

Approved by Management Committee 30/05/24

Date Issued	1 April 2008
Last Reviewed	May 2024
Department	Housing Management
Title	Empty Homes Management
Objective	To ensure that empty properties are prepared to an agreed standard, to minimise the time properties are empty and to control rent loss and repair costs
Responsible	Director of Housing
Next Review Date	May 2029

1.0 Introduction

- 1.1 An empty home is a property for which there is no income because it has no current tenant. Empty homes are an inevitable part of the provision and management of rented accommodation, as tenancies will end for one reason or another.
- 1.2 Whilst a property is empty, no rental income is being received for it. This can have an impact on the level and quality of service delivery which the Association can achieve. Empty home rent loss can be minimised by trying to reduce the number of properties which become empty and re-letting them as quickly as possible.
- 1.3 We have a set of Performance Indicators, Standards and Targets for managing empty homes. We also have a clear set of procedures to assist staff in achieving our objectives and timescales.

2.0 Legal & Regulatory Framework

- 2.1 We will comply with all relevant legislation including (the list is not exhaustive):
 - Housing (Scotland) Act 2001
 - The terms of the East Lothian Scottish Secure Tenancy Agreement
 - The Gas Safety (Installation & Use) Regulations 1998
 - CDM Regulations 2015
 - Control of Asbestos Regulations 2012

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- Control of Substances Hazardous to Health (COSHH) 1999
- Environmental Protection Act 1990
- Health & Safety Act 1974
- Equality Act 2010

2.2 We will also comply with the Scottish Housing Regulator's Social Housing Charter Outcomes and Standards which support the requirements of the Scottish Social Housing Charter, and in particular the following outcomes:

Equalities	Social landlords perform all aspects of their housing services so that: They support the right to adequate housing, and every tenant and other customer has their individual needs and rights recognised, is treated fairly and with respect, and receives fair access to housing and housing services
Communication	Tenants' and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decision and the services it provides
Quality of Housing	Tenants' homes, as a minimum, when they are allocated are always clean, tidy, and in a good state of repair, meeting the Scottish Housing Quality Standard (SHQS), and any other building quality standard in place throughout the tenancy; and also meets the relevant Energy Efficiency and Zero Emission Heat Standard
Value for Money	Tenants', owners and other customers receive services that provide continually improving value for the rent and other charges that they pay
Tenancy Sustainment	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

2.3 This policy complies with our following policies and strategies:

- Maintenance Policy
- Property Maintenance – Legal Obligations Policy

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- Cause for Concern Strategy
- Asbestos Management Policy
- Tenancy Management Policy
- These Homes (Allocations) Policy
- Communications Strategy
- Temporary Accommodation and Decants Policy
- Authorisations and Standard Charges and Allowances Policy
- Lone Working Policy

3.0 Policy Aims and Objectives

We aim to:

- Meet our legal obligations to ensure that all properties are wind and watertight, habitable and in all respects reasonably fit for habitation at the start of each tenancy
- Assist in meeting housing need as soon as possible
- Minimise the rent loss on empty properties
- Minimise the cost of repairs whilst ensuring all properties are repaired to a minimum standard
- Ensure effective, efficient and accountable management of our properties
- Comply with legal duties, regulatory requirements and good practice standards
- To set targets in relation to empty homes management and to monitor this process
- Ensure tenants are aware of their end of tenancy obligations
- Ensure all information is provided in Plain English, in a format which suits the tenant
- Prevent end of tenancy generated arrears and chargeable repairs wherever possible

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4.0 Empty Homes Management Standards

4.1 We take positive action to minimise the number of empty homes by:

- Advertising properties as soon as practically possible and making sure we match applicants to properties which will suit current and, as far as possible, future needs in order to reduce turnover
- Ensuring all our properties and their surrounding environment are managed and maintained to a high standard to achieve high tenant/resident satisfaction
- Taking preventative and early intervention action to resolve any rent arrears problems in order to reduce the number of evictions and subsequent empty homes
- Encouraging mutual exchanges
- Identifying and obtaining the appropriate support requirements to enable tenants to sustain their tenancies

