



Trust Housing Association Limited

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Performance standard:	AS1.5: Void Management - We monitor demand for our houses and maximise the use of available housing, keeping empty properties and spaces in our shared accommodation to a minimum. We make sure our properties are of an appropriate lettable standard.

Trust Housing Association Ltd

Voids Policy

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Voids Policy

1. Introduction

- 1.1 Void properties are an inevitable part of the provision and management of rented accommodation, as tenancies will end for one reason or another.
- 1.2 A property is classed as void when there is no current tenancy. The void period is the time between one tenancy ending and a new tenancy commencing. Whilst a property is void, no rental income is being received for it.
- 1.3 Loss of rental income¹ can have an impact on the level and quality of service delivery which the Association can achieve. It is essential, therefore, that an effective and efficient system is in place to manage void properties and limit as far as possible the length of time they remain void, thus minimising the amount of rental income lost through voids.
- 1.4 Effective void management is also essential to assist Trust to meet applicants' housing needs, in line with the objectives of the Allocations Policy², in as efficient a manner as possible.
- 1.5 The Voids Policy sets out the Association's approach to void management, including stock which is classed as low demand. The geographical constraints of a widely dispersed stock have been taken into account when developing the policy. It also covers the areas of target setting, monitoring and review.
- 1.6 The policy complies with the relevant legislation, the Communities Scotland Performance Standard AS1.5: Void Management (We monitor demand for our houses and maximise the use of available housing, keeping empty properties and spaces in our shared accommodation to a minimum. We make sure our properties are of an appropriate lettable standard.), and the Scottish Federation of Housing Associations *Raising Standards in Housing* chapter 19 'Void Management'.

¹ References in this policy to rental income, rent accounts, rent charges, rent arrears etc, are not simply references to rent. Unless stated otherwise, they relate to the total overall charges, for example rent and service charges, and any other charges that may be applicable.

² Refer to Trust 'Allocations Policy' and Isle of Arran Homes Allocations Policy for further detail.

- 1.7 A detailed procedure accompanies this policy, clearly setting out the steps to be followed at each stage in the void management process, and by whom.
- 1.8 The Voids Policy is linked to a number of other Trust policies and procedures, and some areas of operation may overlap.

2. Aims and objectives

- 2.1 The main objective of the Voids Policy is to operate an effective void management process which will:
 - minimise void periods;
 - consequently, minimise the level of void rental loss;
 - assist in meeting housing need as quickly as possible.
- 2.2 It is also an objective of the Policy to minimise void repair costs, rechargeable repairs costs, and former tenant arrears, through clear and effective communication with tenants and a process of early inspection.
- 2.3 The effectiveness of the policy will be monitored on a continual basis to ensure targets are being met and aims being achieved.

3. Legislative framework

- 3.1 The main piece of legislation with which Trust must comply in its void management process is **The Housing (Scotland) Act 2001**. This Act sets out the following:
 - how a tenancy can be ended;
 - repairs duties on the Association, both at the start and throughout a tenancy;
 - a tenant's right to compensation at end of tenancy for certain improvements they have carried out with the Association's permission;
 - the right of the Association to enter a property on 24 hours notice to carry out an inspection
 - the process to follow in the case of an abandonment;
 - succession rights for Scottish Secure Tenants.
- 3.2 The Association must also have regard to other relevant legislation, such as The Gas Safety (Installation and Use) Regulations 1998, which detail the requirements for gas safety checks in current and new tenancies, and the requirement to provide new tenants with the safety certificate prior to their moving into the property.

