

Final formatting and front and back pages to be added after Housing OSC and Cabinet approval.

1. Scope of Policy

This policy sets South Kesteven District Council's (the Council) approach to managing empty properties within the housing properties it owns or manages.

The scope of the Council's void policy includes:

- Policy Statement
- Legislation Requirements
- Tenancy Termination
- Terminations following the Death of a Tenant
- Evictions and Abandonments
- Pre Termination Visits
- Post Termination Inspection
- Recharges
- Letting the Property
- Viewings and Offers
- Creating New Tenancies
- Work to Void Properties
- Utilities
- Defective Properties
- Adapted Properties
- Equality and Diversity
- Safeguarding
- Complaints
- Monitoring and Review
- Associated Documents
- Appendix A - Lettable Standard

2. Policy Statement

This policy aims to ensure that a property is effectively managed from when it becomes vacant to when a new tenant moves in. The Council will aim to minimise rent loss within the whole void process.

The purpose of this policy is to:

- Minimise the length of time a property is empty, and the amount of rental income lost.

- Let the property in a clean and safe condition that meets the Council's lettable standard.
- Meets resident needs and maximises resident satisfaction.
- Provides value for money to the Council.
- Meets statutory, regulatory and compliance requirements.

3. Legislation Requirements

Social landlords must adhere to several regulations related to empty property management and lack of compliance can place a landlord at risk of prosecution or financial penalties. The legislation and standards include but is not limited to:

- Localism Act 2011
- The Housing Act 2004
- Homes (Fitness for Human Habitation) Act 2018
- Landlord and Tenant Act 1985
- Decent Homes Standard
- Minimum Level of Energy Efficiency Standard
- Housing and Regeneration Act 2008 (Regulatory Standards).
- Social Housing (Regulation) Act 2023, including the proposed requirements set out the Awaabs Law.
- Gas and Electrical Safety Regulations.
- Control of Asbestos Regulations.
- Fire Safety Act 2021 and Building Safety Act 2022.

4. Tenancy Termination

The void process begins once written notice to end the tenancy has been received. The Council's tenancy agreement sets out details of how to end a tenancy including the requirement for the tenant to provide 4 weeks written notice. Any proposal to reduce this notice period should be agreed with the Council in advance.

Where the outgoing tenant has given notice and fails to leave the property after the end of the notice period, legal action may be taken by the Council.

5. Terminations following the Death of a Tenant

In instances where the tenancy has been ended due to the death of the sole tenant, the person who has been authorised to deal with the deceased tenant's estate is responsible for the removal of all goods from the property.

Where there is no person to deal with the estate, the Council will commence a legal process to end the tenancy by serving a Notice to Quit on the Executor/Public Trustee. Once this period has expired, any goods remaining in the property will be disposed of following the procedure set out in section 41 of the Local Government (Miscellaneous Provisions) Act 1982.

The property will be subject to inspection and any damages or unauthorised alterations made to the property will be recharged to the deceased tenant's estate.

6. Evictions and Abandonments

The outgoing tenant is responsible for removing all personal possessions from the property by the end of the written notice period.

In cases where the tenants fails to give notice through either eviction or abandonment and belongings are left in the property, the Council will issue a notice in accordance with section 41 of the Local Government (Miscellaneous Provisions) Act 1982 advising there are personal belongings within the property and that upon expiry of the notice period that they will become the property of the Council.

7. Pre Termination Visits

A pre termination visit will be undertaken as soon as possible once termination of tenancy has been received. This visit will determine the condition of the property and highlight any repairs that the tenant will be required to undertake before leaving the property.

The Council reserves the right to recharge the outgoing tenant for any damages or to complete repairs which are the tenant's responsibility, include putting right any wilful neglect or unauthorised alterations, in accordance with the tenancy agreement.

All rechargeable work will be agreed and signed off by the tenant and the pre termination visit.

