

# Housing Void Policy

## 1. Overview/Policy Statement

- 1.1 This policy is joint between South Oxfordshire and Vale of White Horse District Councils (the councils). The purpose of this policy is for the councils to manage their empty housing properties ('voids'), with the aim of minimising the length of time a property is void.
- 1.2 Property is defined 'void' when there is no tenancy or alternative legally binding contract in place. The 'void period' exists between a tenancy ending and a new tenancy beginning, or between purchase and tenancy.
- 1.3 The Homes (Fitness for Human Habitation) Act 2018 rightly states that landlords have a duty of care when it comes to meeting their responsibilities relating to property standards and safety, and making sure the property is fit for human habitation at the beginning of the tenancy and throughout.

## 2. Objectives

- 2.1 The purpose of this policy is to make housing stock, which is in high demand, available for occupation as much of the time as possible. This will consequently reduce the loss of rental income and maximise income, while ensuring that applicants in housing need are allocated suitable accommodation as soon as possible.
- 2.2 Specific objectives are to:
  - Ensure that all properties let by the councils meet the Decent Homes Standard and health and safety expectations incumbent upon the councils as a landlord.
  - Minimise void rental loss, void periods and void repair costs through effective coordination of housing management and repairs and maintenance operations to re-let properties within agreed target times.
  - Ensure that tenants are aware of their tenancy obligations in relation to ending the tenancy (e.g. the requirement to give four weeks' notice, return all keys promptly and fully clear the property and leave it in a clean condition).
  - Ensure that repairs to properties are undertaken to enable the councils to re-let the property to the required standard and that where appropriate "rechargeable" repair costs are met by the outgoing tenant or pursued post termination.
  - Minimise the rechargeable repairs costs to tenants through clear and effective communication with them.

- Make effective use of void periods to carry out planned maintenance of renovations as appropriate.
- Achieve high levels of tenant satisfaction with the condition of properties at the beginning of the tenancy

### 3. Scope

3.1 This policy applies to all housing accommodation provided by the councils.

### 4. Roles and Responsibilities for Delivery

4.1 The roles and responsibilities for the delivery of this policy are as follows:

- Stock quality – Registered providers must have an accurate, up to date and evidenced understanding of the condition of their homes that reliably informs their provision of good quality, well maintained and safe homes for tenants.
- Decency - Registered providers must ensure that tenants' homes meet the standard set out in Section Five of the Government's Decent Homes Standard (<https://www.gov.uk/government/publications/a-decent-home-definition-and-guidance>) and continue to maintain their homes to at least this standard unless exempted by the regulator.
- Health and safety - When acting as landlords, registered providers must take all reasonable steps to ensure the health and safety of tenants in their homes and associated communal areas.
- Repairs, maintenance and planned improvements - Registered providers must provide an effective, efficient and timely repairs, maintenance and planned improvements service for the homes and communal areas for which they are responsible.

4.2 During the void period the councils will ensure that they meet all of their legal responsibilities under the relevant and current compliance legislation for the quality, health and safety of incoming occupants in its homes. These include:

- Gas, water and in-situ electrical installations, including all smoke and fire alarms, will be tested and certified to confirm they are in good working order and comply to current legislation.
- Carbon monoxide and smoke alarms fitted where required.
- Fire doors and fire prevention mechanisms will be checked and if necessary, replaced to the current relevant legislative standard.

