

VOID PROPERTIES - POLICY

1.0 INTRODUCTION

1.1 It is our policy to:

- re-let vacant (void) properties as quickly as possible,
- minimise our costs in bringing void properties up to [ARK's](#) acceptable letting standard, and
- minimise the loss of rental income as a result of properties being empty,

Subject to:

- properties being in an acceptable condition for occupation, and
- All offers of tenancy complying with our [Allocations Policy](#).

In order to effectively deliver the aims and obligations of this policy ARK will ensure that good practice standards are adhered to and comply with legal duties, regulatory requirements. This includes:

- **Scottish Secure Tenancy** – The use of this legal document is to protect the interest of its tenants, the wider community and the Association.
- **Housing (Scotland Act) 2001** – This 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** – ARK will ensure that it allocates void properties that have a valid Energy Performance Certificate in place.
- **The Gas Safety (Installations and Use) Regulations 1998** – ARK 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** – ARK will ensure that it meets Health and Safety requirements in the management of voids, particularly relating to repairs by Association or contracted staff.
- **Data Protection Act 1998** - 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.
- **The Equality Act 2010**— ARK will ensure that it meets Equality requirements in the management of voids.
- The Scottish Social Housing Charter, Outcome 4 and 13 which states:

Quality of Housing – *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 (EESH) by December 2020.

Value for money -“Tenants, owners and other customers receive services that provide continually improving value for the rent and other charges they pay”

- To ensure that outgoing tenants are aware of their responsibilities prior to a termination date in order to keep repair costs to a minimum
- To provide meaningful performance information which meets the requirements of both internal and external scrutiny
- To have a precise procedure that adheres to all of the above that is clear, accessible and easy to follow.

1.2 Voids may arise for the following reasons:

- **Formal termination** - where a tenant gives notice in writing of their intention to end their tenancy of the property;
- **Abandonment** - where ARK has issued a legal notice as it is believed that a tenant has left the property without any notice.
- **Eviction** – where a property is legally re-possessed and the tenant removed, following the granting of a Decree by the Sheriff Court;
- **Death** – where the tenant dies and there is no-one to succeed to the tenancy as currently defined in law;
- **Internal Transfer** – where the tenant moves from one ARK property to another ARK property.

The action that we will take in each of these situations is covered by the procedures that support this policy (see Appendix 1 for current list of supporting procedures).

1.3 As part of our efforts to minimise voids times and costs we will remind tenants, both at the start of their tenancy as well as during the settling-in visit and regularly thereafter, e.g. through the Tenant’s Handbook and tenant newsletters, that they should give 28 days written notice of their intention to end their tenancy.

Tenants will also be reminded of their tenancy obligations which are to maintain the property by ensuring it is kept clean, tidy and the decoration is to an acceptable standard.

2.0 VOIDS TARGETS

2.1 As part of the annual setting of budgets and performance targets the Senior Leadership Team will approve targets for:

- a) The total number of void days between a property becoming vacant and it being re-occupied;
- b) the maximum average time for repairing properties between lets for (i) routine repairs and (ii) complex repairs;
- c) the maximum average no. of days to identify a new tenant and have an offer accepted;
- d) the maximum amount of rental income lost as a result of void properties – expressed as a percentage of the estimated annual total rental income – agreed as part of the annual budget-setting process.

The current targets will be listed in the associated procedure HM30

- 2.2 Where there are exceptional circumstances affecting the future use of a property or the length of time it will take to bring the property back to a lettable standard, e.g. because of serious fire or flood damage, or a delay in finalising a funding package for a tenant requiring support, the Finance Director will have authority to approve the removal of the rent charge from that property, in accordance with current procedures.

3.0 LETTING STANDARDS

We will aim to ensure that all vacant properties are brought up to our current Lettings Standards (before they are re-let. A copy of the current Letting Standard is contained within the associated procedure HM30. 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.

4.0 RISK MANAGEMENT

The Senior Leadership Team will consider the Risk Management factors of Void Management including:-

- Financial risk through potential failure to ensure that enough income is collected to cover operating costs due to excessive rent lost to voids; and
- Non-compliance with the Social Housing Charter outcomes and Performance indicators.

5.0 MONITORING

The Head of Housing Services will report on our performance against current voids targets as part of the regular reporting arrangements to each meeting of the Finance Sub-Committee.

6.0 IMPLEMENTATION AND REVIEW

- 6.1 The Head of Housing Services is responsible for ensuring that this policy and the procedures that support it are implemented when required.
- 6.2 The Head of Housing Services will ensure that the Senior Leadership Team reviews the voids targets annually and this policy at least every three years.

Approved by the SLT:	November 2018
Approved by the Finance Sub-Committee:	November 2018
Review of policy due by:	November 2021
Complies with:	Scottish Social Housing Charter Outcome 4 & 13.