



Muirhouse Housing Association

MUIRHOUSE HOUSING ASSOCIATION

Title of Policy:	Void Management
Date of Adoption or Last Review:	19 February 2020
Lead Officer:	Housing and Communities Manager
Approval Date	25 March 2024
Review Date	March 2029

If you have difficulty with reading this policy, including any difficulties with sight or hearing, or if you require this document translated into another language, please contact us and we will be happy to provide this information in a format that suits your needs.

Our Vision, Our Mission, Our Values

Our Vision is an engaged, thriving, desirable and eco-friendly Muirhouse with high quality, truly affordable and greener homes.

Our Mission - We will provide high quality, truly affordable homes and services for residents and strengthen our engagement and partnerships to enrich the community and safeguard our environment.

Our Values - In upholding our central value of providing high quality, affordable homes and services, our behaviours and decisions will demonstrate our commitment to

Excellence: Ensuring the highest standards in all that we do and innovating to continually improve. Across the MHA Group, we are committed to providing a high quality, customer focused service that demonstrates value for money.

Caring: Being compassionate about and responding appropriately to the needs of our residents, staff, and Board.

Mutual Respect: Valuing the views, knowledge, expertise, and skills of others and collaborating to achieve good outcomes for residents, staff, and the Association. We will continue to be a leading member of the local community, working with our customers and statutory, voluntary, and private sector partners.

This policy applies to

Staff of Muirhouse Housing Association in relation to their work with void properties.

Policy Summary

The policy details the steps we will take to minimise rent lost to void properties, and the work required to ensure a void property is ready for re-let.

Equalities

Muirhouse Housing Association are committed to ensuring people or communities do not face discrimination or social exclusion due to any of the following protected characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex or sexual orientation.

This document complies with our Equality, Diversity, and Inclusion Policy.

Privacy

This policy has been developed and will be applied in compliance with General Data Protection Regulations (2018).

Compliance

Scottish Social Housing Charter Outcomes & Standards

- 1: Equalities
- 2: Communication
- 4: Quality of Housing
- 5: Repairs, Maintenance, and Improvements
- 7, 8 & 9: Housing Options
- 10: Access to Social Housing
- 11: Tenancy Sustainment
- 13: Value for Money

SHR Regulatory Standards

Standard 1 - The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users.

Standard 2 - The RSL is open about and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. And its primary focus is the sustainable achievement of these priorities.

Standard 3 - The RSL manages its resources to ensure its financial well-being, while maintaining rents at a level that tenants can afford to pay.

Standard 5 - The RSL conducts its affairs with honesty and integrity.

Related Policies & Procedures

Allocation Policy
Repairs and Maintenance Policy
Void Management Procedure
Allocations Procedure

Contents Page

1. Introduction	Page 5
2. Aims and Objectives of the Policy	Page 5
3. Legal and Regulatory Framework	Page 5
4. End of Tenancy	Page 6
5. Inspection and Repairs	Page 8
6. Allocations	Page 9
7. Health and Safety	Page 9
8. Monitoring	Page 9
9. Complaints and Appeals about the Policy	Page 9
10. Anti-Bribery	Page 9
11. Review	Page 10
12. Appendices – Minimum Lettable Standard	Page 11

1. Introduction

- 1.1 Muirhouse Housing Association (MHA) is a locally based housing association. We are committed to managing our void properties as efficiently as possible to provide value for money, and to meet the needs of our housing applicants as quickly as possible.
- 1.2 A property is classed as a void when there is no current tenant, and no rental income is being received for it. The relet period is the time between one tenancy ending, and a new tenancy starting.
- 1.3 Loss of rental income can have an impact on the level and quality of service which we can achieve. It is therefore vital to minimise this rent loss by limiting the amount of time any property remains void.