### 5. Relevant Legislation

5.1 The relevant legislation (and regulations) includes the following:

- [Regulatory standards for landlords - GOV.UK](#)
- Homes (Fitness for Human Habitation) Act 2018 (HFHHA 2018)
- Housing Acts 1985, 1988, 1996, 1998 and 2004
- The Leasehold Reform, Housing and Development Act 1993
- Landlord and Tenant Act 1985
- Defective Premises Act 1972

- Landlord and Tenant Act 1985 – Section 11
- Defective Premises Act 1972 - Section 4
- Environmental Protection Act 1990 – Part III
- Fire Safety (England) Regulations 2022
- Gas Safety (Installation and Use) Regulations 1998
- Regulatory Reform (Fire Safety) Order 2005
- Commonhold and Leasehold Reform Act 2002
- Equalities Act 2010
- Control of Asbestos Regulations 2012
- Housing Health & Safety Rating System
- Health and Safety at Work Act 1974
- Provision and Use of Work Equipment Regulations

## **6. Relevant Policy and Procedure**

6.1 The relevant policy and procedures are listed below:

- Housing Gas Safety Policy
- Housing Asbestos Policy
- Housing Electrical Safety Policy
- Housing Fire Safety Policy
- Housing Repairs Policy
- Housing Legionella Policy
- Housing Void Policy
- Housing Rent Income Policy
- Data Protection policy

6.2 The relevant health and safety policy and codes for the councils will also apply to this policy. This includes, but is not restricted to:

- First Aid
- Violence and Aggression at work
- Workplace Safety
- Working at Height
- Electrical Safety Personal Protective Equipment
- Asbestos Management
- Incident Reporting and Investigation
- Manual Handling

## **7. Policy and Procedure**

### **Tenancy Termination**

7.1 The councils provide tenants with the details of their responsibilities regarding surrendering their tenancy in the tenancy agreement.

7.2 A standard tenancy agreement tenant must give four weeks' written notice of their intention to end their tenure.

7.3 Housing Needs will inform the Housing Landlord team of any upcoming moves.

- 7.4 A council officer will contact the tenant to confirm the vacant possession date and remind them of their end of tenancy responsibilities, including:
- Confirming arrangements for a pre-void inspection of the property to be completed during the notice period.
  - The property, including the garden (if any) is to be left in a clean, tidy condition, and clear of all tenant belongings and items.
  - Improvements installed without permission or repairs being carried out due to tenant neglect, may be subject to the recharge for repairs policy.
  - Pay all rent owed up to the end of the tenancy.
  - Return keys on or before the end of tenancy date.
  - Provision of a forwarding address.
- 7.5 The Housing Landlord team will visit one week before tenancy ends for property inspection, which will include a pre-termination process that involves a review of the gifting list and furniture inspection as required.

### **Pre-Void Inspections**

- 7.6 Carrying out a pre-void inspection is designed to identify any issues that may prevent the property being re-let. Any problems can be discussed with the tenant with the aiming of resolving prior to the tenancy end date.
- 7.7 The pre-void inspection will include the tenant's home, and any sheds/garages licensed to the tenant. When the inspection is carried out, a checklist is completed. Any rechargeable repairs and/or required clearance of possessions will be discussed with the tenant or their representative (should they be present). If the tenant is not present at the time of the pre-void inspection, the councils will write to the tenant setting out the issues identified.
- 7.8 The councils have the discretion to decide whether to recharge the tenant for the repairs and/or clearance of possessions and will order the necessary void works. At the pre-void stage an officer will have a conversation about potential costs. However, depending upon the nature of the works, a detailed set of costs may need to be obtained. Once this is obtained a letter may be sent to the tenant confirming the amount to be charged and payment process and timescale.

### **Return of Keys**

- 7.9 Provision to collect the keys will be arranged with the tenant or the tenant's representative. The keys should be returned by the tenant or the tenant's representative on or before the agreed vacant possession date.
- 7.10 The rent account for the outgoing tenant will be terminated on the date at the end of the four weeks' notice period, unless agreed by both parties.
- 7.11 Keys may be returned earlier than this date, and then tenancy will formally be considered to have ended at this point and the tenant will not be allowed return access unless with agreement of the councils and a council officer present. This

ends the outgoing tenant's rent obligation and starts the void accrual period from the following day.

- 7.12 Should keys not be returned on, or before, the agreed termination date, rent will continue to be charged on the property until the keys are received.

### **Abandonment**

- 7.13 Abandonment will be decided following an investigation when there has been evidence or information supplied that the registered tenant has left the property with no intention to return, and no termination of the tenancy has been received.