4. End of tenancy

- 4.1 A void can happen for a number of reasons:
- Formal termination - where a tenant gives formal written notice;
 - Death of tenant – where a tenant dies and there is no successor to the tenancy;
 - Transfer – where a tenant moves to another Association owned property;
 - Abandonment – where a tenant has abandoned a property without notice;
 - Eviction – where the Association has completed court action and obtained authority to evict a tenant.
- 4.2 New properties can also be classed as void if they are handed over to the Association and ready to let, but are not let to tenants immediately. The void period is the time between the handover date and the new tenancy start date.
- 4.3 **Formal termination** – a tenant is required to give twenty-eight days written notice of their intention to leave the property. The Association will then inform the tenant of the end of tenancy date and remind them of their end of tenancy responsibilities, including:
- the property to be left in a clean and tidy condition;
 - the property to be cleared of all effects;
 - any fixtures or fittings installed without permission to be removed and any damage caused put right;
 - all keys to be returned on or before the end of tenancy date;
 - rent is due up to and including end of tenancy date, regardless of whether the tenant moves out prior to this date;
 - forwarding address to be provided.
- 4.4 The end of tenancy responsibilities are specified in the Tenancy Agreement. In addition, they will be detailed in the Tenants' Handbook and in an information leaflet dealing specifically with this topic.
- 4.5 The tenant will also be reminded about Trust's Arrears Policy and its Rechargeable Repairs Policy, and a date for inspection prior to their vacating the property will be agreed with them.
- 4.6 **Death of tenant** – when a tenant dies and there is no one who qualifies to succeed to the tenancy, then the tenancy is terminated. The Association will advise the tenant's next of kin, or representative dealing with their affairs, of the end of tenancy responsibilities and procedures. With regards the condition in which the property is handed back to Trust, the requirements are the same as those already highlighted in the case of a formal termination.

- 4.7 Similarly, the next of kin or representative will also be advised about Trust's Rechargeable Repairs Policy and its Arrears Policy, and requested to confirm a correspondence address.
- 4.8 With regards the timescale for clearing the property and returning keys to the Association, two weeks is the standard time which will be given. Whilst the tenancy is terminated on the date of death, the Association cannot re-let the property until the keys are returned. Therefore, it will recover costs for loss of rental income and an occupancy charge will be made for this two week period. This charge will be recovered from the former tenant's estate, where funds are available, and will be equivalent to the full rental charge due for two weeks.
- 4.9 The Association recognises that this is a difficult and sensitive time for tenants' families and some flexibility may be required. Extra time may be granted, up to a maximum of a further two weeks, for the property to be cleared and keys returned.
- 4.10 Where the next of kin or representative request additional time to clear the property, the circumstances will be given full consideration. However, additional time will normally only be granted where they provide confirmation that the tenant's estate can cover the additional occupancy charge which, again, will be the equivalent of the full rental charge due for the agreed period.
- 4.11 The Association acknowledges that there will be occasions where there are no funds in a former tenant's estate, and therefore the rental loss incurred at this end of tenancy period may not be recovered.
- 4.12 Where there is no next of kin or representative identified, then the estate vests in the Crown. The *Queen's and Lords Treasurer's Remembrancer* must be notified and the appropriate procedures followed.
- 4.13 **Transfer** – the end of tenancy responsibilities for a tenant transferring to another Association property are the same as those in the case of a formal termination. A date of tenancy will have been given for the new property and all responsibilities relating to the current property must be carried out by this date.
- 4.14 **Abandonment/Eviction** – there are separate policies and procedures relating to the abandonment of a tenancy and the eviction process³.
- 4.15 The accompanying *Voids Procedures* detail the specific stages, timescales, and lines of responsibility in the end of tenancy process.

³ Refer to Trust 'Abandonment Policy' and 'Eviction Policy' for further detail.

5. Inspection and repairs

5.1 An inspection will be carried out on all void or terminated properties. The purpose of the inspection is to:

- ensure that any empty properties are safe and secure, taking account of any local social factors or any adverse weather conditions;
- ensure that all properties meet the Association's minimum lettable standard;
- assess the need for any repairs.

Properties will only be re-let if they meet Trust's minimum lettable standard, which is set out in Appendix 1.

5.2 During an inspection it will be determined whether there are any repairs required due to accidental or wilful damage, neglect or vandalism, by a tenant or tenant's visitor. Such repairs will be completed by the Association but recharged to the tenant.⁴

5.3 At the inspection stage, it can also be confirmed whether there have been any improvements carried out by the tenant that qualify them for 'Right to Compensation for Improvement'.

5.4 **Pre-termination inspections** - in the case of a formal termination or transfer, a pre-termination inspection will be carried out at a date and time agreed with the tenant. Carrying out pre-termination inspections is considered beneficial for the following reasons:

- It can help minimise void periods and void loss;
- The condition of the property can be agreed with the tenant, thus helping to avoid any dispute at a later date after they have moved out;
- Any issues regarding the condition of the property can be discussed at first hand with the tenant and they have the opportunity to resolve them prior to termination, thus helping to minimise repair costs and avoid rechargeable repairs.

