

MAINTENANCE	Void and Empty Properties Procedure
Providence Row Housing Association	VERSION: 3

VOIDS AND EMPTY PROPERTIES

1.0 INTRODUCTION

This procedure explains the steps to be taken when dealing with void properties, from the notice period when a tenant is leaving the property, to when it is to be re-let. It is intended for use regarding general needs rented properties, and supported housing. Generally it will also apply to the service provided to tenants in managing agents' properties although PRHA's duties here are confined to the maintenance aspect. The agencies will designate an officer to liaise with PRHA.

2.0 RESPONSIBILITY

The Project manager/Maintenance manager are responsible for ensuring that this procedure is followed.

3.0 DEFINITIONS

A void is any property for rent which is available to be let (i.e. not withdrawn from allocation because of demolition or refurbishment plans) either:

- not the subject of a tenancy agreement, or
- the subject of a tenancy agreement where no rent is collectable

A void is not the same as an empty property (and may, in fact, be occupied)

4.0 OCCUPATION

In the case of Assured and Secure tenancies a tenant will still be legally in occupation of a property when he/she is:

- in hospital for treatment as an in-patient
- temporarily in a residential nursing home
- away seeking work or employed, for instance, at sea
- on an extended visit to relatives abroad
- on holiday
- in prison for a short period

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5.0 PROCESSING A “NORMAL” VOID: NOTICE PERIOD

- 5.1** All tenants other than those transferring within PRHA should give 28 days notice of termination of tenancy. In the case of licences notice is purely given. However when a moving out date is known in advance if action must commence before the licensee moves.
- 5.2** Where tenants fail to give 28 days notice, the Project Manager has discretion to accept a shorter notice period if this will result in less rent loss.
- 5.3** Following receipt of notice a letter confirming receipt and the arrangements for ending the tenancy should be sent, with a copy to the maintenance department. The letter should remind the tenant of their responsibility to ensure all fixtures and fittings are present, and in good repair. It may be useful to give examples, such as door handles and kitchen units, which the tenant may have replaced and wish to remove. A suggested format is given in appendix 1.
- 5.4** A pre-void inspection of the property should wherever possible be carried out before the tenant leaves (see section 7).
- 5.5** The Project Manager shall ensure that all reasonable steps are taken to minimise void losses particularly in cases where notice has been received from the tenant. Such measures are likely to include:
- arranging visits by potential tenants to occupied property
 - arranging minor repairs during occupation
 - constant monitoring of working relationships and practices with the maintenance department
 - ensuring that all staff treat voids as a priority
- 5.6** As soon as the designated officer knows of the prospective vacancy, and they have no reason to suspect major work will be required on the property, they should begin the process of finding the new tenant (see Allocations Policy). After the pre-void inspection the designated officer should have a reasonable idea about how quickly the property may be re-let. The aim must be to have as short a void period as possible.
- 5.7** On the date of expiry of the notice, if the keys have not been returned to the office the designated officer must attempt to contact the tenant by phone or visit to establish that the premises have been totally vacated and are clear of all possessions. If the property is clearly vacant, the locks should be changed and the tenant recharged. If not, wait 24 hours before changing the locks.
- 5.8** Appropriate record-keeping is essential and each office must maintain its own system which both records the progress of a void through its stages and allows for all relevant officers to be informed. The attached pro forma must be used or the equivalent report on Omniledger, where available.

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6.0 NOTICES FROM TENANTS

- 6.1** Under both secure and assured tenancy agreements there is an obligation on the tenant to give 28 days written notice to terminate. A notice to terminate may be withdrawn by the tenant without the penalty within the 28 days.
- 6.2** Tenancies end on a Sunday and a "correct" notice should be received before noon on a Friday, giving 28 days notice ending the tenancy. Less than 28 days may be accepted at the discretion of the Project Manager where this will result in less rent loss.
- 6.3** The following situations may arise:
- Verbal notice – a file note must be made and a letter sent within 2 working days requesting written termination (appendix 4)
 - Notice less than 28 days – a file note must be made and a letter sent (appendix 4) within 2 working days
 - Notice given by only one of joint tenants – this is valid and will bring the tenancy to an end. You should enquire, however, why the other tenant (or tenants) has not given notice, and attempt to contact the other joint tenant. The situation should be discussed with the Facilities Manager.

