



POLICY

Void Management Policy

Wellhouse - The Place to Be

Draft Policy Created: August 2024

Date of Last Review: N/A

Date of Current Review: August 2024

Date of Next Review: August 2026

Reviewed by: Housing and Customer Service Manager & Maintenance Manager

We can produce this document in different formats, for instance, in larger print, Braille or audio-format. we can also translate this document into specific languages, as appropriate.

CONTENTS

- 1. INTRODUCTION**
 - 1.1 Scope of Policy
 - 1.2 Definitions
- 2. REGULATORY FRAMEWORK**
 - 2.1 Housing (Scotland) Act 2001
 - 2.2 The Scottish Social Housing Charter
 - 2.3 Other Legislative and Good Practice Requirements
- 3. DEFINITION OF VOID PROPERTIES**
- 4. VOID MANAGEMENT POLICY AIMS**
- 5. PERFORMANCE MONITORING**
- 6. VOID REPAIR AND RE-LET TARGETS**
- 7. TENANT INVOLVEMENT**
- 8. TENANTS RESPONSIBILITIES AND RIGHTS**
 - 8.1 Ending the Tenancy
 - 8.2 Rechargeable Repairs
 - 8.3 The Right to Compensation for Improvements
 - 8.4 End of Tenancy with Inadequate Notice
- 9. INSPECTIONS**
- 10. OTHER VOID MANAGEMENT ISSUES**
 - 10.1 Death of a Tenant
 - 10.2 Security Against Vandalism
 - 10.3 Measures for Winter Voids
 - 10.4 Health and Safety
- 11. ALLOCATION ISSUES AND EARLY VIEWINGS**
 - 11.1 Pre-allocations and Early Viewings
 - 11.2 Minimising Offer Refusals
 - 11.3 Tenancy Agreements
 - 11.4 Sign up Process
 - 11.5 New Tenant Contact
- 12. DIFFICULT TO LET/LOW DEMAND PROPERTIES.**
 - 12.1 Decoration Allowance
- 13. SPECIALIST SHELTERED AND SUPPORTED HOUSING VOIDS**
 - 13.1 Supported Lets
 - 13.2 Lets to Homeless Households
- 14. DELEGATION OF RESPONSIBILITY**
- 15. RISK ASSESSMENT**
- 16. POLICY REVIEW**
- 17. CONFIDENTIALITY AND DATA PROTECTION**

VOID MANAGEMENT

1. INTRODUCTION

Wellhouse Housing Association recognises that turnover of housing stock is an inherent part of its housing provision, inevitably resulting in periods where properties become vacant. We understand the importance of good void management in minimising these vacancy periods. Effective void management is essential to maximise rental income, provide quality service, meet housing needs, and achieve good estate management.

This Policy aims to provide guidance on adhering to legal and regulatory frameworks for void management, along with Wellhouse Housing Association's specific policies and practices.

1.1 Scope of the Policy

This policy outlines Wellhouse Housing Association's position on void management. Void management activities encompass a range of interrelated tasks, including:

- Tenancy termination
- Property inspections
- Identifying chargeable works and other tenant responsibilities
- Ordering and overseeing repair work
- Offering tenancies and arranging viewings
- Creating and signing tenancy agreements

The Void Management Policy applies to all Wellhouse Housing Association owned rental properties.

This Policy adheres to Wellhouse Housing Association's Financial Regulations.

1.2 Definitions

A void property is one with a current rent account but no active tenancy. For Annual Return on the Charter reporting purposes, a property may be counted as a void on multiple occasions within a year. The Void Period is measured in calendar days, calculated from the date of termination of a previous tenancy or repossession to the start date of a new tenancy.

An empty property is not considered a void if the tenant remains legally "in occupation." This includes situations like extended hospital stays. Other exclusions, such as leased properties and those let to Glasgow City Council as Temporary Accommodation, also apply. A comprehensive list of exclusions can be found within the Technical Guidance for the ARC.

2. Regulatory Framework

This Policy will comply with all relevant regulatory, legislative, and good practice requirements, including the following:

2.1 Housing (Scotland) Act 2001

Most relevant legal obligations for landlords under the Housing (Scotland) Act 2001 pertain to maintenance. This includes the duty to ensure a house is wind and watertight and reasonably fit for human habitation, both at the beginning of the tenancy and throughout its term (Section 11). The Act also requires tenants to occupy the house as their only or principal home (Section 11).