4.2 We take positive action to minimise the time a property is empty by:

- Agreeing nomination / homeless referral arrangements, including timescales, with East Lothian Council and other agencies
- Where appropriate, interviewing prospective tenants early
- Setting clear timescales for responding to an offer and viewing a property
- Ensuring minimum notice periods are enforced unless it is not reasonable to do so
- Carrying out pre-termination inspections wherever possible and ordering routine repairs before the tenancy ends
- Offering rewards to encourage tenants to return properties in reasonable condition with no chargeable repairs
- Inspecting empty properties and ordering essential repairs and safety checks as soon as possible after receipt of the keys
- Securing empty properties where required to reduce vandalism
- Providing paint packs or decoration vouchers at every re-let

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5.0 Definition of an Empty Home

5.1 An empty home can be defined as 'a property that has no tenant for a 'period of time'. We consider a property an empty home in the following circumstances:

- Formal termination of tenancy
- On the death of the tenant (where no right of succession exists)
- Abandonment
- Eviction
- Transfers

Mutual exchanges do not have a period where the property is empty. The mutual exchange process is documented in our Tenancy Management Policy.

6.0 Empty Home Categories

6.1 We have two types of empty homes; properties which are available for let and those which are not. An abandoned house is not immediately considered to be an empty home as the tenant is responsible for the rent until the point where we have been able to repossess the property.

6.2 We have four different categories for properties which are not available for let:

- Straightforward empty properties which are undergoing repair and should be re-let within target timescales
- Empty properties which require major repair work or refurbishment where we expect them to exceed our target timescale for re-letting and they fall within the Scottish Social Housing Charter definition of an excluded void
- Properties that are held empty for management or policy reasons
- Customer Care Empty Homes properties that are going to be empty for longer than our normal target timescale but which do not meet the reasons set out at (2) above. For example, if we need to carry out a medical adaptation because it is unsafe for the prospective tenant to move in, and this work will cause a delay in the empty house being completed

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6.3 We have three different categories for properties which are ready for let:

- New Lets Properties which have been handed over to us by our development agents and are waiting to be let for the first time
- Re-lets Properties which have been let before and are waiting to be allocated or are undergoing repair
- Off rent Properties which could be re-let but which we decide to use for other purposes for a period of time (e.g. to pilot a new heating system)

7.0 Formal Termination

7.1 A tenant must normally give us 28 days' notice, in writing, if they intend to terminate their tenancy. This requirement may be waived at the discretion of the Housing Manager in exceptional circumstances only.

7.2 Where a tenant is moving to another Association or public sector tenancy, they may have little control over the tenancy start date and we may consider reducing the Notice period to avoid them having to pay rent on two properties.

8.0 Death of a Tenant

8.1 If a tenant has died and there is no qualified person to succeed to the tenancy, the tenancy will officially end on the date of the death. We will allow up to two weeks rent free for the house to be cleared although we retain the discretion to claim from the tenant's estate for the rent loss for this period. We may extend the period allowed to clear the house by a maximum of two further weeks, provided the previous tenant's estate will cover the rent loss.

8.2 We will advise the next of kin, or representative dealing with their affairs, of the end of tenancy responsibilities and procedures. With regards to the condition in which the property should be handed back, requirements are the same as those for a formal termination. When a tenant dies with no relatives, and has left no will, the estate reverts to the Crown. We will take advice from the appropriate agencies in such cases.

8.3 In the event of a sudden death arising through suspicious circumstances, our staff will work sensitively and quickly with family and / or external agencies such as the police. We will provide advice and support where appropriate to the remaining family, e.g. signposting to Victim Support or assistance with claiming benefits.

8.4 We will work within the legal framework for cleaning properties following the death of a tenant and for the disposal of contaminated waste. We will always use a specialist company to clean the property.

