



City of London Corporation
Department of Community & Children's Services
Housing Division

EMPTY PROPERTIES (VOIDS) POLICY

Approved by:	<i>Housing Management & Almshouses Sub-Committee</i>
Original Approval Date:	
Review Date:	
Re-Approval Date	-
Next Review Date	-

1. Purpose

This policy outlines our approach to managing empty properties ('voids'), to minimise the length of time a property stays empty. This will consequently reduce the loss of rental income and maximise income for the Housing Revenue Account (HRA), while ensuring that applicants in housing need are allocated a suitable property as soon as possible.

A property is defined 'void' when no tenancy exists following vacation by the previous occupant, and no rental income is being received. The 'void period' exists between a tenancy ending and a new tenancy beginning.

There are several reasons that lead to the initiation of the void process, which are outlined below:

- **Termination:** The tenant supplies formal written notice.
- **Death of tenant:** The tenant dies and there is no successor to the tenancy.
- **Transfer:** The tenant moves to another City Corporation owned property.
- **Abandonment:** The tenant has vacated the property without proper notice.
- **Eviction:** The City Corporation has completed court action and obtained authority to evict the tenant/s.
- **Decants:** Tenants being re-housed following plans to redevelop, dispose of or demolish housing stock.

2. Scope

This policy applies to:

- Properties owned or managed as part of the Housing Revenue Account (HRA)
- Properties managed on behalf of the City of London Almshouses Trust and the Gresham Almshouses Trust

3. Duties of Landlords

Homes (Fitness for Human Habitation) Act 2018

The Homes (Fitness for Human Habitation) Act 2018 rightly states that landlords have a duty of care when it comes to meeting their existing responsibilities relating to property standards and safety, and making sure their property is fit for human habitation at the beginning of the tenancy and throughout. Being mindful of all the rules and taking care of the property with inspections can save time and money later on.

Regulator for Social Housing – Safety and Quality Standard

- **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 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.

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

- Gas, water and in-situ electrical installations, including all smoke and fire alarms, will be tested and certified to say that 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.

4. Aims of this Policy

Our objectives are to:

- To 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 properties are managed efficiently throughout the void process by supplying transparency of tasks and responsibilities.
- Ensure that tenants are aware of their tenancy obligations in relation to ending the tenancy e.g. requirement to give 4 weeks' notice, to return all keys promptly and to fully clear the property and leave it in a clean condition.
- Minimise the rechargeable repairs costs through clear and effective communication with tenants.
- Ensure that repairs to properties are undertaken to enable the Housing Needs team to re-let to the lettings standard and that where appropriate "rechargeable" repair costs are met by the outgoing tenant or pursued post termination.
- Make effective use of void periods to carry out upgrades or major repairs as appropriate and to co-ordinate with the Major Works team with regard to decant requirements.
- Make effective use of the void period to consider possible works which would improve the energy efficiency and thermal comfort of the property, to help meet the City's net zero carbon targets.

- Prevent end of tenancy arrears wherever possible.
- Achieve high levels of tenant satisfaction with the condition of properties at the beginning of the tenancy.

5. Policy Approach

5.1 Termination

The Housing Division provides details of tenants' responsibilities regarding giving up their tenancy via the Tenancy Handbook and in the Tenancy Agreement itself.

A tenant must give four weeks' written notice of their intention to end their tenure with City of London via the service of a Notice to Quit (NTQ).

On receipt of the NTQ, we will send a NTQ letter 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.
- The removal of improvements, fittings and fixtures must result in the property being left safe and not detrimental to the condition of the property.
- Improvements installed without permission or repairs being carried out due to tenant neglect, will 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.

5.2 Pre-Void Inspections

Carrying out a Pre-Void inspection is beneficial to minimise the void period of a property and to identify any problems that can be discussed with the tenant and resolved prior to the tenancy end date.

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 and any rechargeable repairs and 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 inspection, we will write to the tenant setting out what rechargeable repairs were identified during the inspection.