- 7.14 The councils will make reasonable enquiries to determine whether a property has been abandoned and record their findings. Council officers will consider:

- If the property is secure
- If possessions have been left in the property
- Speaking to family and friends on contacts list
- Information neighbours can provide.
- Unauthorised occupants
- Information via Housing Benefits and Rents

- 7.15 Legal action will be taken to end the tenancy and recover the property once adequate evidence has been gained to confirm the abandonment. Images will be taken to act as a record to any items left by the previous tenant and utilised as an inventory. The councils will arrange for the removal and disposal of any items that are left to be placed in storage in line with the Disposal of Personal Property Process as outlined in the Rental Arrears and Income Policy.

### **Eviction**

- 7.16 The councils will use legal action to evict tenants where there has been a breach of tenancy, and it is necessary to recover the property. On receiving the property back via the Courts and execution of the warrant, pictures and/or videos should be taken to also act as a record to any items left by the previous tenant and utilised as an inventory. We will arrange removal of any items that are left to be placed in storage in line Disposal of Personal Property Process as outlined in the Housing Rent Policy.

### **Organising Repair Works**

- 7.17 To minimise void periods, the Housing Landlord team will work with the Development and Corporate Landlord Property Operations team to ensure clear expectations for void turnover, especially for properties requiring minimal work.
- 7.18 Minor voids, that is properties requiring minimal intervention, may be raised by the housing team via Concerto, with major voids raised via the Development and Corporate Landlord Property Operations team.
- 7.19 After the property has been vacated by the outgoing tenant, the councils will undertake a property inspection. The inspection records the condition of the

property, notes property characteristics and records any work to be completed before re-letting. Information and costs about any recharges will be sent to the outgoing tenant by letter or email.

- 7.20 The voids inspection and testing process will involve, but is not limited to:
- Asbestos surveys in cases where no survey data is available or where works are likely to be required.
  - Inspections to identify any damp and mould, as well as their root causes
  - Electrical inspection reporting (EICR)
  - In-service inspection and testing (ISIT)
  - Inspection of all council-owned gas appliances, pipework and flues
  - Legionella Risk Assessment
  - Carbon monoxide and fire alarm testing
- 7.21 The councils, either directly or through a suitable contractor, aim to complete all repair works recommended following the inspections and testing process before the property is re-let and within a clearly specified timescale. On some occasions and where there are outstanding repair works, a council officer will discuss the need for works to be completed after the tenant has moved in (in-situ). This will only be done as a last resort, if works are not urgent and will not cause major disruption to the tenant.
- 7.22 During this period, an Energy Performance Certificate (EPC) will be completed. All properties will be let to, or above, the required minimum standard of EPC rating as set by legislation.

### **Planned Maintenance and Upgrades**

- 7.23 Properties scheduled for planned maintenance will be identified in the annual programme. To keep disruption to existing tenants to a minimum, works will be carried out if a property becomes vacant wherever this is possible and practical within the agreed programme.

### **Void Processing and Audit**

- 7.24 Processing of void properties involves a number of different council departments. The work undertaken as part of the void process will be recorded on the councils' property IT system (Concerto). Information from the system can be used in collating monitoring reports and in assisting internal audit procedures. Individual void phase targets will be monitored, reviewed and overseen by the senior managers on a regular basis.

### **Void Images**

- 7.25 On receipt of the keys from the outgoing tenant and the move in of any new tenant, pictures and/or videos are taken of the external and internal aspects of the void. The pictures should be used to highlight any aspect of the property that requires specific attention, such as damage to the property or adaptations. The pictures should also capture the gas and electric meter readings.

## **Health and Safety**

- 7.26 All inspections and accompanied viewings conducted at void properties pre and post-termination will be carried out following good practice and health and safety guidelines.