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8.5 If there is a qualified person to succeed the tenancy then staff will refer to our Tenancy Management Policy and Succession procedures.

9.0 Inspection & Repair

9.1 We will carry out a pre-termination inspection wherever possible to assess what work is required. We will carry out an exit interview and provide advice to the outgoing tenant on clearing the house, highlighting the possibility of chargeable repairs and any improvements which may qualify for compensation.

9.2 Where possible, we will carry out a final inspection on the termination date or an agreed date, with the tenant present to check that any repairs required at the pre-termination inspection have been carried out. If the work has not been completed to our satisfaction, the tenant may be given the option of extending the tenancy so that they can avoid the cost of chargeable repairs.

9.3 Platinum and Gold Key Tenants receiving rent discounts may lose their discount in the final month if they do not provide access in reasonable time to allow the inspections before tenancy end.

9.4 It is not always possible to carry out a pre-termination and final inspection but, in all cases, we will carry out an inspection after the property has been vacated.

9.5 A property of a tenant who wishes to transfer will normally be pre-inspected before a Priority Pass is awarded. Transfers will be conditional upon the tenant leaving the property in a satisfactory condition. This requirement may be waived at the discretion of the Housing Manager.

9.6 Following the pre termination inspection we will order repairs which are our responsibility, and which can be completed before the tenant moves out.

9.7 If the tenant has recently received any decoration allowances, for example, following contract work, staff will check to ensure that the decoration has been completed. If no work has been undertaken, then staff should request that the tenant return the decoration allowance. If not, the tenant will be charged the value.

9.8 We will inspect the empty property to identify any repairs required to bring it up to a lettable standard (Appendix 2) as soon as the keys are received.

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- 9.9 We will carry out the required gas (if appropriate) and electric safety checks in every empty property and complete all repairs.. We aim to replace components within the planned maintenance programme but if a kitchen or bathroom requires to be replaced early than this, we will complete the work whilst the property is empty. If we are aware of the prospective tenant early in the process, we may consult them on choice of colours for the kitchen units or bathroom wet boards.
- 9.10 Contractors are employed to carry out repairs and must complete the work within a set timescale. Staff will monitor the repair work on empty homes separately from other repair work.
- 9.11 Decoration is the tenant's responsibility, and we will only decorate properties in exceptional circumstances. A paint pack or decoration voucher, sufficient to redecorate the whole property is given to every new tenant irrespective of the condition of the decoration. We will randomly or selectively inspect properties to ensure that re-decoration has been carried out.
- 9.12 Dirty properties will normally be professionally cleaned before the prospective tenant is allowed to view.

10.0 Chargeable Repairs

- 10.1 If at the post-termination inspection repair work is found to be required and it is the responsibility of the out-going tenant, the costs of such work will be charged to them. We have a formal procedure, set out in our Chargeable Repairs Service Policy, for pursuing the costs of chargeable repairs, redecoration and cleaning that are the former tenant's responsibility.

11.0 Right to Compensation for Improvements

- 11.1 If a tenant has carried out an improvement to the property which qualifies under the Right to Compensation for Improvements Scheme, they will be advised to claim compensation. Information is available on elha.com and in a tenant's My Home account. Leaflets are available at any time on request.

12.0 Re-let Standard

- 12.1 Properties will only be re-let when they meet our minimum lettable standard as detailed at **Appendix 2**.

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13.0 Allocation of Empty Homes

- 13.1 We will start the allocations process by advertising the property on These Homes on the first available date after receiving notice to terminate. We will allocate properties in an efficient, speedy and effective manner in accordance with our These Homes (Allocations) Policy and will make referrals to our Tenancy Support Services where we identify vulnerable prospective tenants who may require some support to enable them to take up a tenancy and sustain it
- 13.2 To minimise the incidence of refusals we will arrange accompanied viewings with prospective tenants for both new lets and re-lets on every occasion. We will advise of the paintpacks / decoration vouchers at a re-let accompanied viewing. We will also advise of any contract work to be carried out in the next year.
- 13.3 We will carry out new tenancy visits to any tenant who requests a visit, or to tenants who are vulnerable or for whom early indicators suggest that it would be beneficial, to ensure that the tenancy is sustained. Please refer to our Tenancy Sustainment Policy.