7.0 PRE-VOID INSPECTION

- 7.1** A pre-void inspection should be carried out by the maintenance manager as far as possible within 10 days of receipt of notice from the tenant or licensee.
- 7.2** At the pre-void inspection a forwarding address should be obtained from the tenant/licensee. The purpose of the inspection is to ascertain the general condition of the property and alert the tenant/licensee of any repairs recharge. In addition, any authorised improvement by secure or assured tenants which qualifies for compensation at the end of the tenancy should be noted.
- 7.3** The tenant or licensee should wherever possible be informed verbally on the premises and by confirmation letter of all repairs which are the tenant's responsibility, for example tenant damage to, or removal of, fixtures and fittings. If no visit is possible then the tenant must be informed by letter of the items which are their responsibility.
- 7.4** Where carrying out repairs prior to the tenant or licensee vacating the property will be cost effective and lead to a reduced void period, the designated officer should discuss arrangements for access with the tenant.

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- 7.5** Regardless of whether the tenancy agreement or licensee give us the right to carry out pre-void inspections, staff should endeavour to access the property with the tenants/licencees consent. Where consent is not obtained and the tenancy agreement allows for access, reasonable notice must be given.

8.0 VOID INSPECTION

- 8.1 Voids Created By Eviction etc.:** Voids maybe created by management action such as eviction or by police action in the case of crack houses. The Maintenance Manager must liaise closely with the Project Manager and Facilities Manager on these cases as access to the property maybe determined by court decisions.

- 8.2** Once a property is void, at least one representative of PRHA must inspect it within 3 working days as far as possible, and complete an inspection form. It is the responsibility of the maintenance manager to ensure that the property has been inspected. The Maintenance manager has the authority to decide who should carry out inspections. The key objective is to ensure the void is inspected, and can be re-let in the minimum time. See appendix 2 for a void inspection sheet.

- 8.3** The purpose of the inspection is to:
- ensure the property is secure
 - ensure the property is empty (both of people and goods)
 - arrange for mandatory checks
 - assess repairs
 - assess decorative standard
 - ensure necessary action is taken

The checklist in on the back on the inspection sheet (appendix 2) is provided to help undertake the inspection. It is not expected, however, that works should necessarily be ordered as a result of observations of items on this checklist, but the general condition of the property should be noted.

- 8.4** A lock change should always be carried out unless the Facilities Manager decides otherwise. This may be done be swapping locks from other void properties.
- 8.5** Potential risks must be assessed and notified to any staff who may access the property before they are given the keys and appropriate action taken. Where the property is a risk to Health and Safety it maybe necessary to employ specialist contractors to remove contaminated possessions, syringes etc. before staff are able to enter the property.

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- 8.6** If entry by unauthorised persons is thought likely, the Facilities Manager should inform the maintenance manager about this. A board-up or the use of sitex doors may only be agreed by the maintenance manager.
- 8.7** A copy of the latest gas service report form (where there is a gas supply) must be checked to see if current (i.e. within 12 months). An electrical check must be carried out if there has not been a check in the last 5 years, or if the wiring looks suspect, and this must be done by qualified contractors. The inspecting representative should take and record meter readings.
- 8.8** Poor decorative standard can be addressed in any of the following ways:
1. Specify and pass to a contractor – if the condition is such as to delay the letting the Project Manager should agree the extent of the works required with the Technical Manager; any disagreement must be referred to the senior manager.
 2. Agree a redecoration allowance (Rent) – up to and including 4 weeks rent and service charge can be abated by the Project Manager; abatements beyond 4 weeks (without limit) can be agreed by the Director.
 3. Where appropriate agree a redecoration allowance – reimbursement not exceeding 2 weeks rent and service charge can be made against receipts to a new tenant for materials; this arrangement can be authorised by the appropriate manager.
- 8.9** The Facilities Manager may agree to the property being decorated prior to letting or where relevant offer the incoming tenant or licensee materials, a decorating allowance or voucher. The decision to use contractors to redecorate shall be jointly agreed by the Maintenance Manager and Project Manager with reference to the Assistant Director (NIPS) if such agreement cannot be reached.
- 8.10** Where flooring, white goods and furniture are provided these will be included in the voids inspection checklist and action will be agreed between the Facilities Manager and Maintenance Manager.
- 8.11** The Project Manager and Maintenance Manager have responsibility for all relevant stages of the void procedure.
- 8.12** Refer to PRHA policy on “Finance and Possessions” (Client Services manual) for guidance on the disposal of tenants/licensee possessions.