Tenancy Termination:

- Section 12 states a tenancy can be ended by the tenant giving four weeks' notice to the landlord.

Tenant Improvements:

- Section 30 grants tenants the right to be compensated for specific improvements carried out with the landlord's consent at the end of the tenancy. These improvements would need assessment during the end-of-tenancy inspection process.
- Section 29 grants landlords the discretionary power to compensate tenants for improvements not covered by the statutory scheme.

Property Access:

- Section 27 grants landlords the legal right to enter a property with 24 hours' notice to inspect it. This right may need enforcement when a tenant gives notice but fails to allow access for a pre-termination inspection.

Abandonment Procedures:

- Sections 17, 18, and 19 cover abandonment procedures. Secondary legislation outlines the landlord's duty to store tenants' personal possessions for up to six months, provided the storage costs and any rent arrears are not greater than the goods' value.

End-of-Tenancy Responsibilities:

- Most other tenant obligations relevant to void management are likely to be contractual rather than statutory, such as those relating to a number of "end-of-tenancy" responsibilities.

2.2 The Scottish Social Housing Charter

The Scottish Social Housing Charter, introduced in 2012 as a requirement of the Housing (Scotland) Act 2010 and reviewed in 2016 with approval in April 2017, sets

standards and outcomes for social landlords. The relevant outcome and standard for this Policy is:

Charter Outcome and Standard 4: Quality of Housing

Tenants' homes must meet the Scottish Housing Quality Standard (SHQS) as a minimum when allocated. They must also be clean, tidy, and in a good state of repair. Additionally, by December 2020, they must meet the Energy Efficiency Standard for Social Housing (EESH).

2.3 Other Legislative and Good Practice Requirements

Wellhouse Housing Association complies with all legislation relating to void management, including but not limited to:

- Scottish Secure Tenancy
- The Energy Performance of Buildings (Scotland) Regulations 2008
- Electrical Test Safety Certificate (NICEIC)
- Asbestos Regulations
- The Gas Safety (Installations and Use) Regulations 1994
- CDM Regulations
- Data Protection Act 1998 (and updated GDPR 2018)

3. Definition of Void Properties

There are various ways a property can become void, as defined below:

3.1 Formal Termination

- The tenant provides written notice (28 days) of their intention to leave the property according to their tenancy agreement. Rent liability continues if keys are not returned on time.
- In exceptional circumstances, a tenant may be unable to provide a full 28-day notice. The Housing Manager will review such cases and determine if the tenant remains liable for rent during the full notice period.

3.2 Death of Tenant

- If Wellhouse Housing Association is notified of a tenant's death with no successor named, the tenancy terminates from the date of death.
- The Next of Kin will be advised to return property keys as soon as possible following bereavement.

3.3 Abandonment

- This occurs when Wellhouse issues a legal notice to a tenant who has vacated the property without notice. (Refer to Wellhouse Housing Association's Abandonment Policy and Procedures for details.)

3.4 Eviction

- If Wellhouse completes court action to evict a tenant, the tenancy terminates on the date of property repossession.

3.5 Transfers

- When a tenant is rehoused in another Wellhouse property, they are still required to give 28 days' notice. However, if the property can be re-let before the notice period ends, the tenant will only be charged rent until the re-let date.

3.6 Development Voids

- Newly completed properties handed over to Wellhouse but not let to a tenant on the handover date are considered development voids.
- Once ready for letting, these properties will be included in void statistics, with rent due and payable.

4. Void Management Policy Aims

The overall aim of the Wellhouse Housing Association Void Property Management Policy is to ensure efficient, cost-effective, and equitable letting of empty Association properties.

The specific objectives of this policy are:

- To ensure properties allocated by the Association meet acceptable standards or enhanced specifications in hard-to-let properties.
- To minimize rent loss due to vacant housing.
- To ensure the Association makes the most effective use of its available housing resources to meet housing needs.
- To let properties to a standard that maximizes the incoming tenant's chances of sustaining the tenancy and reduces the likelihood of early termination due to property condition.