14.0 Reward Scheme

- 14.1 There can be considerable costs associated with bringing empty homes up to a lettable standard where the outgoing tenant has failed to leave the property in an acceptable condition. Whilst we always try to recover these costs, this can be difficult once the tenant has moved on.
- 14.2 We will seek to minimise these costs by encouraging tenants to leave their homes in an acceptable condition by giving a reward.
- 14.3 We will reward tenants with £150 who terminate their tenancy and:
- Have held the tenancy for a minimum period of 12 months (this requirement may be waived at the discretion of the Housing Manager)
 - Provides access to allow the property to be inspected before they move out
 - Return their keys on time
 - Leave the property in a clean and tidy condition, with no chargeable repairs or decoration needed
 - Leave a clear rent account
 - Leave no debt on their utility meter (The Granary, Haddington & Hillview Court, Ormiston only)
 - Leave a forwarding address

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14.4 We will not pay a reward where a tenancy terminates because of the death of the tenant.

15.0 Performance Monitoring

15.1 We aim to maintain and ultimately improve our empty homes management performance through effective and efficient monitoring. **Appendix 1** sets out our targets in relation to empty homes management which will be reviewed annually.

15.2 Our Audit & Assurance Committee monitors performance through the submission of quarterly reports. These reports include:

- Number of tenancy terminations received, and re-lets completed
- Quarterly loss of rental income on empty properties
- Cumulative rental loss on empty properties
- Average re-let times
- Empty homes exceeding time to repair target and why
- Empty homes exceeding time to allocate target and why
- Refusals of offers of housing and reasons why
- Cost of empty house repairs (annually)
- The cost of paintpacks / decoration vouchers paid (annually)
- The number and cost of rewards paid out (annually)

15.3 We also measure tenant satisfaction with the empty homes management process through questionnaires.

16.0 Equal Opportunities

16.1 We operate an equal opportunities policy, compliant with the Equality Act 2010 and this applies to all aspects of our business. In dealing with the empty homes management process, no tenant will be treated differently or less favourably on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity; race, religion or belief, sex, or sexual orientation.

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- 16.2 Upon request we will make information available on empty homes related matters (such as end of tenancy responsibilities, right to compensation for improvements and chargeable repairs) in alternative formats, for example, in large print. We are members of Happy to Translate and subscribe to Language Line, which enables us to access instant translations services from any telephone, 24 hours a day if English is not a tenant's first language.
- 16.3 We also provide information about moving out on elha.com, which has a range of accessibility features to support tenants, for example, Readspeaker, a text re-size function, Google Translate and we operate Live Person, where customers can 'chat' with staff online.

17.0 Review of Policy

- 17.1 The Director of Housing is responsible for reviewing this policy every five years. Any changes required will be submitted to the Management Committee for approval.

Empty Homes Management Policy

Performance Targets

We have set Performance Indicators and targets for managing empty homes.

Target times are all measured in calendar days.

New Let Targets

New let properties are handed over to us by our Development Agent and are then ready to let for the first time. The rent loss and new let time is calculated from the day the property is handed over.

Our target times for letting all new lets are:

- Within 3 working days of handover if there are less than 15 properties
- Within 5 working days if there are more than 15 properties

Our targets for new let rent loss are:

- 0.5% of the annual rent receivable for the development if there are less than 15 properties
- 1% of the annual rent receivable for the development if there are more than 15 properties

Re-let Targets

Our target for letting all re-let voids is 21 calendar days. This time is measured from the day after the keys are received to the day before the tenancy starts. Within the overall target the following functional targets are set:

Task	Target (working days)	Comments
Carry out empty property inspection	1	From receipt of keys
Issue repair instructions	1	From date of inspection
Repairs completed by contractor	10	From date repair instruction issued
Issue a confirmed offer	5	from termination date
Repair check	1	From keys back from contractor
Accompanied viewing	1	From repair check
Sign up tenant and complete paperwork	1	From accompanied viewing

The void rent loss target for re-lets is 0.75% of the overall annual rent receivable.