If the tenant is moving to another property owned by the Council, the inspecting officer will check all work is completed before the move. If any work is not completed, the Council reserves the right to withdraw the offer or recharge the tenant.

8. Post Termination Inspection

A post termination inspection will be undertaken on all void properties within 2 working days of the property becoming void.

The purpose of this inspection will be to:

- Ensure the property is empty, remove any items which pose a health safety risk.
- Decide if prospective tenants can view the property.
- Ensure the property is secure.
- Identify works and repairs required to bring the property up to the Council's lettable standard, including identifying any rechargeable work that is the responsibility of the previous tenant.

9. Recharges

The Council will seek to recover from the outgoing tenant any compensatory damages to the property arising through wilful neglect or unauthorised alterations to the property.

The Council will recharge for not:

- Returning the property in satisfactory condition
- Returning keys and fobs
- Cleaning
- Removing belongings and possessions

The Council will raise a recharge notification to the outgoing tenant on the Council's debtor systems.

10. Letting the Property

The Council will let properties in accordance with the Council's Housing Allocations Policy. The selection of new tenants for the property will start when the Council is made aware of the date that the property will be available for reletting.

11. Viewings and Offers

Once a new tenant has been selected, viewing of the property will be arranged. Prospective tenants will be advised of the date that they can move in, and the new tenancy start date. The Voids team will update the Lettings team with all works taking place in each void property and the expected date that the property will be ready for letting.

12. Creating New Tenancies

When the date for sign up has been agreed, the Council will invite the tenant to sign up to the new tenancy agreement. The tenancy agreement will be explained by the Council.

The Council will provide advice on:

- Paying rent
- Applying for benefits
- Setting up utilities
- Reporting repairs
- Health and safety matters (i.e. responsibility for the tenant to test fire alarms)

The Council will follow up the letting with a new tenancy survey. Feedback will be monitored and reported monthly.

13. Work to Void Properties

All properties will meet the Council's lettable standard as shown in Appendix 1 and the decent homes standard.

Unless authorised by the Void team, prospective tenants will not normally be given access to the property when void works have started.

In some cases, works will be carried out when the tenant has moved in, if it is not disruptive work or poses a health safety risk and the Void team agrees, for example some external repairs may be carried out after a property is let.

The Council may complete component renewals (i.e. kitchens and bathrooms) after a property is void if it is known to be on the planned work programme within the next year.

Major voids are classified as voids requiring component renewals such as kitchens and bathrooms, all other voids are classified as minor or standard voids.

Decoration will be undertaken in some circumstances, specifically if the property is in poor condition.

Some adaptations may be completed before the tenant moves in, but these must be specified by an Occupational Therapist.

The priority for the Council is to let properties as soon as possible. If a property is in low demand, additional works may be undertaken to attract a suitable tenant, which may include additional redecoration or support to help a tenant move in.

On completion of works to void properties a post inspection will be carried to check the property is ready to let and this may include carrying out a stock condition survey if required.

14. Utilities

All properties will be issued with gas and electrical safety certificates to confirm that property is safe and compliant with current regulations. All properties will be let with valid Energy Performance certificate (EPC) with a minimum rating of A-E.

When a property becomes void, the Council will cap the gas supply to reduce any health and safety risk. The Council will use a utilities provider to clear down debts, change meters and transfer supplies to a preferred provider to reduce void times.

Gas and electric meters will be checked at void stage. The gas supply will not be uncapped until the new tenant has moved into the property. The new tenant will contact the Council to arrange an uncap when they have a gas supply set up in their name and/or a meter has credit on it. The Council will arrange the uncap as soon as possible and a gas safety certificate will be issued to the new tenant.

Smoke and Carbon Dioxide alarms will be installed and tested at void stage.

15. Defective Properties

Where a void property requires significant work due to major defects, an options appraisal may be undertaken to assess whether the work should be undertaken. The options appraisal will consider the costs of remedial works and future demand for the property and make recommendations for the future use of the property.