The Housing Division has the discretion to decide whether to allow the tenant to rectify those repairs or, alternatively, to sign to confirm that they accept the

recharge to be levied against them. If the tenant indicates that they want to organise and carry out any rechargeable repair works within seven days of the inspection, the outgoing tenant will be given a target date by which time the tenant will be expected to complete the works.

Where possible, Property Services will check the works have been satisfactorily completed before the end of the tenancy.

If the tenant indicates that they do not wish to organise and carry out any rechargeable repair works and the Housing Division have obtained their signature to confirm that they accept to pay a recharge, Property Services will order the necessary void works (which shall include any rechargeable repairs), and a letter will be sent to the tenant confirming the amount to be charged and payment process and timescale.

If a tenant leaves either prior to an inspection, or after the inspection but prior to us writing to the tenant explaining the recharges, the rechargeable repairs will be ordered and a letter and invoice sent to the forwarding address advising that the repair work will be recharged and explaining how those charges will be recovered.

5.3 Return of keys

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.

The rent account for the outgoing tenant will be terminated on the date that the keys are returned. This ends the outgoing tenant's rent obligation and starts the void accrual period from the following day.

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.

5.4 Death of tenant

When a tenant dies and there is no succession, it is compulsory that the tenancy is formally ended through a four-week notice being served on the next of kin or the Public Trustee once notified.

We will advise the deceased tenant's next of kin or Public Trustee of the process to formally end the tenancy, supplying the end of tenancy and vacant date.

Any remaining belongings will be managed according to our Disposal of Personal Property Policy.

Although we recognise that the loss of a family member or friend is a difficult and sensitive period, extra time to clear the property cannot normally be given past the expiry date of the notice. If there are extenuating circumstances, additional time may be given to clear the property (if approved by an Area Manager) however, the requestor would normally be liable to cover the rent for the agreed time.

The property must be left empty and in good condition. Any items remaining will be disposed of and the cost of this will be charged to the tenant's estate. The cost of replacement or repair to damaged and/or missing fixtures and fittings in the property will also be charged to the estate.

The estate of the deceased is responsible for settling any outstanding charges in respect of the property. The estate should also ensure that all supplies are turned off and the meters read as appropriate.

5.5 Abandonment

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.

We will make reasonable enquiries to prove whether a property has been abandoned and record their findings. We 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.
- Liaising with colleagues in Tenancy Support.
- Information via Housing Benefits and Rents.
- Collaborating with the Fraud Investigation team.

Legal action should be taken to recover the property once adequate evidence has been gained to confirm the abandonment.

Images 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 with the Disposal of Personal Property Policy.

5.6 Eviction

The Housing Division 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 with the Disposal of Personal Property Policy.

5.7 Organising repair works

After the property has been vacated by the outgoing tenant, we will organise 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.

Property Services aim to complete all repair works before the property is re-let and within a clearly specified timescale. On some occasions and where there are outstanding repair works, we will discuss with the incoming tenant arranging for works to be completed after they have moved in. This will only be done if works are not urgent or disruptive.

During this period, an Energy Performance Certificate (EPC) assessment and where required a landlord gas safety record (LGSR) will be completed.

If reasonable and practicable, energy efficiency works recommended within the EPC, will be considered by the City of London Corporation, in the context of any planned future works and existing financial circumstances.

If a property is assessed as requiring decoration, a decoration pack may be provided to the incoming tenant to assist with this work or decoration may be carried out by Property Services should the decorative condition of the property be likely to make it difficult to let.

5.8 Planned Maintenance and Upgrades

Properties scheduled for planned maintenance or upgrades are 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.

Where a property is used for decanting, or for a contractor's base during major works, the Head of Major Works will be responsible for ensuring that the decant period is minimised. The void will be calculated only for days where the property was available for let and the Major Works Team will be responsible for covering the rent during this period.

All upgrade works undertaken in the void period will be carried out in accordance with the Major Works Programme and Asset Management Strategy.

