

## **1.0 INTRODUCTION**

- 1.1 This Policy sets out SBHA's overarching commitments when managing empty homes and preparing homes for re-letting, providing an efficient and customer driven service to a standard appropriate for social housing in the 21st century.
- 1.2 The management of empty homes and the provision of homes to new Tenants are key services particularly in terms of making the most effective use of SBHA's housing stock, maximising rental income, and providing homes that meet the housing needs and aspirations of prospective Tenants.
- 1.3 This Policy should be read in conjunction with SBHA's Scottish Secure Tenancy Agreement; SBHA's Allocation Policy; Tenancy Sustainment Policy; Repairs and Maintenance Standard; Mutual Exchange Policy, Rechargeable Repair Policy, Estate Management Policy, Asset Management Strategy and Ageing Well Strategy.

## **2 POLICY STATEMENT**

- 2.1 SBHA is committed to creating great places and key to achieving this is ensuring SBHA's empty homes are effectively managed to provide new Tenants with quality, affordable homes. This Policy seeks to ensure:

- Outgoing Tenants are fully aware of their responsibilities when moving out of an SBHA property
- A proactive approach is adopted to property management to ensure that empty homes do not significantly detract from a neighbourhood's appearance, security, or sustainability
- Empty homes are let as quickly, efficiently, and effectively as possible, having regard to the need to let quality accommodation in accordance with SBHA's Standards, including the Lettable Standard and Neighbourhood Standard
- Rent loss is minimised as a result of a property being empty by seeking to ensure that empty homes are brought to the lettable standard as quickly as possible without impacting on the quality of workmanship, or compromising the health and safety of SBHA colleagues, contractors, or prospective Tenants
- Effective maintenance of SBHA's homes and preservation of its asset value
- Compliance with legal duties, regulatory requirements and good practice standards in empty homes management and associated procedures.

## **3 SCOPE**

- 3.1 This Policy applies to all properties under the direct ownership/management of SBHA and **does not** apply to empty homes:
- where an option appraisal is being/has been completed to determine whether the empty property should be retained, remodelled, or disposed of
  - managed by, but not owned by, SBHA
  - rented at mid-market which are managed under SBHA's Mid Market Rental Lettings Policy
  - or commercial leased properties

## **4.0 DEFINITIONS**

- 4.1 For this Policy and accompanying procedures the following definitions apply:

- An ‘empty home’ is a property owned by SBHA which has no Tenant for a period
- A property may become vacant for the following reasons:
  - A previous Tenant has given notice and vacated the property
  - The Tenant has died and there are no qualifying successors to the tenancy
  - The property has been recovered by SBHA because of abandonment by the previous Tenant or repossession following the granting of a Court Order
  - The Tenant becomes the tenant of another SBHA property
- The ‘rent loss period’ is the time, measured in calendar days, between the date of termination of a previous tenancy or the date the property was repossessed, to the start date of a new tenancy
- The ‘Lettable Standard’ sets out the minimum standard of property condition, which will apply when a property is let. The Lettable Standard has been developed and reviewed in consultation with Tenants and is attached at **Appendix 1** to this Policy

## 5.0 LEGAL AND REGULATORY CONTEXT

- 5.1 The legal framework in relation to empty homes management is primarily set out in the Housing (Scotland) Act 2001, the Energy Performance of Buildings (Scotland) Amendment Regulations 2008 and the Gas Safety (Installation and Use) Regulations 1998 or any revisions thereafter.
- 5.2 SBHA's Scottish Secure Tenancy Agreement outlines SBHA's contractual obligations to Tenants at the start of a tenancy.
- 5.3 This Policy has also been considered in line with the requirements to meet the outcomes of the Scottish Social Housing Charter. The specific outcomes which relate to this Policy, are as follows:

Charter Outcome	
<b>1, Equalities</b>	Social landlords perform all aspects of their housing services so that every tenant and other customer have their individual needs recognized, are treated fairly and with respect, and receive fair access to housing and housing services.
<b>4. Quality of Housing</b>	Social landlords manage their businesses so that 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 meet the Energy Efficiency Standard for Social Housing (ESSH).
<b>5. Repairs, maintenance and improvements</b>	Social landlords manage their businesses so that tenants' homes are well maintained, with repairs and improvements carried out when required, and tenants are given reasonable choices about when work is done.
<b>6. Estate management, anti-social behaviour, neighbour nuisance and tenants disputes</b>	Social landlords, working in partnership with other agencies, help to ensure as far as reasonably possible that tenants and other customers live in well-maintained neighbourhoods where they feel safe
<b>11. Tenancy Sustainment</b>	Social landlords ensure that: 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
<b>13. Value for Money</b>	Social landlords manage all aspects of their businesses so that: tenants, owners and other customers receive services that provide continually improving value for the rent and other charges they pay

## 6.0 IMPLEMENTATION

6.1 To meet the aims that this Policy sets, SBHA will:

- Have in place Empty Homes and Lettings Procedures to ensure that empty homes management is delivered in the most efficient and cost-effective way.
- Adopt a systematic approach to empty homes performance management and benchmark performance against other similar providers with the aim of achieving continuous improvement at an affordable cost.

Recognise that some empty properties require major work before they can be fit to live in and meet the Lettable Standard.

## 7.0 NOTICE OF TERMINATION OF TENANCY

7.1 In accordance with SBHA's Tenancy Agreement, the Tenant must provide SBHA with a minimum of 28 days' notice of their intention to terminate their tenancy unless:

- the Tenant has died
- the tenancy has ended as a result of a Court Order being obtained by SBHA to repossess the property
- the Tenant has transferred to another SBHA property
- the property has been abandoned as the outgoing Tenant is responsible for the rent until the property is repossessed by SBHA.

7.2 SBHA has a 28-day termination notice form to assist Tenants with this process. However, the completion of this form is not a legal requirement. All that is required to terminate the tenancy is 28 days written notice with tenant/joint tenants' signature. The 28-day notice period commences from the day of receipt by SBHA of the written notification from the Tenant.

7.3 The outgoing Tenant will be liable for a further week's rent if all keys relating to the property are not returned to SBHA by close of business on the tenancy end date and on an ongoing basis until the keys are returned.

7.4 The Tenant may not be held to this 28-day period in certain circumstances for example, if the property meets the lettable standard, and a new Tenant is ready to move in.

7.5 Where a Tenant dies and there is no one to succeed to the tenancy, SBHA will work sensitively with next of kin/Social Services to end the tenancy in an effective way. The tenancy legally ends with the death of the Tenant along with any entitlement to Housing Benefit/Housing Cost Element. In all cases, a period of 14 calendar days will be given rent free to enable the property to be cleared. A charge will be made, equivalent to the level of rental charge, to the next of kin or executors for any period beyond the 14 days.

7.6 If SBHA believes a property has been abandoned or the Tenant has died, SBHA's Abandonment and Succession Procedures will be followed.

7.7 Where an existing Tenant transfers to another SBHA property, the need to give 28 days' notice may be waived to enable the empty home to be allocated as quickly as possible.

## **8.0 PRE-TERMINATION INSPECTIONS**

8.1 A pre-termination inspection will be arranged on receipt of the termination notice. SBHA is entitled as the landlord to gain access to the property to carry out this inspection. The purpose of the inspection is to check the condition of the property and inform the outgoing Tenant of what they need to do before they leave.

8.2 Following the pre-termination inspection, the Tenant will be advised in writing of the work they are required to do by the end of the notice period.

8.3 Tenants are expected to leave the property, garden and communal areas in good repair and decorative order, free from personal belongings and rubbish and in a clean and safe condition. Any repairs which are SBHA's responsibility will be raised on the date of inspection.

8.4 Tenants are required to make good any damage to the property due to misuse or neglect, even if this is not visible and not discussed at the pre-termination visit.

