Management, the Scottish Housing Regulator and the Scottish Social Housing Charter.

As required by Section 31 of the Housing (Scotland) Act 2010, the Scottish Social Housing Charter sets out the standards and outcomes that all social landlords should aim to achieve when performing their housing activities:

- **Charter Ref.1 – Equalities**

Social landlords perform all aspects of their housing services so that:

- 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.

- **Charter Ref.3 – Participation**

Social landlords manage their businesses so that:

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- Tenants and other customers find it easy to participate in and influence their landlord's decisions at a level they feel comfortable with.
- **Charter Ref.4 – Quality of Housing**  
Social landlords manage their business so that:
  - Tenants homes, as a minimum, meet the Scottish Housing Quality Standard (SHQS), and continue to meet it thereafter and are always clean, tidy and in a good state of repair when they are allocated.
- **Charter Ref.11 – Tenancy sustainment**  
Social landlords ensure that that:
  - Tenants get the information they need on how to access support options to help them to remain in their home and can get suitable support including services provided directly by the landlord and by other organisations.
- **Charter Ref.13 – Value for Money**  
Social landlords manage all aspects of their businesses so that:
  - Tenants, owners and other customers receive services that provide continually improving value for the rent and other charges they pay.

We use Regulatory and local performance indicators to monitor and report on our void performance.

Internally, performance will be monitored by ACHA's Senior Management and by the Board of Management and local Area Committees. Performance information will also be provided, at least annually to our tenants.

Externally, the Scottish Housing Regulator will monitor performance in terms of outcomes and standards achieved in line with the requirements of the Scottish Social Housing Charter. We will, annually, submit key performance information on our achievements to the Regulator.

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In order to ensure that this policy remains fit for purpose and continues to meet Charter requirements, a Tenants Scrutiny Panel will monitor and review the performance standards.

**5.2** Performance data will be collected using a number of methods and is detailed in Appendix 2.

### Section 6 – Development and Training

**6.1** ACHA is committed to training and developing staff, Board and Area Committee Members in order that they have a good knowledge of the procedures and systems in place for void management that meets the expectations of its stakeholders.

### Section 7 – Dealing with Complaints

**7.1** We value complaints and endeavour to use information from them to help us improve our services. Complaints relating to void management are dealt with in line with our complaint handling procedure. Complaints can be made if we fail to apply this policy properly or don't meet our organisational standards.

### Section 8 – Review Procedures

**8.1** This policy will be reviewed every three years or earlier if required due to substantive changes in legislation or regulatory requirements.

As part of the review process formal consultation will take place with relevant stakeholders, who include:

- Tenants
- The Tenant Consultation Register
- The Tenants Panel
- Staff

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The outcome of the review process will be made available via our tenants' newsletter and on our website.

#### Section 9 – Confidentiality and Data Protection

**9.1** All information provided by tenants and applicants will only be used for the purpose provided.

We will ensure that we meet the requirements of the Data Protection Act 2002.

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#### Appendix 1

##### Minimum Letting Standard

This is the minimum standard to which all houses should be brought before being relet. It is the standard which makes a house safe and secure for occupation.

Before a property is relet all repairs which are considered essential to make the property habitable for health and safety and security will be done. The repairs checklist attached to the back of the Void Inspection Report is a useful prompt to ensure the necessary checks have been carried out and repairs instructed accordingly.

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- All items of furnishings other than those to be left for the ingoing tenants should be cleared from the house, cellars and roof spaces. Floors should be swept and free from remnants of floor coverings.
- Windows and doors will open easily and defective locks will be replaced
- The property will be wind and watertight and free from rising and penetrating damp.
- All services, water, electricity and gas (where applicable) will be functioning. The services will be checked and confirmed safe.
- All sanitary ware must be clean, functional and free from blockages, leaks and corrosion. During periods where temperatures are falling below 2C systems should be drained down completely if the house is to be unoccupied for more than one day.
- Careful consideration should be given to HSE document 'HSG274' in respect of wholesome water within ACHA properties at void time.
- Each kitchen should have at least a sink unit and base, plus one 1000mm base unit and 1000mm wall unit or equivalent for storage and at least 1.2 metre worktop, where physically possible. Kitchen units will have doors, which open and close properly and all fittings will be secure. Drawers on units will run freely and have proper handles attached.
- If a complete new kitchen is required this should be comparable to the standard fitted in the Investment Programme.
- Any offensive smells should be completely eradicated from the property.

#### Appendix 2

#### Performance Data

##### Re-Lets – Stock not low demand:

- Less than 2 weeks
- Percentage less than 2 weeks
- 2-4 weeks
- Percentage 2-4 weeks
- 5-8 weeks
- 9-16 weeks



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- More than 16 weeks
- Over 4 weeks
- Percentage over 4 weeks
- Number of void days
- Average relet time

#### Re-Lets – Low Demand Stock:

- Less than 2 weeks
- 2-4 weeks
- 5-8 weeks
- 9-16 weeks
- 17-32 weeks
- 33-52 weeks
- More than 52 weeks
- Number of void days
- Average relet time

#### New Build property lets:

- no void period
- less than 2 weeks
- 2-4 weeks
- 5-8 weeks
- 9-16 weeks
- Number of void days
- Average let times (days)

#### Average length of time taken to re-let properties

- Total number of properties re-let
- Total number of calendar days properties were empty
- Average re-let time

#### Percentage of lettable houses that became void

- The number of empty dwellings that arose during the last month in self-contained lettable stock.
- Percentage vacant: total number of lettable stock

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#### Number of self-contained properties void and for more than 6 months

- Number of self-contained properties void at month end
- Number of self-contained properties void for more than six months

#### Total current voids

- Available to let / under repair
- New property
- Unavailable for let (28 day notice)
- Low demand

#### Total properties awaiting rehabilitation

- Not actively being re-let
- Under major improvement
- Empty for structural reasons
- Held for Investment decant
- Unoccupied following fire/flood

#### Void Rent Loss

- Void loss year to date
- Void loss by month
- Void loss as a percentage

#### Void Repairs:

- Number of Repairs completed on target
- % of repairs completed on target
- Repairs completed outwith target