To achieve these objectives, Wellhouse Housing Association will:

- Provide a clear statement outlining the service level and standards to which the Association adheres.
- Establish procedures and agreed practices applied consistently across the void management service.
- Re-let vacant properties as quickly as possible.
- Undertake repairs on vacant properties in accordance with the Association's letting standard and statutory responsibilities.
- Ensure the property condition is of a standard that will not typically lead to a refusal of accommodation offers.
- Ensure all offers of accommodation align with the Association's allocations policies.
- Record any action taken at each stage of the void management process.
- Provide training to equip staff with the skills necessary to fulfil their expected roles.

- Keep tenants and service users informed throughout the void management process.
- Ensure clear and concise communication with tenants and service users, specifying the contact officer for any inquiries.

Communication procedures include regular team briefings, utilising the "void" record board, using inspection and other relevant forms, and informing the Management Committee through Performance Monitoring Presentation.

5. Performance Monitoring

Wellhouse Housing Association operates within a performance management framework that aims to meet the needs of our tenants, factored owners, Board of Management, the Scottish Housing Regulator, and the Scottish Social Housing Charter. Void performance monitoring serves several key purposes:

- **Day-to-Day Control:** Monitor individual void properties and the overall voids function.
- **Performance Tracking:** Track Wellhouse Housing Association's overall void management performance over time.
- **Service Review Information:** Provide quality information about Wellhouse's void performance against objectives to inform service reviews.
- **Benchmarking:** Allow comparison with other landlords to identify areas for improvement.

The Scottish Social Housing Charter (Section 31 of the Housing (Scotland) Act 2010) outlines standards and outcomes for social landlords:

- **Charter Ref. 1 - Equalities:** All aspects of housing services are delivered fairly and respectfully, recognizing individual needs and ensuring equal access to housing and services.
- **Charter Ref. 3 - Participation:** Social landlords manage their businesses to facilitate easy participation and influence for tenants in decision-making processes.
- **Charter Ref. 4 - Quality of Housing:** Tenants' homes must meet the Scottish Housing Quality Standard (SHQS) as a minimum, be kept clean, tidy, and in good repair when allocated, and continue to meet SHQS throughout the tenancy.
- **Charter Ref. 11 - Tenancy Sustainment:** Tenants receive information on support options to help them remain in their homes, including services provided by Wellhouse or other organizations.
- **Charter Ref. 13 - Value for Money:** Tenants, owners, and other customers receive services that provide continually improving value for their rent and other charges.

Performance Monitoring Responsibilities:

- The Maintenance Manager is responsible for:
 - Ensuring void policy and procedures are in place and followed.
 - Reviewing the policy and reporting performance to the Senior Management Team and Committee.
 - Setting annual void management targets.
- Externally, the Scottish Housing Regulator monitors performance against the Scottish Social Housing Charter standards and outcomes.
 - Wellhouse submits key performance information annually to ensure the policy remains fit for purpose and meets Charter requirements.

Statutory Performance Indicators (Scottish Social Housing Charter):

- Percentage of rent lost due to vacant properties in the last year.
- Average re-let time for properties in the last year.
- Percentage of tenants satisfied with the standard of their home upon moving in.
- Percentage of tenancy offers refused during the year.
- Percentage of lettable houses that became vacant in the last year.
- Percentage of new tenancies sustained for more than a year, by source of let.

Local Performance Indicators:

- Rent, property, and void positions.
- Number of voids received and completed.
- Nature of tenancy termination (including reasons when applicable).
- Offer refusal rate and reasons for refusal.
- Rent loss (both in £ and as a percentage of annual rent due) and cumulative void loss.
- Percentage turnover of stock.
- Number of houses with a void period exceeding 6 months.
- Average cost of repairs per void.
- Number of properties refused 3 or more times, by reason.
- Average number of days to complete void repairs.

6. Void Repair and Re-let Targets

Targets are a crucial element in ensuring Wellhouse Housing Association manages void properties within specific timeframes. This clarity on speed is essential for staff. Ideally, all Wellhouse properties would have 28 days' notice given and achieve a zero-void period upon re-letting. However, we recognise this may not always be achievable in practice.