16. Adapted Properties

Properties which are adapted when they become void will be let to a suitable tenant who requires the adaptations. If a suitable tenant cannot be found, any decision to remove adaptations will be made by the Voids Manager in consultation with the Tenancy Services Manager.

17. Equality and Diversity

The Council aims to provide fair and equal access to services for all tenants and leaseholders, in line with current equality laws.

The Council's staff and contractors will operate in such a way to ensure that they meet the needs of individual residents and to ensure that they do not discriminate on the grounds of:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

18. Safeguarding

The Council is committed to safeguarding the welfare of children and/or young people and adults with care and support needs within the activities we undertake. Safeguarding encompasses a range of legal duties and responsibilities designed to protect people's health, wellbeing and human rights. Safeguarding exists so we can support people and help prevent problems from escalating, enabling them to live free from harm, abuse and neglect.

If you are concerned about yourself or someone else and living in one of our Council properties, please contact the Council. An officer will provide advice and support. The Council has a duty of care to refer anyone to Lincolnshire Adult or Child Safeguarding Services if they think anyone is at risk.

For further information and support, tenants and household members can refer to the 'Tenant Handbook'. A copy of this can be found on our website.

19. Complaints

The Council aim to meet the needs of our customers by providing an excellent service. However, it is acknowledged that occasionally things go wrong, and customers may wish to complain. Should the need arise to make a complaint, we will refer to the Council's Housing Customer Feedback Policy.

20. Monitoring and Review

Performance and customer satisfaction will be monitored by the Technical Services and Housing Services teams using a suite of key performance indicators and reported to senior management and relevant Council committees.

Key measures in respect of void management are:

- Number of void properties
- Average repair and overall re-let time for a standard void
- Average repair and overall re-let time for a major void
- Average repair and overall re-let time for all voids combined
- Oldest void property in work in progress
- Average void costs

Benchmarking will be included on the KPI information to enable comparisons to be made with the sector.

Defined timeframes for completion of work to void properties and the end-to-end void process will be reviewed on an annual basis and informed by reviewing benchmarking data, current performance and resources available. The Council's aim is to set continuously improving targets in line with or exceeding benchmark median quartile performance.

Members of the Council will monitor the effectiveness of this policy and recommend policy changes to improve service delivery and customer experience.

This policy is reviewed every 3 years or on the introduction of new legislation or best practice.

The Voids Policy will be made available on our website and will remain valid for use until a new version is available.

21. Associated Documents

List of associated policies, procedures and publications:

- Tenancy Agreement
- Tenant and Lettings Policy
- Repairs and Maintenance Policy
- Aids and Adaptations Policy
- Recharge Policy
- Asset Management Strategy
- Customer Feedback Policy

- Damp and Mould Policy
- Health and Safety Policy
- Total Housing Compliance Policy

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APPENDIX A

Lettable Standard

Kitchen

- Sink and worktops will be in a clean and hygienic condition.
- All units will be secure, and doors and drawers will operate satisfactorily.
- The water supply will be working.
- The number of storage units will depend on the size of the kitchen and will consist of floor and wall units where possible.
- Splashbacks will be sealed and free from defects.
- There will be safe and compliant cooker space with a suitable electric point and gas if available. It is the tenant's responsibility to arrange the connection of the cooker by a qualified person.
- There will be a minimum of 2 double electrical sockets.
- The Council will provide space for a double fridge freezer unit, washing machine with plumbing taps and waste, it is the tenant's responsibility to arrange to fit the washing machine.
- The kitchen floor will be free from defects and a washable floor covering fitted.
- A replacement kitchen will be fitted if the existing kitchen is in poor condition and is not cost effective to be repaired.
- Where space allows all kitchens will have a fully working extractor fan.
- A minimum of 3 rows of tiled splashback above the cooker.