5.9 Property Re-Lets

In line with the Housing Division's Lettings and Transfers Policy and operation of the Home Connections choice based letting scheme, steps to identify prospective tenants should commence as soon as the void or prospective void is advised to Housing Management staff.

Whilst the Housing Division is mindful of minimising rent loss, there is an equal obligation to ensure that our housing is let to those most in need and as a result, all applicants (where possible) who are being considered for allocation will be required to confirm their circumstances which may include a visit at home by a member of the Allocations team to ensure that the circumstances which have led to their priority award are correct.

Staff will carry out accompanied viewings of re-lets unless there are specific unavoidable circumstances where this is not possible.

Before a viewing takes place, staff will ensure that all Health & Safety matters have been attended to and that the property is in a suitable condition to be viewed safely e.g. required repairs to flooring or electrical fittings completed.

5.10 New Developments – First Lets

Housing and Property Services staff will ensure effective liaison over the handover process for new properties with the aim of achieving occupancy as soon as practically possible.

5.11 Void Processing – Information and Audit

Processing of void properties involves a number of different staff. To ensure that all stages of the process are carried out efficiently this will be recorded within Civica Housing Management System. 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 Assistant Director of Housing and Property Services.

5.12 Void Images

On receipt of the keys from the outgoing 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.

5.13 Health and safety

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.

5.14 Recharge for repair

When elements of a property have been considered to have been deliberately damaged by the tenant, or unauthorised alterations have been found, we will advise the outgoing tenant at the pre-void inspection.

If intentional damage or unauthorised improvements are not picked up at the pre-void inspection, but are found later, Property Services will order the works, and the outgoing tenant notified once complete.

If a tenant is known to have a disability or considered vulnerable, we will make an informed decision around whether to pursue recharges.

6. Performance Management

Operation of the Voids Policy and its procedures and subsequent data will be recorded monthly and reported on a quarterly basis.

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 (routine voids) (days)
- Average void time (complex voids) (days)
- Average void turnaround time (contractor only) (days)
- Total voids (number)
- Voids pre-handover inspections completed (%)
- Voids meeting Letting Standard at handover
- Properties let after one offer (%) (YTD)
- Number of properties let (CBL)
- Number of properties let (management transfer/direct offer)
- Properties offered within 10 days of handover (%) (YTD)
- Properties refused due to quality or condition (number - YTD)

Key Targets

The Housing Division recognises the importance of working to specific timescales in handling voids as part of performance monitoring and ongoing review of operations.

The targets are as follows:

- Routine Void: 10 working days
- Complex Void: 20 working days

It is important to note that the above targets are the maximum timeframe, staff should always be working towards minimising the number of void days.

7. Training

The Housing Division will ensure that all staff involved in the void process will have the required skills, training and detailed understanding of this policy and related procedures.

8. Related documents

- Lettings and Transfers Policy
- Repairs and Maintenance Policy
- Debt Recovery Policy
- Decants Policy
- Disposal of Personal Property Policy
- Recharge Policy
- Asset Management Strategy

- Health and Safety Policy
- Moving In Standard
- Climate Action Strategy
- Housing Energy Improvement Plan

9. Regulation and Legislation

- The Housing Act 1985
- The Housing Act 1996
- Gas Safety (Installation and Use) Regulations 1998 (GSIUR) as amended 2018
- Code of Practice and guidance
- British Standard 7671 As Amended (Electrical Installations)
- Data Protection Act 2018 and GDPR
- Equalities Act 2010

10. Equalities

This Policy has been subject to an equalities impact assessment and will be implemented in accordance with our responsibilities and duties under relevant legislation, including the Equalities Act 2010.


11. Data Protection

We will comply with our obligations under relevant data protection legislation and regulations. We will process and store personal information securely. There are some circumstances in which we are required by law to disclose information given to us.

12. Exceptions

We may make an exception to the approach outlined in this policy if the circumstances require it and it is reasonable to do so. Our reasoning can be provided to the affected parties on request.

13. Document Management

<p>Department of Community & Children’s Services</p> <p>Housing Service</p>	
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