5.5 Where a tenant has died, the Association will aim to carry out a pre-termination inspection prior to the property being cleared and keys returned. It is preferable for the next of kin or representative to be present during an inspection, however where they are unable to or prefer not to be present, they will be requested to sign a Mandate giving the Association permission to carry out the inspection in their absence.

⁴ Refer to Trust 'Recovery of Rechargeable Repairs Policy' for further detail.

- 5.6 **Final end of tenancy inspections** – where possible, a final inspection will be carried out on the end of tenancy date, with the outgoing tenant or their representative present. This inspection allows the Association to establish the final condition of the property and determine any issues that may not have been apparent while the tenant's possessions were still in place. The final report will be agreed and signed by both parties.
- 5.7 Due to geographical constraints, in more remote areas the Association may reach an agreement with another more local registered social landlord to carry out an inspection on its behalf.
- 5.8 Any necessary repair work identified during the inspection will be instructed immediately, and carried out according to the Property Management Policy⁵. This may mean repairs being undertaken prior to the current tenant vacating the property. All emergency repairs or repairs required to make the property habitable will be carried out prior to a new tenant moving in, however there may be some minor work that is not carried out until after they take up tenancy. The new tenant will be notified of any outstanding repairs and the timescale for their completion.
- 5.9 Gas and electrical checks are carried out after the property is vacated and keys returned. The new tenant will be given the safety certificates before moving into the property.
- 5.10 Where a property is vacant for more than 30 days, there are additional responsibilities to ensure the condition and security of the property is maintained and to comply with insurance requirements.
- 5.11 The accompanying *Voids Procedures* detail the specific stages, timescales, and lines of responsibility in the inspection and repairs process, including those for longer term voids noted above at Section 5.10.

6. Allocations

- 6.1 To meet the aims and objectives of this policy, void properties must be let in as short a timescale as possible. There can often be factors outwith the Association's control, which adversely affect the effectiveness of the allocations process, for example, areas or properties which are low demand. It is important, therefore, that the Association exercises control and minimises allocations timescales where it can, for example through pre-allocations and pre-termination viewings, to counterbalance such situations.

⁵ Refer to Trust 'Property Management Policy' for further detail.

6.2 **Pre-allocations** - Properties will be let in accordance with Trust's 'Allocations Policy'⁶. When notification has been received of a void or potential void, the process of identifying a new tenant for the property will begin immediately. To aid the allocation process and avoid any unnecessary delay the Association will:

- Ensure housing lists are up-to-date;
- Ensure transfer requests are processed and up-to-date;
- Put in place nomination arrangements and homelessness protocols with local authorities and ensure they operate effectively;
- Develop good working relationships with other agencies, such as social work departments, where special referrals arrangements are required.

6.3 **Pre-termination viewings** - in the case of a formal termination or transfer, the tenant must allow a prospective new tenant to view the property prior to them vacating it. The current tenant and a member of Trust Housing Association staff would normally always be present at such viewings, which would be arranged for a time convenient to both the tenant and prospective tenant.

6.4 However, where a convenient time for both parties cannot be agreed or where the current tenant does not wish to be present, they will be requested to sign a Mandate giving the Association permission to conduct a viewing in their absence.

6.5 Where the current tenant is unable to allow access, for example due to ill health, then the Association will be flexible and alternative arrangements will be agreed.

6.6 Where a tenant has died, the Association will aim to carry out pre-termination viewings. It is preferable for the next of kin or representative to be present at such viewings, however where they cannot or do not wish to be present, then they will be requested to sign a Mandate giving the Association permission to conduct a viewing in their absence.

6.7 The Association will monitor reasons given for any refusals of offers of tenancy to establish any patterns and inform future practice. Where a property is refused specifically due to the standard of decoration, a further inspection will be carried out and, if required, the property will undergo redecoration to try and prevent any further refusals and an unnecessary extension to the void period.

⁶ Refer to Trust 'Allocations Policy' and Isle of Arran Homes Allocations Policy for further detail.

- 6.8 The entry date set for the new tenancy will be set for as soon as possible after the termination date of the previous tenancy, but will depend on whether pre-termination viewings have been possible.
- 6.9 The accompanying *Voids Procedures* detail the specific stages, timescales, and lines of responsibility in the allocations process.

