

FORTH HOUSING ASSOCIATION LIMITED

VOID POLICY

Governance: Housing Management

Code: HM 26

Approval: June 2023

Review Date: June 2026

Cross Reference: HM 02 Abandonment Policy
HM 03 Allocations Policy
HM 05 Assignment & Succession Policy
HM 06 Decant Policy
HM 10 Lodgers & Subletting Policy
HM 14 Rent Arrears Policy
HM 24 Tenants handbook
M 08 Minimum Standard for Re-Let Properties.
FIN 07 Compensation & Goodwill Payments Policy



This document can be made available in various formats such as in larger print, audio-format and Braille. It can also be made available in other languages, as appropriate.

Policy Summary

This policy has been developed to show how Forth Housing Association manage empty properties from termination through to allocation.

Equalities

There is no requirement to do a full Equality Impact Assessment.

Privacy

There is no requirement to do a full Privacy Impact Assessment.

Policy Owner

Name: Mareta Greig

Date of Next Review: June 2026

FORTH HOUSING ASSOCIATION LIMITED

VOID MANAGEMENT POLICY

1.0 Introduction

- 1.1 A void is a property for which there is a current rent account, but for which no current tenancy exists. The void period is the time, measured in calendar days, between the date of termination of a previous tenancy and the commencement of a new tenancy.
- 1.2 We have a set of Performance Indicators, standards and targets for managing void properties. A set of procedures have been developed to assist our staff in achieving our objectives and timescales.

2.0 Principles

- 2.1 The Void Property Management Policy meets with legislative and good practice requirements, this includes the following:

Scottish Secure Tenancy – The Association can exercise direct control over its tenants via the terms of the Scottish Secure Tenancy Agreement. The purpose of this is to protect the interest of its tenants, the wider community and the Association.

Housing (Scotland Act) 2001- The Void Property Management Policy adheres to the Housing (Scotland) Act 2001, in particular guidance in relation to the termination of a tenancy (notified or abandoned), compensation for improvements and access rights for inspection.

The Energy Performance of Buildings (Scotland) Regulations 2008 – The Association will ensure that it allocates void properties that have a valid Energy Performance Certificate in place.

The Gas Safety (Installations and Use) Regulations 1998 – The Association will ensure that it allocates void properties that have benefited from an annual inspection of gas installations and appliances as appropriate. In all cases a gas safety check will be carried out prior to handover of keys.

The Construction, Design and Management Regulations – The Association ensures that it meets Health and Safety requirements in the management of voids, particularly relating to repairs by the Association or contracted staff.

Data Protection Act 2018 - Within the terms of the Data Protection Act the Association will ensure that information provided by an applicant and/or tenant or sought by the Association is relevant only to the management of void properties and that all such information received is treated in the strictest confidence.

Under the provisions of the Data Protection Act, individuals have the right to see and receive a copy of any personal information (for which a small fee may be charged) that is held about them by the Association and to have any inaccuracies corrected.

Housing (Scotland) Act 1987 – The Association will ensure that all properties are fitted with interlinked smoke alarms to give warning in the event of a fire or suspected fire. There will be one smoke alarm in the room most frequently used for general living purposes i.e. the livingroom, one smoke alarm on each hallway/landing and one heat alarm in the kitchen.

3.0 Aims and Objectives

3.1 We aim to:

- Meet our legal obligations to ensure that all properties are wind and watertight and habitable for occupation at the start of each tenancy
- Minimise the rent and service charge loss on empty properties by reletting our properties quickly and efficiently
- Prevent a decline in the condition of the property through being unoccupied
- Prevent vandalism to a property
- Ensure all properties are repaired to our lettable standard including investigating and treating signs of mould/dampness/condensation where found
- Ensure effective, efficient and accountable management of our properties
- Comply with legal duties, regulatory requirements and good practice standards
- Set targets in relation to void management, monitor this process and report our performance
- Ensure tenants are aware of their end of tenancy obligations
- Prevent end of tenancy generated arrears and re-chargeable repairs

3.2 The Void Property Management Policy also complies with the guidelines set by The Scottish Government in the Social Housing Charter. In terms of the management of voids, the Charter states that:

Outcome 4: Quality of Housing

Social landlords manage their businesses so that:

- *tenants' homes, as a minimum, meet the Scottish Housing Quality Standard (SHQS) when they are allocated; are always clean, tidy and in a good state of repair; and also meet the Energy Efficiency Standard for Social Housing (ESSH) by December 2020.*

Outcome 11: Tenancy Sustainment

Social landlords ensure that:

- *tenants get the information they need on how to obtain support to remain in their home; and ensure suitable support is available, including services provided directly by the landlord and by other organisations.*

Outcome 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.*

Policy Framework

4.1 A void property may arise through the:

- Termination of a tenancy as set out in the Scottish Secure (or Short Secure) tenancy agreement
- Transfer of a Forth Housing Association tenant to another Forth Housing Association property
- Abandonment of a tenancy
- Death of the tenant with no successor
- Eviction of a tenant
- Decant of a tenant
- Completion of a new property from the development programme

4.2 The Association requires 28 days written notice of a tenant's intention to terminate their tenancy. We will not receive notice from tenants where termination of tenancy arises through abandonment, eviction or death.