9.0 LETTINGS ISSUES

- 9.1** The Assistant Director (CS&NIPS) should agree annually a target for re-let times in their area. These will be approved by the Management Board.
- 9.2** If the Facilities Manager or Project Manager notices that a scheme is proving particularly difficult to let, they should report this to Assistant Directors

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(CS&NIPS) to agree a strategy. The Assistant Director (NIPS) has the ultimate responsibility for ensuring that all appropriate action, which may involve technical and development staff in undertaken.

10.0 MAINTENANCE ISSUES

- 10.1** Assessment of works required – it will normally be agreed between the designated officer / Maintenance Manager as to whether these can be carried out with a new tenant or licensee in occupation or need the property empty.
- 10.2** Classification as minor or major works – the Maintenance Manager must advise the designated officer / Project Manager if works are likely to take less than 2 weeks (minor) or in excess of 2 weeks (major); in either case, if letting is likely to be delayed, the Project Manager must be informed.
- 10.3** Any major works to hostel bed spaces must be notified immediately to the Assistant Director (CS). A schedule of all voids coded as “awaiting major repairs” and “undergoing major repairs” must be prepared on a regular basis by the Maintenance Manager, in liaison with development staff where necessary, and advised to the Project Manager.
- 10.4** All voids, where the estimated void period is to exceed 8 weeks, must be advised by the Maintenance Manager to the Assistant Director NIPS with copies to the Assistant Director (CS) and Chief Executive.
- 10.5** Where damage by persons unknown has occurred an insurance claim should be progressed in liaison with Head Office. It may be useful to take photographs of the damage as well as a detailed description. In cases of malicious damage which are probably attributable to former tenants the Maintenance Manager will obtain a costed specification and the Project Manager will decide whether the former tenant will be recharged.

11.0 USE BY POLICE (OR OTHER AGENCY)

- 11.1** Occasionally requests may be received to use a void property by various agencies (usually for “observation”). A request by any agency other than the police (e.g. Customs and Excise) must be referred to the Assistant Director (CS).
- 11.2** The Chief Executive may agree to a request from the police provided all the following are satisfied:
 - a) confirmation that a serious criminal (rather than a civil) matter is under investigation
 - b) use will not exceed a total of 2 rent weeks
 - c) written assurance is received that the property will be returned in like order

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- d) costs of any services used will be reimbursed (which means meter readings must be taken and recorded)
- e) rent per week will be reimbursed
- f) a risk assessment determines no risk to staff or tenants resulting from this action

11.3 Rent charges may be abated by the Project Manager up to 2 weeks if income can be legally claimed from another source.

12.0 RECORD KEEPING

12.1 The status of a property from before it is a void, through its void period, to being let (or sold) must be recorded. Records must be both written and entered on the computer system where appropriate.

12.2 Requests from housing management to maintenance for void inspections should be faxed or emailed.

12.3 Written records: It is necessary to keep records in the form of the voids procedure record sheet (see appendix 3) or relevant report on Omniledger, where available.

12.4 Specific records must also be kept on property files e.g. notice letter, void inspection sheet, correspondence etc.

12.5 The void inspection sheet must be copied to the Facilities manager and Assistant Director (CS). All works orders issued which result from the inspection will be recorded in the normal way.

12.6 Meetings should be held regularly to discuss voids. Monthly would probably be most appropriate, but local circumstances and organisational requirements should dictate the frequency. Action on voids should be noted, although it is not necessary for formal minutes to be taken.

13.0 CONTROL AND SECURITY OF KEYS

13.1 Adequate control and security of keys must be maintained at all times by both office and project staff to ensure that:

- a) all keys can be identified by a specific officer
- b) all keys can be accounted for by the officer
- c) no unauthorised persons have access to the keys
- d) no unauthorised person should be able to identify the keys

13.2 The maintenance office must give responsibility to a specific officer, and that person must maintain a system which clearly identifies each set of keys

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without attaching the address to the keys. Each time there is movement of keys, the officer must record details on the system so that if the key is not in the cabinet, who it was issued to will be noted.

The system must be secured so that only the designated officer, maintenance manager and Assistant Director (NIPS) can access it.