Minimum Re-let Standard Checklist

The Association has a legal responsibility to ensure that a house is wind and watertight, habitable and reasonably fit for human habitation both at the beginning of a tenancy and throughout its term. We have set the following minimum relet standard to ensure that we meet our responsibility and comply with the requirements of the Housing (Scotland) Act 2001.

Element	Standard
Gas	We will carry out a gas safety check which will include checking all gas appliances and outlets to ensure there are no leaks. We will upload the gas safety check certificate to My Home at the start of a tenancy.
Electrics	We will carry out an electrical safety check to ensure the property is safe from electrical faults before a tenancy starts.
Smoke Alarms	We will test all smoke alarms, including the carbon monoxide detector where required, and ensure they are in working order.
Energy Performance Certificate (EPC)	We will supply an EPC at the start of a tenancy and upload a copy to My Home.
Water System	We will check to ensure there are no leaks from the water system.
Utility Meters	All pre-payment meters are free from debt. We will register new tenants at the Granary & Hillview Court with ista before the tenancy starts so that their Myista account will be ready for use when they move in.
Structure	The property will be wind and watertight, and free from leaks or draughts.
Front & Back Door	The front and back doors will be fully operational, and we will provide a minimum of two keys for each door.
Extractor Fans	We will clean and service extractor fans.
Heating System	We will ensure that all radiators or storage heaters are securely fixed and fitted correctly.
Internal Doors	Doors will operate freely and will be free from holes and dents. Where fitted, locks will be in working order.
Windows	Windows will be fitted with standard ironmongery (handles, lock/latch & hinges) and safety devices/restrictors. The windows will operate and lock freely. All glass will be free of chips and cracks.

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Element	Standard
Walls and Ceilings	Walls will be free from damage, serious cracks, and chips, and secure throughout the property.
Flooring and Stairs	Will be free from damage, safe, secure and free from excessive creaking throughout the property.
Kitchen	We will provide a minimum of one cubic meter of enclosed storage space either in the form of traditional larder cupboard or fitted units. All units will be securely in place. Matching (as close as reasonably practical) doors and drawer fronts will be in the property. Units/worktops will be free of excessive scratches, burns, and scores. Doors and drawers will operate freely.
Bathroom	We will ensure sanitary fittings are free from obvious leaks, cracks, or chips. Plugs and chains will be in place. Shower curtains and spray head will have been renewed. Tiling and seals will be of a reasonable standard. All WC seats will be renewed.
Banisters	All banisters will be in place and fixed securely. Internal balustrading will be sized in line with child safety requirements.
Door entry	We will provide two door entry fobs and two keys for any rear communal door.
Decoration	Decoration will be in reasonable condition. We will provide a paintpack or decoration vouchers unless we have fully redecorated the property.
Cleanliness	The property will be empty of any belongings, and all cupboards, floors, fixtures and fittings will be clean. We will wash all surfaces and replace sealant in the kitchen and bathroom where required. We will ensure there is no evidence of mould growth.
Roof, Gutters and Rainwater Pipes	Gutters and downpipes will be free from blockages. Any plant growth visible will be removed whilst the property is empty.
Drying Facilities	Clothes poles or a rotary drier will be secure and ready for use where external drying facilities exist.
Garden	We will ensure that the garden is neat, cut and free of rubbish. Sheds, outbuildings and / or decking left in the garden will be in safe condition and will become the responsibility of the tenant. Trees and shrubs will not cause blockage to any footpath, walkway or be overgrown into neighbouring properties. Fencing will be complete, secure and in a sound condition.