## **Performance Management**

- 7.27 All relevant data arising as a result of the operation of this policy will be recorded on an appropriate data system and reported on a quarterly basis. All data pertaining to this policy will be stored and managed in line with statutory data protection requirements, as outlined in the councils' data protection policy.
- 7.28 Details of procedures for gathering information and recording each stage of void processing and this information will be used to provide the following performance monitoring indicators:
- Average void time (minor voids) (days)
  - Average void time (major voids) (days)
  - Average void turnaround time (contractor only) (days)
  - Total voids (number)
  - Voids pre-handover inspections completed (%)
  - Voids meeting Letting Standard at handover
  - Number of properties tenanted
  - Properties tenanted within 10 days of handover from contractors (%)
  - Properties refused due to quality or condition (number)

## **Procedure During the Void Process for New Purchases**

- 7.29 The Strategic Property team is responsible for purchasing new homes. The team informs the Development and Corporate Landlord Property Operations team of the new acquisition. The Development and Corporate Landlord Property Operations team is responsible for collecting keys and taking initial meter readings and documenting the supplier information within new property forms.
- 7.30 The matching process for tenants may be commenced immediately after the purchase of the property.
- 7.31 The relevant team uploads asset details to the Concerto system.
- 7.32 The Development and Corporate Landlord Property Operations team collaborates with the contractor to define the scope of works.
- 7.33 As part of the scope, an approximate timeline is agreed upon, based on contract guidelines.
- 7.34 The contractor is required to include a schedule of rates in the scope of work.
- 7.35 To ensure an audit trail of the work undertaken during the void process, the contractor will provide job sheets to be uploaded into Concerto.

- 7.36 A pre-tenancy inspection will occur one week before the expected move-in date and all snagging tasks will occur at this time with the aim of preventing delay.
- 7.37 The Development and Corporate Landlord Property Operations team is responsible for ensuring a property is compliant at let and providing evidence to the Housing team to that affect. The Development and Corporate Landlord Property Operations team will provide the Housing team with copies of Landlord Gas Safety certificates, Electrical Installation Condition Report and Energy Performance certificates, also asbestos Information to be given to and explained at sign up prior move-in.

### **Procedure as a home is tenanted**

- 7.38 The Afghan Resettlement Programme cohort are presently supported by Community Support Officers for utility sign-ups.
- 7.39 Housing benefit notifications will be made by the Housing Landlord team so they have oversight on rental income.
- 7.40 Properties will be furnished to a minimum standard as outlined in the furnishing policy.
- 7.41 Tenants are liable for rent from the tenancy start date.
- 7.42 Tenants are to receive visits from the Community Safety team within 24 hours of moving in and ensure issues are logged in Abrisas. All repair or health and safety issues (e.g. damp and mould, broken appliances) should be reported to [facilities@southandvale.gov.uk](mailto:facilities@southandvale.gov.uk).
- 7.43 The Housing team will inform the Development and Corporate Landlord service, relevant contractors, Council Tax, and Housing Benefit of tenant sign-ups.

## **8. Employment Contractual Status**

- 8.1 This policy does not form part of the contract of employment for South Oxfordshire District Council or the Vale of White Horse District Council.

## **9. Communication and Contact Information**

- 9.1 For further information about this policy, please contact the Housing team via email: [email tenants@southandvale.gov.uk](mailto:tenants@southandvale.gov.uk) or telephone 01235 422422.

## **10. Alternative Formats**

- 10.1 Please do not hesitate to contact a member of the Housing team if you would like this policy in an alternative format, via telephone 01235 422422 or email [tenants@southandvale.gov.uk](mailto:tenants@southandvale.gov.uk).

## **11. Change Record**

| <b>Change Record</b> |   |
|----------------------|---|
| Policy title         | Void Policy   |
| Version number       | 1   |
| Owner(s)             | Development and Corporate Landlord<br>Property Operations Manager/Housing<br>Delivery Manager |
| Author(s)            | Development and Corporate Landlord<br>Property Operations Manager/Housing<br>Delivery Manager |
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