8.5 SBHA will seek to recover any rechargeable repair costs from the outgoing Tenant when the property is left in an unsatisfactory condition, in accordance with our Rechargeable Repairs Policy.

8.6 SBHA has produced an information leaflet for Tenants that outlines the processes to follow when terminating a tenancy. The aim is to ensure that the outgoing Tenant is aware of their responsibilities prior to leaving to minimise empty homes expenditure and former Tenant arrears.

8.7 If appropriate, SBHA will carry out the required empty homes repair work during the notice period that is the Landlord's Responsibility to reduce time taken to let the property and ensure that applicants in housing need are re-housed as quickly as possible.

## **9.0 PRE-ALLOCATION**

9.1 To minimise any rent loss, SBHA will seek to identify a new Tenant for the property as soon as possible after the notice has been received. In identifying a prospective new Tenant, SBHA will comply with its Allocations Policy.

9.2 The outgoing Tenant will be advised that the property will be advertised for letting, to identify a new Tenant as early as possible and, where required, the outgoing Tenant will be expected to provide reasonable access for accompanied viewings.

9.3 All Tenants who have held their tenancy for more than a year, seeking to transfer to an alternative SBHA property will be visited prior to an offer being made. The purpose of this visit is to ensure that the property is of an acceptable standard, confirm household details to assess suitability and, if required, advise the outgoing Tenant of any necessary work. Where the property does not meet the required standard, no offer of alternative tenancy will be made except in exceptional circumstances and at the discretion of the Director of Customer Services.

## **10.0 TENANT IMPROVEMENTS**

10.1 Where the previous Tenant has undertaken improvements, and prior permission has been granted, and where SBHA's inspecting officer considers these enhance the property, a decision can be taken by the inspecting officer to leave any improvements in

the property. The incoming Tenant will be required to complete the “Disclaimer – Tenant Improvements” form. This will be undertaken during the sign-up procedure.

- 10.2 SBHA recognises that some outgoing Tenants may have the right to receive compensation for certain improvement works carried out by them during their tenancy where permission was granted. An information leaflet “Right to Compensation” is available to provide guidance on this matter.

## **11.0 EMPTY HOME REPAIR WORKS**

- 11.1 A detailed survey of all empty homes will be carried out and repair and maintenance works will be completed as necessary to meet the Lettable Standard.
- 11.2 SBHA will check its stock condition database before completing this survey and investing in an empty property. SBHA aims to minimise empty homes repair costs by identifying capital or planned maintenance works, which are incorporated into our planned maintenance programmes. Where this occurs the new Tenant will be advised of the works which are to be undertaken and the likely timescales.
- 11.3 Some minor repairs may well be undertaken after occupation. Should this occur, the new Tenant will be advised of any outstanding works either at the accompanied viewing or at the tenancy sign-up interview.
- 11.4 SBHA will ensure appropriate security measures are in place to reduce the risk of theft, vandalism or unwanted visitors entering the property while empty. The extent and type of security required for the property will be at the discretion of SBHA's inspecting officer. The level of security will consider the area, previous security required etc.
- 11.5 In accordance with statutory obligations, SBHA will ensure that individual gas installations are safe for use and serviced as required when the new Tenant has moved into their new home. Electrical safety checks will also be carried out. An up-to-date energy performance certificate (EPC) will be issued to the new Tenant.
- 11.6 Quality assurance checks will be carried out on completion of the empty homes works to ensure that the property is ready to let and compliant with SBHA's Lettable Standard.
- 11.7 An information leaflet is available that outlines SBHA's Lettable Standard. Tenants will be advised of the Standard at accompanied viewing.