7. Difficult to let/low demand properties

- 7.1 Individual properties, types of property, whole developments, or geographical areas can be difficult to let for a variety of reasons, such as the physical condition or layout of a property, or wider environmental or social factors. Communities Scotland defines a property as low demand if one or more of the following apply:
- A small or non-existent waiting list for the property;
 - Tenancy offers on a dwelling are frequently refused for reasons other than personal reasons;
 - Higher than normal rates of tenancy turnover for a property in an area.
- 7.2 Trust will ensure a strategy is in place to try and address the issue of low demand or difficult to let properties. The strategy will propose various ways of trying to combat the problem, for example:
- individual incentives such as rent free periods;
 - enhancement of minimum lettable standard, for example full redecoration or provision of carpeting;
 - local initiatives and partnership working;
 - individual and local advertising;
 - broader initiatives and advertising.
- 7.3 The Association will continue to monitor low demand properties or areas, and the effectiveness of any strategies in place. It will also aim to establish any patterns which could inform future development and provision.

8. Health and safety

- 8.1 All inspections of void or terminated properties and accompanied viewings, pre and post termination, will be carried out in accordance with good practice and health and safety guidelines.

9. Performance monitoring

- 9.1 Through effective and efficient monitoring, Trust aims to maintain, and ultimately improve, its void management performance.
- 9.2 **Targets** - an annual target for void times will be set as part of the Association's Internal Management and Departmental Plans. The target will be challenging but achievable, and will have its basis in previous performance as well as available resources. The aim is for continuous improvement and the target will be reviewed each year.
- 9.3 **Measurement** – good quality information is important to be able to measure current performance against stated objectives and published targets. This will indicate the overall voids figure, but can also be broken down into tenancy type; different timescale bandings; and low demand and non-low demand.
- 9.4 **Reporting** – voids reports will be produced for the Customer Services Sub Committee according to their regular meeting cycle, in order that they can verify staff performance against stated objectives.
- 9.5 **Benchmarking** – Trust will monitor performance not only against its own targets and objectives, but also against national standards, and the performance of other Registered Social Landlords, in particular its designated 'peer group' of landlords.

10. Equal opportunities

- 10.1 Trust operates an equal opportunities policy and this applies in all aspects of its business. In dealing with the void management process, no tenant will be treated differently or less favourably on the grounds of race; colour; nationality; ethnic origin; religious belief; disability; gender; marital status; sexual orientation; or any other personal belief.
- 10.2 Upon request, the Association will make information available on void related matters, such as end of tenancy responsibilities, right to compensation and rechargeable repairs, in alternative formats, such as large print; tape; Braille; and community languages.

11. Policy Review

- 11.1 The Voids Policy will be reviewed initially after two years, and thereafter on a three yearly basis. The purpose of the review is to assess the policy's effectiveness in meeting targets and objectives, and identify any changes which may be required.
- 11.2 As part of this policy review, consultation will take place with both staff and tenants to ensure account is taken of operational issues and the opinions of service users.

Appendix 1

Trust's minimum lettable standard

All Trust properties meet Tolerable Standards. In addition to these, the following minimum standards must be met for all void properties. Properties will not be let unless these standards are achieved.

Works	Minimum standard
General Cleanliness	<p>The property must be cleared of furniture and all contents belonging to the previous tenant, including any unwanted items of rubbish. Attics, basements and any outbuildings should similarly be emptied of all contents.</p> <p>Floors should be swept out and free from any dirt or rubbish. Kitchen and bathroom surfaces, window ledges and skirting boards should be washed down and free from any marks or stains.</p> <p>Carpets: Carpets should normally be removed also, however the Association may agree to these being left in the property under the following circumstances:</p> <ul style="list-style-type: none">• the incoming tenant has viewed the property and requested that the carpets are left.• the carpets are deemed to be in excellent condition – i.e. well fitted and free from rucking, staining, significant signs of wear, fraying, and obvious discoloured or faded patches – and could be of use to an incoming tenant. <p>In such circumstances, the carpets would become the responsibility of the incoming tenant.</p> <p>Cookers: Where the previous tenant has left a cooker, either gas or electric, this should be removed, as its safety cannot be certified.</p>