13.3 Only the one specified person, and the maintenance manager should:

- a) have access to the key cabinet
- b) have access to index cards
- c) be responsible for maintaining the records and be responsible for issue and receipt of keys

13.4 In the absence of these officers, a senior nominated officer must assume the responsibility.

13.5 It is acceptable for keys to be held by a Project Manager as long as the maintenance office staff knows, and this is recorded on the index cards or in a book. The Scheme Managers must keep adequate control and security over keys, similar to that in the offices. Designated officers should satisfy themselves that the above is complied with.

14.0 COMPUTERISATION

14.1 Void codes will be designated through the Omniledger computer system for the following stages / types of voids:

Available first let
 Available re-let
 Awaiting / undergoing minor repair (work lasting less than 2 weeks)
 In unauthorised occupation
 Held for decant
 Awaiting major repairs (work lasting in excess of 2 weeks)
 Undergoing major repairs (as above)
 Awaiting sale
 Staff accommodation
 Other

14.2 It is the ultimate responsibility of the Facilities Manager to ensure that all properties are correctly coded and entered. Detailed guidance on processing a void through the computer system will be available from the IT department.

15.0 DEATH OF A TENANT (where it is a sole tenant, and no other person qualifies to succeed to the tenancy)

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15.1 Entering the Premises: If the Association receives information that the tenant has died with no next of kin and intestate and there is no access to keys to the property, the locks to the premises should be changed, with 2 members of staff present (e.g. Scheme Manager, designated officer etc.) The key should be kept securely at the local office (e.g. in the safe).

15.2 Refer to PRHA policy on Finance and Possessions Policy (Services Users) in Client Services manual / drive.

16.0 DEVELOPMENT VOIDS

All voids loss is the responsibility of housing management, and a development void is effectively a fiction insofar as a void does not exist until a property is handed over. Delays in anticipated handover dates do not affect this position; any loss in projected rental income falls under housing management.

17.0 MONITORING AND REVIEW

17.1 SMT must receive a report at their regular meeting, giving:

- a) Current Property Void Report (showing address, weeks void, void loss and reason for void. Additional manual information with comments on action take to reduce void loss should also be included.
- b) Cumulative void loss (showing the cumulative void loss for the current week, the previous week, and the same period last year).

17.2 Information on cumulative void loss will also be reported to the Management Board

18.0 COUNCIL TAX LIABILITY

18.1 Some local authorities may seek to levy council tax on empty properties. The great majority of voids fall into the exemption class c – “a dwelling unoccupied and substantially unfurnished and has been for less than 6 months. This class includes new properties” – and the local authority should be advised, if they send a demand, that we claim exemption under this class.

18.2 There are a total of 18 classes of exemption (many with a time period of up to 6 months). In any case where a void is likely to exceed 6 months, it is sensible to open negotiations with the local authority at an early stage.

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FOR TENANTS ONLY

App 1

Dear

Re: Acceptance of your notice to terminate your tenancy

I am writing to confirm receipt of your notice to terminate your tenancy ofon.....
.....

The Association accepts your notice to expire on Sunday.....before noon.

Please make sure that payment of £..... is made before that date in order to leave your rent account clear at the end of your tenancy.

At the end of your tenancy you must ensure that the property and all Landlord's fixtures and fittings (such as kitchen units, door handles etc.) are present, and left in good lettable condition and repair, and free from rubbish, in accordance with your tenancy agreement. If you do not do this, you will be charged for the cost of cleaning or repairs which are your responsibility. The Association can accept no responsibility for any belongings left in the property when you leave.

The keys to the property should be returned to the area office on date the tenancy ends. If they are not, you will be charged with the cost of changing the locks.

I would like to visit you on At to carry out an inspection of the premises. If this time will not be convenient, I would be grateful if you would contact me as soon as possible to arrange an alternative appointment.

It would be of great assistance if you would indicate on the form times when you would be prepared for a prospective new tenant to view the property. Your cooperation in making access available would be greatly appreciated, as it will allow us to let the property quickly.

Please can you sign the copy of this letter which is attached, and return it to me with 7 days in order to indicate your agreement to the above requests.

Yours sincerely

PROVIDENCE ROW HOUSING ASSOCIATION

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I agree to comply with the requests listed above.

Viewing would be convenient on or by telephoning

Signed:

Date:

Forwarding address:

.....

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App 2

VOID INSPECTION SHEET & CHECKLIST

Property address
.....