## **12.0 ACCOMPANIED VIEWINGS**

- 12.1 Prospective Tenants will be invited to an accompanied viewing of the property with a member of the SBHA Team at the earliest opportunity, which may be held in person or held virtually if appropriate. If the house is still occupied, the existing Tenant will be contacted to arrange a suitable time for this accompanied viewing.
- 12.2 The accompanied viewing is the initial stage in developing a positive relationship between the SBHA Team and new Tenant. SBHA will show the prospective Tenant around the property, explain the conditions of tenancy, and answer any questions. This is vital to ensuring that the prospective Tenant is fully aware of Tenant's rights and responsibilities and has the relevant information to make an informed decision.
- 12.3 At the viewing, the prospective Tenant will be advised of the work that will be undertaken and at what stage of the process (i.e. Pre or Post Occupancy) the work will be undertaken.
- 12.4 All new Tenants will be contacted to complete a satisfaction survey one week after signing up. This will be used to analyse the quality of empty homes ready for allocation.

### 13.0 TENANCY SIGN-UP

- 13.1 Once the date of entry has been established, the new Tenant will meet with SBHA to sign their tenancy agreement.
- 13.2 At this meeting the new Tenant will receive the New Tenant Information Pack, developed by Scottish Borders Tenant Organisation, containing information and advice on the services SBHA provides and responsibilities of both SBHA, as landlord, and the Tenant. SBHA will explain the contents of this pack to ensure full understanding. The aim is to ensure the Tenant has the information and support to have a successful tenancy.
- 13.3 All new Tenants will be contacted within 6 weeks of their tenancy starting. This appointment will be carried out in person or in a video call. The purpose of this visit is to identify risk early to ensure the tenancy is sustained; ensure they have moved into the property and discuss rental payments and any arrears at this time. If risks are identified, support will be discussed in line with SBHA's Tenancy Sustainment Policy

### 14.0 PERFORMANCE MONITORING

- 14.1 The Neighbourhood Services Team is responsible for the delivery of the day-to-day management of empty homes and repairs to empty homes is the responsibility of the Property Services Team. Close collaboration between these teams is required to ensure empty homes are efficiently and effectively progressed to let.
- 14.2 The Director of Customer Services is responsible for monitoring and ensuring this Policy is delivered consistently and will provide regular quarterly performance reports on the management of empty homes to SBHA's Board of Management and relevant Sub-Committees.
- 14.3 Performance will be measured against defined targets, including:
- Percentage of tenants satisfied with the standard of their home when moving in
  - Percentage of rent due lost due to empty
  - Average length of time taken to re-let
  - Percentage of lettable houses that became vacant
  - Percentage of tenancy offers refused and reasons
  - Percentage of new tenancies sustained for more than a year, by source of let
  - Percentage of low demand properties
- 14.4 These targets will be set annually by SBHA's Board based on :
- Reviewing the performance of the previous year
  - Benchmarking the performance of other Registered Social Landlords
  - Considering any developments that might impact on workloads and any external factors, for example a lower demand for particular properties

### 15.0 ROLES & RESPONSIBILITIES

Lead Person	Area
Customer Board/Board of Management	<ul style="list-style-type: none"><li>• Monitor performance against published targets</li><li>• <i>Reviewing the Empty Homes Management Policy and Allocations Policy</i></li></ul>
Director of Customer Services	Responsible for monitoring and ensuring this Policy is delivered consistently