To manage voids effectively and measure Wellhouse's performance against set targets, specific "event" timescales are attached. These include:

- **Date of termination to date of void inspection:** 1 working days
- **Void repairs:** 10 working days
- **Identifying new tenants:** Pre void work.
- **Ready for letting to signing the new tenancy:** 0 days

These timescales enable Wellhouse to identify areas for improvement and take necessary remedial actions.

7. Tenant Involvement

Wellhouse actively seeks feedback from tenants during service reviews to enhance service delivery. This is achieved through several methods:

- **New tenant satisfaction:** We gather feedback on the property's condition during the initial eight-week period following tenancy commencement through settling-in visits and follow-up satisfaction surveys.
- **Monitoring comments and complaints:** We monitor tenant comments and complaints and utilize this information to improve service delivery.
- **Void-related feedback:** (Section 10 reference removed as numbering remains the same)

8. Tenant Responsibilities and Rights

8.1 Ending the Tenancy

Wellhouse Housing Association ensures tenants are fully informed of their responsibilities when leaving a property:

- **End-of-Tenancy Responsibilities:** These are clearly outlined in the Scottish Secure Tenancy agreement and explained during tenancy agreement signing. They are also detailed in the tenant handbook and newsletters, and reiterated when a tenant expresses a desire to move or transfer.
- **Notice Period:** The requirement to provide 28 days' written notice is emphasized. Tenants are informed that rent will be charged until the formal notice period expires, and any outstanding arrears will be pursued.
- **Minimising Void Periods:** To avoid delays and minimise void periods, outgoing tenants receive clear guidelines on their termination responsibilities. The tenancy agreement outlines several end-of-tenancy duties, which are also reiterated during the pre-inspection visit and confirmed in writing.

8.2 Rechargeable Repairs

Tenant responsibilities regarding repairs are clearly specified in the Scottish Secure Tenancy Agreement, tenant handbook, and reinforced during the termination stage. Wellhouse has the right to recharge outgoing tenants for repairs caused by tenant damage or neglect. Tenants are advised in writing of the required repairs, the professional standard expected, and the timeframe for completion before tenancy termination.

Rechargeable repair costs are considered tenancy-related debts, subject to relevant sections of the Housing (Scotland) Act 2001.

If a property is vacated with unaddressed damage or incomplete repairs advised to the tenant, Wellhouse may offer the tenant a short period (e.g., one week) to complete the work professionally. Otherwise, Wellhouse will complete the work and recharge the former tenant. (See Wellhouse Housing Association's Policy on Rechargeable Repairs.)

8.3 Right to Compensation for Improvements

Since September 30, 2002, Wellhouse has been obligated to compensate outgoing tenants who have carried out specific improvement works with the landlord's consent (e.g., replacing kitchen units). This is covered by Section 30 of the Housing (Scotland) Act 2001. The tenant's right to compensation for improvements is detailed in the Statutory Order ratified by Parliament in September 2002.

Wellhouse also has the discretionary power under Section 29 of the 2001 Act to compensate outgoing tenants for improvements not covered by the statutory scheme. (See Wellhouse Housing Association's Policy on Tenant's Right to Compensation for Improvements.)

8.4 End of Tenancy with Inadequate Notice

If tenants leave a property without providing the required 28 days' notice, staff will attempt to contact them using previously supplied contact information. Data protection regulations will be followed during this process. The outgoing tenant will be informed (preferably in writing) of their responsibility to pay rent for the full notice period, any clearing or rechargeable repair costs, and to sign a termination notice.

Wellhouse clarifies that any potential new landlords requesting tenancy references will be informed if the tenant breached their tenancy agreement by failing to provide proper notice. This may impact their ability to secure future housing.

In instances where the outstanding balance from departed tenants is significant, Wellhouse may consider pursuing the debt through wage arrestment or employing a private debt collector. These options should only be used as a last resort after exhausting all other efforts.

9. Inspections

Inspections are a crucial component of effective void management practices. A step-by-step guide summarising void procedures is outlined in Wellhouse Housing Association's Procedures for Void Management.

Pre-termination inspections and/or end-of-tenancy inspections (with the tenant present) will only be conducted if the tenant has provided proper notice. As discussed in Section 8.1, tenants must be fully aware of their obligation to provide 28 days' notice.