4.3 We will receive advance notification of completion of new properties from the postholder responsible for the Development Strategy.

4.4 We will make tenants aware of their responsibilities at the end of tenancy in a number of ways, including:

- The tenancy agreement, particularly at the sign up appointment
- The tenant's handbook
- Our website
- Newsletter articles encouraging abandoned properties to be reported
- The termination of tenancy letter sent in response to notice being given

4.5 We take positive action to minimise the number of voids by:

- Work in conjunction with our policies on Anti-social Behaviour, Estate Management and Allocations, ensuring all our properties and their surrounding environment are managed and maintained to a high standard
- Aiming to resolve any arrears problems to prevent evictions and subsequent

void properties

- Encouraging mutual exchanges
- Identifying and obtaining the appropriate support requirements to enable tenants to sustain their tenancies. Record and report tenancy sustainment.
- Measure tenant satisfaction with their new home and the allocations process via the 'New Tenant Questionnaire'.
- Identifying patterns for the termination of tenancies by recording reasons for leaving
- Supporting adaptations to facilitate continued independent living at home

4.6 We take positive action to minimise the time a property is vacant by:

- Agreeing nomination/section 5 referral arrangements including timescales with Stirling Council
- Ensuring notice periods are adhered to
- Carrying out pre-termination visits wherever possible
- Interviewing and selecting prospective tenants early and carry out accompanied viewing wherever possible
- Setting clear timescales for responding to an offer
- Inspecting void properties and ordering essential repairs and safety checks as soon as possible after the receipt of the keys
- Carrying out non-essential repairs after a new tenant moves in
- Producing an Energy Performance Certificate and Gas and Electrical Safety Certificate for each void property prior to let, and an asbestos report where required.

Termination of a Tenancy

4.7 A tenancy termination must be received in writing or via MyForth, our tenant portal. Terminations cannot be received verbally, or via email.

4.8 A minimum of 28 days notice must be given. Where the outgoing tenant returns keys prior to the 28 day notice period, every effort will be made to allocate this within the period to minimise rent due or indeed arrears accruing.

4.9 A termination form must be completed by the outgoing tenant providing a reason for leaving and future contact details. This form also includes a mandate to advise that if the property is not cleared, this will be undertaken by the Association and the costs recharged to the outgoing tenant.

4.10 Where keys are returned with no notice given, staff will attempt to contact the outgoing tenant to complete a termination form. Where this is unsuccessful, the Abandonment policy and procedure should be followed.

4.11 Staff will pre allocate the property before the end of the notice period, with every effort made to conduct tenanted viewings to minimise turnaround timescales. Where standard notice is not given to terminate the tenancy the relevant policy and procedure should be followed

- Abandonment – HM02

- Assignment & Succession – HM05
- Decant – HM06
- Lodgers & Subletting – HM10
- Rent Arrears Policy – HM14

Inspections

- 4.12 Once notice is received from the outgoing tenant, an inspection visit at the property will be arranged. This is to allow the Tenant Services staff to discuss the termination in more detail. Items covered will include all monies due prior to the return of keys, forwarding address details, any repairs outstanding needing addressed and the condition the property should be left in.
- 4.13 Staff will make every attempt to discuss all repairs required prior to the tenancy end date by either the Association or the outgoing tenant. However, it is not always possible to note every repair due to the property still being occupied and fully furnished. The Association will write to the outgoing tenant following the visit to advise of works required prior to the return of keys. If these are not completed at the time of termination, the costs will be recharged. Similarly, once the keys are returned, a further visit is undertaken within one working day and if at this stage, further repairs are identified, the outgoing tenant will be contacted to either collect keys and resolve or be recharged. Repairs will be as per the Associations minimum standard for relet properties – HM08.
- 4.14 Two full sets of keys must be returned in line with what was issued originally by 12 noon on the termination date. Where keys are not returned on time, staff will contact the outgoing tenant to advise and where keys are late, rent will be due until keys are returned.
- 4.15 If the outgoing tenant cannot be contacted following several attempts into the next working day, then the Abandonment policy and procedure should be followed.

Transfers/Mutual Exchanges

- 4.16 Where an existing tenant is selected for a transfer, a transfer inspection will be undertaken at the property. This will follow the same guidance as outlined at 5.12 & 5.13 above.
- 4.17 Where a mutual exchange request is received, an inspection of the property will be undertaken. Staff will advise the parties involved that the property has to be accepted in its current condition excluding safety checks or any other reasonable repairs which are covered under the tenancy agreement. No void loss occurs where a mutual exchange takes place.
- 4.18 If a mutual exchange is approved, the costs associated with the gas and electrical safety checks must be covered by the outgoing tenant. If a lock change is requested, the costs of this must be covered by the incoming tenant. Staff will advise of these costs directly. These safety checks will take place on the day of the mutual exchange.