2. Aims and Objectives of Policy

- 2.1 To manage our void properties so that we
 - Minimise the time taken to let properties.
 - Minimise rent loss from void properties.
 - Minimise repair costs for void homes.
 - Ensure that chargeable repairs costs are identified.
 - Minimise former tenant rent arrears.

3. Legal and Regulatory Framework

- 3.1 This Policy, and the accompanying voids procedure comply with the Housing (Scotland) Act 2001, and the updated Housing Act (Scotland) which set out:
 - How a tenancy can be ended.
 - Our repair duties, both at the start, and throughout the tenancy.
 - A tenant's right to compensation at the end of a tenancy for certain improvements completed by a tenant with our written permission.
 - Our right to enter a property following a 24-hour notice to carry out an inspection.
 - The process to follow in the case of an abandonment.
- 3.2 The Scottish Secure Tenancies (Abandoned Property) Order 2002 sets out the procedures to be followed where belongings are found in an abandoned property.
- 3.3 The Gas Safety (Installation & Use) Regulations 1998 details the requirements for gas safety checks in current tenancies, and void properties, along with the requirement to provide new tenants with a copy of the Landlord's Gas Safety Record (LGSR) before they move into the property.
- 3.4 Ensure that the electrical installation meet the requirements of the British Standard (BS7671), and that a copy of the Electrical Installation Condition Record (EICR) is provided to the tenant before they move into the property.

- 3.5 Ensure that the requirements of The Energy Performance of Buildings (Scotland) Regulations 2008 are met, by ensuring that a current Energy Performance Certificate (EPC) is provided to the tenant before they move into the property.

4. End of Tenancy

- 4.1 A void can happen for several reasons:
- Formal termination- when a tenant gives formal written notice to end their tenancy.
 - Death of a tenant - when a tenant dies and there is no successor to the tenancy.
 - Transfer- when a tenant moves to another of our properties.
 - Left without notice – when a tenant hands in their keys without formal written notice to end their tenancy.
 - Eviction – when the courts have given us permission to evict a tenant.
 - Abandonment – when a tenant has abandoned their property.

4.2 Formal Termination

A tenant must give twenty-eight days' notice in writing to end their tenancy. This is detailed in the terms of their tenancy agreement.

We will then write to the tenant to confirm the tenancy end date and that:

- The property must be left in a clean and tidy condition.
 - The property must be cleared of all belongings.
 - Any fixtures or fittings installed without permission must be removed and any damage repaired.
 - All keys are to be returned on or before the tenancy end date.
 - Rent is due to be paid up to the end of tenancy date, even if the tenant moves out before this date.
 - Forwarding address is to be provided.
- 4.3 The end of tenancy responsibilities are detailed in our tenancy agreement. Tenants are also provided with a written checklist as part of the confirmation of termination letter.
- 4.4 At the time of termination, a tenant will also be reminded of their obligations concerning rechargeable repairs and our responsibilities under the 'Right to Compensation for Improvement' legislation.
- 4.5 A date for a property pre-inspection will be agreed during the notice period, and a final property inspection will also be carried out on the last day of the tenancy prior to keys being returned. Wherever possible, both the pre-inspection and final inspection will be carried out with the tenant (or representative in the case of a death) present. A third inspection will normally also be completed after the keys have been returned by the tenant.

4.6 The tenant will then be advised if all identified repairs have been completed and/or if any rechargeable repairs are noted.

4.7 Death of tenant

When a tenant dies and there is no person qualified to succeed, the tenancy will be terminated. We will advise the tenant's next of kin, or representative of the end of tenancy responsibilities and procedures.

4.8 Following a death, the Housing Officer will discuss sensitively with the next of kin the length of time needed to clear the property. Whilst keys are usually expected back within two weeks, Housing Officers can agree an extended timescale with permission from the Housing and Communities Manager.

4.9 Whilst the tenancy is terminated on the date of death, we cannot re-let the property until the keys are returned. If the keys are returned within two weeks, no charge will be made to the former tenant's estate.