Works	Minimum standard
Decoration	<p>Internal decoration - walls, ceilings and woodwork/gloss work must be clean and generally not marked or damaged.</p> <p>General needs housing: Where a property or an individual room has been left in a poor decorative order which may have an adverse affect on letting, the incoming tenant will be offered a decoration allowance.</p> <p>Amenity and sheltered housing: Where a property or an individual room has been left in a poor decorative order which may have an adverse affect on letting, the Association will carry out redecoration.</p> <p>Very sheltered and supported housing: Internal redecoration of all rooms must always be carried out – unless exceptionally agreed between the HO and PO that this is unnecessary.</p> <p>All tenures: Where redecoration is required due to an insanitary condition, e.g. the previous tenant was a heavy smoker, the Association will always take responsibility for carrying this out.</p>
Skirtings and Facings	<p>Missing or badly damaged skirtings/facings should be replaced. If it is possible to repair them, they should be re-secured and filled where necessary.</p>
Floors	<p>All loose and missing floorboards must be re-secured/ replaced. Floor surfaces should be even to allow carpets to be laid, and should be substantially free from noise when walked on.</p>
Windows	<p>All windows should be fully operational and checked for safety (e.g. restrictor locks in place and fully functional). Keys should be issued to tenants where window locks have been fitted.</p>
External/Exit Doors to Individual Properties	<p>All external/exit doors should be intact and functioning properly. They should be checked for security and draughts/water ingress. There should be a letterbox and back flap on all front doors.</p> <p>Locks should be fully operational and comply as follows:</p> <ul style="list-style-type: none"> • Timber door - minimum of one mortice lock. • Double-glazed door - one appropriate lock.

Works	Minimum standard
Internal Pass Doors	All pass doors should be intact and operating properly. Where living room and kitchen doors have door-closers installed, these should be fully operational. Bathroom doors should have a non-key operated locking device, which can be opened from the outside in an emergency.
Kitchen Units	<p>All kitchen units must be fully operational:</p> <ul style="list-style-type: none"> • Hinges should be replaced/adjusted where necessary; • Damaged drawers and doors should be replaced; • Worktops damaged as a result of burning or water ingress should be replaced. <p>Where replacement doors/drawers/worktops are necessary, these should be matched to the current ones already in place.</p>
Bathroom Suite	<p>Bathroom suite should free from chips/cracks. If chips or cracks are identified in part of a suite, then that part should be replaced. Where replacement of part of the suite is required, the available colour match should be investigated. If the colour match is not available, a three-piece white bathroom suite should be installed.</p> <p>In these circumstances, in its housing for older people Trust will normally take the opportunity to replace a bath with a shower.</p>
Shower Unit	Any instantaneous electric shower will be tested as part of the electric check. Shower must have a screen or shower curtain rail.
Bedroom Cupboards	Bedroom cupboards should all have a level shelf and clothes rail below, space permitting.
Hall Cupboards	Hall cupboards should have three shelves, space permitting.
Electrics	All electrics, including any stand-alone electric heating system, must be checked and a Periodic Inspection Report certificate issued to the new tenant, copy kept by Trust. Alterations to the electric system clearly undertaken by the previous tenant must be removed unless the compliance certificate covers them. Any alterations which comply and are retained will become the responsibility of the Association.

Works	Minimum standard
Gas	All properties with individual gas central heating must have a full gas safety check undertaken and compliance certificate issued to new tenant, copy kept by Trust. Where the gas supply is purely to a gas cooker point, the carcassing should be checked.
Water Supply	<p>During the months of October to April, or during severe cold spells, the Association may decide to take the following action as appropriate:</p> <ul style="list-style-type: none"> • the property will be kept heated, with costs being met by Trust; • or stopcocks will be shut off and the water supply drained down.
Hot Water Tank	Individual tanks should receive a visual check for any signs of leaking.
Warden Call and Door Entry System	Where applicable, it should be verified that the door entry system, speech modules and pull cords are in place and functioning correctly.
Smoke Alarm	Smoke alarm(s) should be tested as part of the electric safety check (general needs only). Warden call linked detection systems in other services will be checked quarterly and serviced annually.
Medical Adaptations	All hard fixed medical adaptations should be inspected to ensure that they are fully operational. Arrangements should be made with the Social Work Department or other relevant agency for the removal of any portable appliances.
Garden Areas	Gardens attached to the property should be cleared of rubbish and, in the growing season, the grass cut as a one-off after the tenant moves in. (Grass should be cut every three weeks in a void period during the growing season.)