Repairs

- 4.19 The Association aims to turnaround a property within 7 calendar days. This will include repairs required to bring the property to the minimum lettable standard and will always include a gas safety check, electrical safety check and energy performance certification (EPC) if required. Copies of these safety checks will be given to the incoming tenant(s).
- 4.20 If there is a security issue at a property, this should be discussed with the Senior Property Officer and where absent a member of the senior management team to decide on the extent of security required.
- 4.21 If poor decoration is proving to be problematic in reletting a property, then a decision may be taken to provide a decoration allowance. The awards, based on the property size are included in the Compensation & Goodwill Payments Policy – Fin 07.
- 4.22 If planned maintenance is due on a void property, then the works will be completed at the void stage. This will minimise disruption to the incoming tenant and minimise refusal rates due to upgrading.

Right to Compensation for Improvements

- 4.23 There are circumstances where a tenant has undertaken improvement works to a property, following approval from the Association and compensation may be awarded. Guidance on this will be available on request and the final decision on any award will be made by a member of the senior management team.

Incentive

- 4.24 Where an outgoing tenant has met the following criteria, a goodwill payment of £100 will be paid to reflect the minimum void spend and minimum void period:
- Appropriate notice has been given
 - A pre termination visit has been undertaken
 - A clear rent and rechargeable repair account
 - No damage to the property
 - Only basic checks are required i.e. gas, electrical and EPC
 - A tenanted viewing has taken place
- 4.25 This incentive will be paid via BACS transfer to the outgoing tenant following receipt of keys and the final void inspection being signed off with no amendments.

5 Monitoring of the Policy

- 5.1 The Management Committee will review this policy at least every 3 years and staff are responsible for ensuring that it meets legal and good practice requirements.
- 5.2 The Head of Tenant Services will monitor and report the application of this policy through our quarterly performance reports.

6.0 Complaints and Appeals

- 6.1 Forth Housing Association welcomes complaints and positive feedback, both of which provide information which helps us to improve our services. We use a complaints procedure developed by the Scottish Public Services Ombudsman (SPSO) and the Scottish Housing Regulator.

The complaints procedure allows for most complaints to be resolved by front line staff within a five day limit (first stage), or if the complaint is complex, a detailed investigation will be made by a manager within a 20 day limit (second stage). At the end of the second stage our response will be made by a director. If the customer remains dissatisfied, he/ she may then refer the matter to the SPSO.

At each stage we will advise the customer how the complaint should be taken forward and advise which agency would be most appropriate to consider the case.

7.0 Equalities

- 7.1 Equality and diversity underpin all our activities and services. When delivering our services, we never discriminate on the basis of sex or marital status, race, disability, age, sexual orientation, language, social origin, or of other personal attributes, including beliefs or opinions such as religious beliefs or political opinions. Full details of our Equalities Policy can be found on our website www.forthha.org.uk or can be obtained from our office.

8.0 Data Protection - Privacy

- 8.1 We recognise the importance of data protection legislation, including the General Data Protection Regulation, in protecting the rights of individuals in relation to personal information that we may handle, use and disclose about them, whether on computer or in paper format. We will ensure that our practices in the handling, use and disclosure of personal information as part of the processes and procedures outlined in this policy comply fully with data protection legislation. More information is available from our Data Protection Officer

9.0 Availability

9.1 This policy is available on our website and can be made available in a number of other languages and other formats on request.

10.0 Review

10.1 This policy will be reviewed at least every 3 years by the Management Committee and staff are responsible for ensuring that it meets legal and good practice requirements.

Appendix 1 Equality Impact Assessment Screening Questions

Forth Housing Association Ltd Equality Impact Assessment Screening Questions

Voids

Will the implementation of this policy have an impact on any of the following protected characteristics?

- | | | |
|-----------------------------------|------------------------------|--|
| 1. Age | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 2. Disability | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 3. Gender reassignment | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 4. Marriage and Civil Partnership | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 5. Pregnancy and Maternity | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 6. Race | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 7. Religion or belief | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 8. Sex | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 9. Sexual orientation | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

If you have answered 'Yes' to any of these points, please complete a full Equality Impact Assessment. If you have answered 'No', you need take no further action in completing an Equality Impact Assessment

Appendix 2 Equality Impact Assessment Screening Questions

Forth Housing Association - Privacy Impact Assessment

1. A substantial change to an existing policy, process or system that involves personal information
Yes No
2. A new collection of personal information
Yes No
- 3.. A new way of collecting personal information (for example collecting it online)
Yes No
4. A change in the way personal information is stored or secured
Yes No
5. A change to how sensitive information is managed
Yes No
6. Transferring personal information outside the EEA or using a third-party contractor
Yes No
7. A decision to keep personal information for longer than you have previously
Yes No
8. A new use or disclosure of personal information you already hold
Yes No
9. A change of policy that results in people having less access to information you hold about them
Yes No
10. Surveillance, tracking or monitoring of movements, behaviour or communications
Yes No
11. Changes to your premises involving private spaces where clients or customers may disclose their personal information (reception areas, for example)
Yes No

If you have answered 'Yes' to any of these points, please complete a full Privacy Impact Assessment. If you have answered 'No', you need take no further action in completing a Privacy Impact Assessment.