4.10 If a longer period is agreed with the Housing Officer and Housing and Communities Manager. We will therefore recover costs for loss of rental income with a charge being made until the date keys are returned. This charge will be recovered from the former tenant's estate, where funds are available, and will be equivalent to the full rent charge due up to the key return date, minus the two-week period allowed to clear the property.

4.11 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 lies with the Crown by default. The National Ultimus Haeres Unit will be notified, and the appropriate procedures followed.

4.13 Transfer

The end of tenancy responsibilities for a tenant transferring to another MHA property are the same as those in the case of a formal termination. A start date for the new property will be given and all responsibilities relating to the current property must be carried out by this date.

4.14 Left without Notice

If a tenant leaves without notice, we will contact them to complete a termination form or accept intention to terminate by phone, text, or email. We will let the property as soon as possible to minimise the former tenant arrears. If we are unable to contact the tenant, then we will serve an abandonment notice to recover the tenancy.

4.15 Eviction

Detailed procedures are in place to ensure that where tenancies end in repossession action and eviction, such action is carried out in line with all legal requirements.

4.16 Abandonment

If we believe that a property has been abandoned, we will take action to recover possession in accordance with the procedures specified in Section 18 of the Housing (Scotland) Act 2001 in the case of a sole tenant or the procedures specified in Section 20 of the Housing (Scotland) Act 2001 in the case of a joint tenant.

5. Inspection and Repairs

5.1 The property will be inspected during the 28-day termination period to:

- Identify and agree with the tenant any work which needs to be carried out by the tenant
- Identify and schedule any repairs which will need to be carried out by us.
- Identify any chargeable repairs and provide the tenant the opportunity to fix them.
- Identify any improvements carried out by the tenant with our permission which would qualify for compensation under the “Right to Compensation for Improvement legislation”.

This will help to minimise any void period as repairs can be booked and organised in advance. We can also complete some minor repairs whilst the current tenant is still in the property.

5.2 A further property inspection will take place on the final day of the tenancy with the outgoing tenant present where possible to:

- Ensure that any work agreed with the tenant has been completed.
- Ensure that the property is safe and secure, considering any neighbourhood issues, or adverse weather conditions.
- Establish any repairs or issues which may not have been obvious whilst the tenant’s belongings were in place.

5.3 Where a tenant has died, we will aim to carry out a pre termination inspection with the next of kin or representative if possible before the property has been cleared and the keys returned.

5.4 We aim to maintain our properties to a high standard to ensure that they are viewed as desirable homes. Properties will only be re-let if they meet our minimum lettable standard; this is set out in appendix 1.

5.5 Decoration allowances are used where appropriate as a way of maintaining the decorative standard of the property whilst minimising void times.

- 5.6 Gas safety, Electrical Condition Inspection Report (EICR), Energy Performance Certificates will be carried out at void where appropriate and certificates provided to the new tenant prior to them moving into the property.

6. Health and Safety

- 6.1 All inspections of empty, abandoned or terminated properties and all accompanied viewings whether these are pre or post termination will be carried out in accordance with good practice and health and safety guidelines. Specific procedures will be in place relating to voids identified as high risk or unsanitary.

7. Allocations

- 7.1 To meet the aims and objectives of this policy, void properties should be let as quickly as possible in line with our targets as part of our Key Performance Indicators.

8. Monitoring of the Policy

- 8.1 We will report to the Board quarterly on our performance for relet times, voids days and rent loss, and annually to the Annual Return on the Charter (ARC).
- 8.2 We will publish performance information regularly on our website, newsletters and in our Annual Landlord Report

9. Complaints and Appeals about the Policy

- 9.1 Anyone who wants to make an appeal or complaint about a decision made as part of the application, assessment or allocation process may apply to us directly, there are two stages to this process.
- 9.2 A tenant or applicant may appeal in person, in writing or by email and this will be reviewed by the Housing and Communities Manager and reply given within 5 working days.
- 9.3 If the tenant or applicant is dissatisfied with this decision, then they may appeal for a review in writing to the Chief Executive. A reply will be given within 10 working days and will be the final decision.
- 9.4 Applicants/tenants have the right to apply to the Sheriff Court. The Sheriff may order us to consent to the application if the court believes that we may have refused unreasonably.
- 9.5 If an applicant or tenant is dissatisfied with the level of service we have provided and the way we have handled the allocation as opposed to the outcome, then the complaint will be dealt with in line with our Complaints Handling Procedure.