	Provide regular quarterly performance reports on the management of empty homes to SBHA's Board of Management and relevant Sub-Committees.
Head of Neighbourhood & Solutions	Responsible for ensuring day to day management of empty homes. Identify and implement service improvements Ensure compliance with Empty Homes Policy, Lettable Standards and Allocations Policy.
Head of Support Services	Ensure Properties are advertised and/or marketed within agreed timescales.  Ensuring Allocation Policy is adhered to
Neighbourhood Housing Officer	Meet with outgoing tenant during notice period to discuss outstanding balance, understand termination reason within agreed timescales. Allocate property during notice period Arrange Accompanied Viewing (if not done at Notice Period) once property is safe. Tenancy sign up within agreed timescales of property being available to let Settling in visits within agreed timescales. Ensure compliance with Allocation Policy, Empty Homes Policy and Procedures
Senior Customer Services (Allocations)	Create adverts for properties within agreed timescales  Market properties on other platforms as necessary  Produce shortlists of applicants within agreed timescales
Solutions Team	Ensure waiting list is up to date and accurate within agreed timescales  Create tenancies and save all documents to EDRM within agreed timescales
Director of Property Services	Responsible for Empty Lettable Standard being met
Head of Programme & Deliver	Responsible for ensuring day to day management of repairs and replacements to empty homes is done within agreed timescales Identify and implement service improvements
Repairs Manager	Ensure that all empty homes repairs and replacements are carried out within agreed timescales. Monitor progress of empty homes Monitor quality of work to ensure Lettable Standard is met Identify service improvement
Neighbourhood Property Officer	Identify repairs and replacements during outgoing tenants notice period, discuss any rechargeable repairs within agreed timescales and agree collection of keys.  Arrange for repairs to be done during Notice Period and organise for replacements (drawings for kitchen, ordering materials for example).

	<p>Collection of keys from outgoing tenant.</p> <p>Identifying repairs to ensure property meets Lettable Standards when the property is empty within agreed timescales.</p> <p>Monitor progress of repairs and any replacements (kitchen, bathroom)</p> <p>Ensure compliance with Empty Homes Policy Lettable Standards, Repairs and Maintenance Policy.</p>
Supervisors	<p>Monitor progress of empty homes and move resources as appropriate</p> <p>Monitor quality of work and take action as appropriate</p> <p>Ensure compliance with Repairs &amp; Maintenance Policy, Empty Homes Policy and Lettable Standard.</p>
Scheduling Assistants	<p>Schedule in works within agreed timescales</p> <p>Ensure compliance with Empty Homes Policy Lettable Standards, Repairs and Maintenance Policy.</p>

## 16.0 TEAM DEVELOPMENT

- 16.1 SBHA will ensure that in managing empty homes, duties are effectively delegated to the team who will receive comprehensive, regular training for implementing this Policy. Ongoing training requirements will also be regularly reviewed.
- 16.2 Everyone involved in the delivery of the empty homes management service has a responsibility to ensure that they read, understand, and implement this Policy. All contractors, consultants and partner organisations are responsible for operating in accordance with this Policy when delivering services on behalf of SBHA.

## 17.0 EQUALITIES

- 17.1 SBHA aims to treat all customers with respect and professionalism and will ensure that its empty homes management service is fair and accessible to all. SBHA will publish information that is easy to read and understand in a range of appropriate languages and formats. Where Tenants have any particular needs or requirements, SBHA will do all that it can to ensure that its services are tailored to these needs.
- 17.2 This Policy will not be used to discriminate against any individual or household on grounds of race, religion, marital status, disability, age, sexual orientation, gender reassignment, political opinion, pregnancy, or maternity. SBHA aims to promote equal opportunities and comply with the requirements of the Equality Act 2010.

## 18.0 COMPLAINTS & CUSTOMER FEEDBACK

- 18.1 SBHA values feedback on its empty homes management service as this is used to improve the service.
- 18.2 SBHA will actively seek feedback by:
- Inviting all new Tenants to complete a satisfaction questionnaire on the empty home service received and the condition of their new home when they moved in
  - Monitoring customer compliments, complaints and appeal outcomes relating to empty home management to identify and respond to emerging trends.

17.3 Where a customer is dissatisfied with the standard or quality of service received from SBHA, this will be considered in accordance with SBHA's Complaints Handling Procedure.

## **19.0 POLICY REVIEW**

19.1 This Policy will be reviewed every three years, unless amendment is prompted by a change in legislation, operational or regulatory requirements, or customer feedback. The Policy will be reviewed in consultation with SBHA Tenants.



# SBHA

SCOTTISH BORDERS  
HOUSING ASSOCIATION

## Welcome to your new home!

Created by Tenants for Tenants, SBHA is an independent Housing Association servicing the Scottish Borders by providing quality affordable homes and communities that are great places to live.