Procedures for informing tenants of their duties are an integral part of Wellhouse's void management policies and procedures.

10. Other Void Management Issues

10.1 Death of a Tenant

If a tenant passes away with no successors, Wellhouse will grant relatives two weeks to clear the property.

10.2 Security Against Vandalism

When deemed necessary, Wellhouse will take appropriate security measures as soon as possible for vacant properties susceptible to vandalism, squatting, or theft of components. These measures may include:

- Changing locks
- Installing boarding, caging, or "sitex" doors
- Fitting burglar alarms
- Arranging night security for new or refurbished schemes

Wellhouse staff will ensure all security measures comply with building insurance requirements. Neighbouring tenants and residents will be informed of any security measures, and their assistance in keeping an eye on void properties will also be encouraged whenever possible.

Long Term Voids

Staff to carry out inspections as per Insurance Policy requirements and record dates, condition and any progress of works.

10.3 Measures for Winter Voids

Wellhouse advises tenants on how to protect their properties during winter through the Tenants' Handbook and newsletters. We also have specific procedures in place to ensure winter voids are properly managed to prevent frost or flood damage, which could significantly extend the re-letting period.

The need for action to protect vacant properties in winter varies considerably between property types, ages, and geographic locations. At the void inspection, a decision will be made on whether to:

- Employ specific frost precaution measures
- Monitor the weather throughout the void period and adjust actions accordingly
- Decide that the property does not require frost precautions due to its location or type

Frost and/or flood precautions may include:

- Conducting regular inspections

- Draining down water supply pipes and water heating systems
- Keeping timed low-level heating running a couple of times a day
- Adding antifreeze to the toilet bowl to prevent cracking

10.4 Health and Safety

As previously mentioned, Wellhouse complies with all relevant legislation and has specific policies and procedures in place to ensure the health and safety of staff and incoming tenants during void management and re-letting stages. Wellhouse's procedures encompass void management, abandonment procedures, specialist house emptying arrangements, and a "sharps or needle disposal" protocol.

11. Allocation Issues

11.1 Pre-allocations and Early Viewings

Upon notification of a vacant or prospective void property, Wellhouse Housing Association identifies potential tenants and pre-allocates the property. The goal is to commence the new tenancy as soon swiftly as possible after the property is returned to a lettable condition. Wellhouse has a minimum lettable standard in place to ensure staff clarity on expectations when assessing pre-letting repair work. The standard is attached as a separate document.

Wellhouse considers the following factors to influence efficient pre-allocations:

- Maintaining up-to-date housing lists
- Considering internal transfer requests
- Effective nomination arrangements and strong liaison with local authorities
- Developing special referral arrangements (e.g., with Women's Aid or SAMH)
- Fostering effective working relationships with the council to comply with the Housing (Scotland) 2001 Act's new Section 5 duty to house homeless people

11.2 Minimising Offer Refusals

"Notes of interest" can be issued to waiting list applicants to gauge interest in the void property and minimize refusal risk. All prospective tenants viewing a property must be accompanied by a Wellhouse staff member. This significantly improves letting success rates and reduces refusals. Accompanied viewings allow applicants to ask questions, and Wellhouse can provide realistic options advice, information on the property and surrounding area, and details about outstanding repairs and planned investment works.

Correct allocations, the property's condition, and clear communication can all help minimise refusals. This, in turn, contributes to sustainable communities, good estate management, and reduced anti-social behaviour problems.

Applicants are informed of their right to access an appeals procedure if they disagree with Wellhouse's allocation decisions or a temporary waiting list suspension due to reaching the maximum offer/refusal limit.

Wellhouse has a clear, promoted, and readily available internal appeals procedure. Applicants must also be made aware of their right to approach the Public Services Ombudsman if they remain unsatisfied after the internal appeals process. See Wellhouse Housing Association's Allocations and Complaints Policies.

11.3 Tenancy Agreements

The terms of the Scottish Secure Tenancy Agreement and the Short Scottish Secure Tenancy Agreement specific to void policy implementation are found in Section 6, "Ending the Tenancy."

Wellhouse ensures these terms are explained to tenants during the sign-up process. For internal transfers, tenants receive clear guidelines on their termination responsibilities.