10. Anti- Bribery

- 10.1 We are committed to the highest standards of ethical conduct and integrity in all our activities and, to ensure compliance with the Bribery Act 2010, we have introduced an Anti-Bribery policy and procedures. These must be adhered to by all employees, Board Members and associated persons or organisations acting for or on our behalf when undertaking any actions referred to in this policy.

11. Review

- 11.1 This policy will be reviewed every 5 years unless key changes are required earlier to comply with legislation, guidance, or new learning.
- 11.2 As part of this review, consultation will take place with staff and customers to ensure that operational issues and the opinions of customers are considered.
- 11.3 The effectiveness of accompanying procedures and guidance will be monitored on a regular basis and, where applicable, amended as required operationally; or to reflect legislative changes.
- 11.4 Where references are made to specific job titles, roles, groups or committees, such references shall be deemed to include any changes or amendments to these job titles, roles, groups, or committees resulting from any restructuring or organisational changes made between policy reviews.

12. Appendices

Appendix 1

Minimum Lettable Standard

Works	Minimum standard
General Cleanliness	<p>The property must be cleared of furniture and all contents belonging to the previous tenant, including curtains/blinds, damaged floor coverings, rubbish, and any unwanted items.</p> <p>Kitchen and bathroom surfaces should be washed down and free from any marks or stains.</p> <p>Carpets and wooden/laminate floor coverings, curtains/ blind belonging to the former tenant may 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 these items are left. • carpets are deemed to be in an acceptable condition – i.e. they are 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.
Decoration	<p>Internal decoration to walls, ceilings and woodwork/gloss work must be clean and generally not marked or damaged. Surfaces should be in good condition with only minor pre-painting repairs required.</p> <p>Where the standard of decoration in a property or an individual room is poor, we will offer the incoming tenant a decoration allowance.</p> <p>We will only redecorate in certain circumstances for example when there is substantial nicotine staining or to enhance our older properties.</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	All loose and missing floorboards must be re-secured/ replaced. Floor surfaces should be even to allow carpets to be laid.
Windows	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.
External/Exit Doors to Individual Properties	All external/exit doors should be intact and functioning properly. They should be checked for security and draughts/water ingress.
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.
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 because 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>
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 MHA. 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 MHA.
Gas	All properties with gas central heating must have a full gas safety check undertaken and compliance certificate issued to new tenant, copy kept by MHA.

Water Supply	<p>Between October and April, or during severe cold spells, the following action may be appropriate:</p> <ul style="list-style-type: none"> • the property will be kept heated at our cost. • or stopcocks will be shut off and the water supply drained down.
Smoke Alarm	Smoke alarm(s) should be tested as part of the electric safety check.
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.
Alterations	Alterations and improvements carried out by the previous tenancy may be left, depending on the type and quality of the alteration. The incoming tenant may be asked to agree to take on the maintenance of an alteration.
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. Boundary fencing and gates provided by MHA will be in a sound condition and free from defects that may cause injury. Fencing installed by a former tenant which is in good condition may be left and the new tenant advised that maintenance is their responsibility.
Keys	At least 2 full sets of keys will be provided
Utilities	Stopcocks and utility supplies will be clearly labelled
Bathroom Suite	Bathroom suite should free from chips/cracks.
Shower Unit	Any instantaneous electric shower will be tested as part of the electric check. Shower must have a screen or shower curtain rail.