Doors, Internal Woodwork, Windows and Glazing

- All fire doors will meet the required standards.
- Internal and external doors will be checked and operate correctly.
- External locks will be changed.
- Communal entrance locks will be checked and left in full working order.
- All glazing will be free from defects and windows which are designed to open will be in working order.
- Window restrictors will be fitted to all windows at 1st floor level or above.

Ceilings and Walls

- All plaster work will be repaired and ready for the tenant to decorate.
- Polystyrene tiles will be removed.
- Wallpaper will only be removed if in poor condition.
- Graffiti will be removed.

Floors and Stairs

- Floor coverings may be left in a property if requested by the incoming tenant and if in reasonable condition and free from infestation. The Council does not take responsibility for any carpets left in a property.
- Floors will be free from tripping hazards.

- Flooring in kitchens and bathrooms will be clean and washable; any damaged floorings will be replaced.
- Timber floors will be in satisfactory condition.
- Stairs will have secure handrails and balustrades.

Bathroom and Toilet

- All existing bathroom elements will be operational and free from leaks.
- An electric shower will be fitted with shower curtain and rail.
- All splashbacks will be sealed and free from mould.
- All toilets will work properly, be securely fixed and a new toilet seat fitted.
- A new bathroom will be fitted if the existing is in poor condition and it is not cost effective to repair.
- Where possible all bathrooms will have a fully working extractor fan.

Heating and Services

- If the property has a gas supply, the Council will test all supplies and appliances in accordance with the Gas Safety Regulations to make sure that they are safe and in full working order.
- A gas safety certificate will be issued to the incoming tenant.
- The main water supply will be left working, and the tenant will be informed of the stop tap location when they move in.
- The electrical supply will be tested in accordance with the National Inspection Council for Electrical Installation contractors (NICEIC) inspection procedure.
- Where possible a minimum of one double socket will be fitted in bedrooms and two double sockets in living rooms.
- All water systems will be flushed in line with regulations.
- Smoke alarms will be fitted at the property.
- The property will be left with working carbon monoxide detectors in all rooms as required by current regulations.

Outside

- All access and egress will be free from obstructions.
- Boundaries will be clearly defined.
- The Council is not responsible for fencing however will erect fencing if required against public areas or a highway.
- Roofs, walls, gutters and downpipes will be checked and left in full working order.
- Loft insulation will be topped up to 300mm.
- Rubbish will be removed from all areas including bins and sheds.
- Sheds, greenhouses and other garden structures may be left at a property if requested by the incoming tenant and if in reasonable condition. The Council does not take responsibility for any structures left in a property.
- Electrical supplies will be removed from sheds.

- The Council will cut back overgrown hedges, lawns and trees to an acceptable height. The ongoing maintenance of gardens is the tenant's responsibility.

Cleaning and Decoration

- All surfaces, including woodwork will be free of flaking paint and ready for decorating.
- Any graffiti removed.
- All floors and stairs will be swept and wet mopped where possible.
- Bathroom and WC floors will be disinfected.
- All doors (internal and external), doorframes, windows, window frames, windowsills, skirting boards, radiators, and pipe works will be washed down and wiped cleaned.
- Cobwebs will be removed from all areas.
- All sinks, basins, taps, tiled areas, and showers will be cleaned and sanitised.
- Kitchen units, including all work surfaces, cupboards and drawers will be cleaned and sanitised internally and externally.
- All toilets and pipe work will be cleaned.
- If the property shows signs of vermin or insect infestation, then fumigation or other appropriate treatment will take place.
- Decoration is the tenant's responsibility.
- New tenants may be offered a decorating allowance for some rooms if they are in a poor condition.
- The Council may choose to decorate a property if the decoration is in poor condition or if the property is hard to let.
- In some cases, we may leave curtains or other fittings in place for the new tenant, a disclaimer will be issued for the tenant to sign to confirm that they will be responsible for these items.

APPENDIX B – VOID PROCESS