11.4 Sign-Up Process

Once they accept the property, prospective tenants will be provided with a Tenant Information Pack and Tenant's Handbook. New tenants are asked to read and confirm their understanding of the terms and conditions within the Scottish Secure Tenancy Agreement. Information on tenancy and property-related matters will also be provided. New tenants will be asked to sign a confirmation of their understanding of their obligations.

11.5 New Tenant Contact

Within one week of the new tenant's move-in date, they will receive a New Tenant letter and their rent payment card. A new tenant visit will be conducted within eight weeks of the move-in date to confirm occupancy, discuss the rent account, and identify any support or property-related issues.

The New Tenant Form will be completed during the New Tenant Visit, including seeking feedback on the tenant's satisfaction with the property's condition upon move-in. This information will be collated and used to inform Wellhouse's void standard.

12. Difficult to Let/Low Demand Properties

Wellhouse has strategies in place to minimise the number of difficult-to-let properties and improve uptake in low-demand areas. These good practice strategies limit such properties and include:

- Implementing physical, social condition, and environmental improvements in difficult-to-let housing areas.
- Converting and upgrading unpopular properties to a higher standard.
- Allocating difficult-to-let properties to non-priority applicants when applicants with higher housing points are not available.

A more comprehensive list of management steps used to address difficult-to-let/low-demand property re-lets is outlined in the Procedures for Void Properties.

12.1 Decoration Allowance

Wellhouse does not offer decoration allowances to new or existing tenants. However, the Maintenance / Housing Officer has the discretion to choose to award a décor pack or redecorate all or part of a void property. This may occur when the property's condition is likely to make re-letting difficult, or as part of an increased specification for voids created through the new build program.

13. Specialist and Supported Housing

Specialist housing can sometimes experience longer void periods than usual for two reasons:

- (a) Wellhouse may not control the assessment process.
- (b) Identifying a suitable applicant may take longer.

Both factors can sometimes come into play. Wellhouse minimises the impact of these factors on voids through effective liaison with social work and other relevant partner agencies, and by pre-allocating properties whenever possible.

Leased properties to other agencies are not affected. However, those with management agreements with other agencies should seek to limit their responsibility for void costs when the managing agency (or social work department) largely controls the assessment and allocation process.

Wellhouse will record supported housing voids separately, both internally and in their returns to the Scottish Housing Regulator, regardless of whether they are managed directly or through a management agreement.

13.2 Lets to Homeless Households

Permanent lets resulting from a local authority referral of a homeless household under section 5 of the Housing (Scotland) Act 2001 should not automatically lead to longer void periods. This applies unless there is a dispute over a specific property for a particular let.

14. Delegation of Responsibilities

- **Maintenance Manager:** Ensures this policy complies with regulatory and legislative requirements and meets the Association's Business Plan and budget commitments.
- **Maintenance Officer:** Ensures that relevant staff receive appropriate support and timely advice to comply with regulatory and legislative requirements and meet the Association's Business Plan and budget commitments.

Members of the Association's Housing Services and Maintenance Team will handle the policy's practical implementation and the day-to-day operation of void procedures. Typically, the Maintenance Officer and Housing Officer will be responsible for void properties.

However, in their absence, other Team members may carry out void functions.

Any deviation from the policy will be reported to the Committee after the Maintenance Manager's decision.

15. Risk Assessment

The Void Policy and Procedures aim to control the following risks to the Association:

- **Legal and Regulatory Compliance:** The Association acting illegally and not meeting good practice guidance in the void process.
- **Financial Loss:** The financial security of the Association being compromised by high void periods and the corresponding loss of rental income.
- **Estate Management:** The Association's ability to deal effectively with all aspects of Estate Management and ensure the sustainability of the communities in its area of operation.

16. Policy Review

The Association will review this policy every three years. More frequent reviews will be considered if circumstances necessitate a response to new legislation, policy guidance, legislative changes, performance standard updates, or good practice advancements.

This policy was developed in consultation with tenants and other service users, and their input was taken into account. Similar consultation will take place for all proposed policy reviews.

17. Confidentiality and Data Protection

All information provided by tenants and applicants will only be used for the purposes for which it was provided.

The Association is committed to ensuring compliance with the requirements of the General Data Protection Regulation (GDPR) 2018.