### What we expect from you:

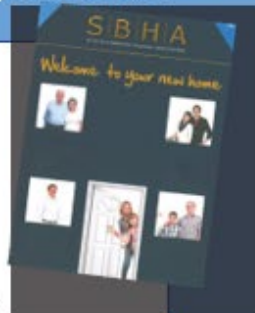
As a new Tenant, you are expected to:

- Keep your property clean.
- Keep rooms aired and well ventilated.
- Report repairs to us, as and when they arise.
- Ensure grass and hedges are cut and rubbish is cleared from your garden.
- If you live in a flat, you should make sure that communal areas are kept free of items or rubbish.

We want to make sure that when you end your tenancy, the property is returned to us in a 'lettable' condition for the next Tenant.

If you have any questions about repairs,  
please contact SBHA on 0800 0193 222.  
Please note, out of hours calls are for Emergencies only.

As a new Tenant, we hope you are happy with your new home  
and the service that you have received.



## Lettable Standard



Our Standard, developed in partnership with our Tenants, describes the minimum standard you, as the new Tenant, can expect when moving into a Scottish Borders Housing Association (SBHA) home.

The work to meet this standard should be completed before you move in.

Occasionally we may have to organise some works to be done after you have moved in; if this is the case, we will tell you about them when you sign for your home.



### Clear:

We clear our empty properties, and usually remove any items, fixtures and fittings left by the previous Tenant. Where these items are in good condition, these may be gifted to the new Tenant at SBHA's discretion. This means that you take on responsibility for any repair or replacement of that item. Where appropriate we may recycle items that are left in properties that are not gifted to incoming tenants.

### Decoration:

Walls will be free from damp, mould, or major defects. We will remove or paint over any graffiti, and will strip badly peeling wallpaper, leaving the surface ready to redecorate.

Interior decoration is your responsibility. If we think some walls require redecoration, we will give you materials (paint) and equipment (paintbrushes/paint tray) to enable you to redecorate your property. You will be able to choose paint colours.

Amenity housing will be decorated if we consider it is required.

SBHA is not responsible for decoration, carpets, floor coverings, appliances, furniture, curtains, or blinds.

### Floors:

Floors will be free from major faults. We will not provide floor coverings but may leave those of the previous Tenant if in reasonably good condition. Floor coverings left are your responsibility.

### Heating and Electricity:

Heating systems will be tested in line with current safety regulations and safety certificates provided to you where applicable.

Sockets, switches, and electrical fittings are tested and will be safe to use. The location of meters and isolation valves will be provided. You will be given a current energy performance certificate.

It is your responsibility to arrange for the connection and maintenance of your appliances by a suitably qualified person and provide the relevant safety certificate.



### Outside:

The property will be wind and watertight, safe, and secure. Sheds and outbuildings will be emptied. Pathways will be free from hazards. Gardens will be tidy, free from rubbish and in a manageable condition at date of entry.

Ongoing maintenance of gardens, sheds and outbuildings will be your responsibility.

### Kitchens and Bathrooms:

Kitchen units and worktops will be secure and in working order. Anti-vibration mats for washing machines will be provided.

Bathroom sanitary wear will be secure, clean, and free from chips or cracks. The toilet seat will be replaced.

### Safe and Secure:

All properties meet current building regulations will have had health and safety repairs carried out before you move in. There will be working linked smoke detectors. Carbon monoxide detectors will be fitted in properties with gas or solid fuel heating.

### Doors and Windows:

All doors and windows will be secure and in working order. External doors will have replacement locks. 2 sets of door entry keys or fobs will be supplied.

### Clean:

We clean our empty properties where needed. Kitchen and bathroom fixtures and fittings are cleaned. Floors are swept. Tiled or washable floors mopped.

### Asbestos:

Every reasonable effort will be made to remove asbestos, but if that is not possible, we will tell you where it is and how you should manage it safely.