Outgoing tenant
.....

Forwarding address:
.....

Date vacated: Lock change required? Y/N

Incoming tenant:
.....

Inspected by: Date: Pre-void
Post-void

Keys with: Caretaker / Scheme Manager Lettings Other

INTERIOR CONDITION

Room	Decoration	Floor covering	Glazing	Electrics	Plumbing	Joinery
Kitchen						
Lounge						
Hall						
Stairs / Landing						
WC / Bathroom						
Store						
Bedroom 1						

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Bedroom 2						
Bedroom 3						
Bedroom 4						

EXTERIOR CONDITION

Brickwork	Rainwater goods	Roof	Paving	Fencing

METER READINGS

Gas	Electric	Water

TENANT IMPROVEMENTS

Authorised? Y/N

Details:

GENERAL COMMENTS

ACTION

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Approx date for re-letting:

.....

Decorating Allowance:

.....

Tenant recharge details:

.....

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PROPERTY INSPECTION – CHECK LIST

INTERIOR

CEILINGS

- ☐ Check for excessive cracks, uneven plaster and movement
- ☐ Note the presence of polystyrene tiles

WINDOWS

- ☐ Check for opening and closing
- ☐ Make sure that window catches are present
- ☐ With casement windows, check ease of opening and make sure that all handles and catches are in good working order
- ☐ Check for broken and cracked panes
- ☐ Check for rotten frames and sills

DOORS

- ☐ Check for opening and closing
- ☐ Check door furniture
- ☐ Inspect condition of surround

SKIRTING

- ☐ Check tightness to wall
- ☐ Look for broken skirting
- ☐ Look for any suggestion of rot/dampness or movement

WALLS



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Check for serious cracks or movement

- ☐ Check for staining as an indication of possible dampness

FLOORS

- ☐ Check for over-large gaps between floor boards
- ☐ Ensure that there are no loose or sprung floor boards
- ☐ Look for signs of rot or woodworm
- ☐ Where floor tiles are fitted, ensure that these are in good condition and have not fitted or are missing

SINK AND KITCHEN UNITS

- ☐ Check for leaks under sink on waste pipe and supply pipes
- ☐ Check the functioning of taps
- ☐ Inspect the splash area for cracked or loose tiles
- ☐ Check the seal between the splash area and the sink
- ☐ Check all door and drawers in units are properly fitted and open and close easily

BATHROOM / WC

- ☐ Check leaks from WC
- ☐ Check leaks from waster water preventer
- ☐ Check tiling and splash area around bath, and sealant between bath and splash area, and bath and wash handbasin
- ☐ Check that WC pan and bath are securely fixed to the wall and to the floor
- ☐ Check the functioning of taps
- ☐ Inspect the condition of the WC seat and ensure that it is properly fixed

GENERAL ITEMS

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Inspect all floor coverings left by outgoing tenant to see whether any should be retained. If not, specify removal of all floor coverings

- ☐ Always specify the removal of all rubbish and surplus/redundant furniture
- ☐ Examine the state of decoration
- ☐
 - a) whether PRHA should redecorate before re-letting, or
 - b) whether PRHA should provide money for paint, or
 - c) whether the property can be re-let without further attention
- ☐ Where immersion heaters are installed, check that they are properly lagged

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App 3

VOIDS PROCEDURE RECORD SHEET

Address

.....

Unit number

.....

Property type and size

.....

Name of former tenant

.....

	DATE	Rent Week	OFFICER
Notice received / Void indicated			
Tenancy terminates / Void created			
Change in property sent to admin			
Confirmation letter sent to tenant			
Pre-void inspection			
Change in property actioned by admin on			
Void Inspection			
Electric check ordered			
Property correctly coded by admin			
Available to let			
Let			

KEYS:

Keys to be received by		
Keys to estate staff		

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Keys received on		

IMMEDIATE RE-LET?

Yes – code 2	No – code 3 or 6	No – code 04	No – all other codes
See Letting Policy, Red 300	See Quality Maintenance Manual	See procedure on Squatters and Unauthorised Occupiers	Refer to PROJECT MANAGER

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App 4

Dear

Re: Termination of your tenancy

I understand that you intend to terminate your tenancy of on

According to your tenancy agreement, you must give at least 28 days notice in writing to end on a Monday, if you wish to end your tenancy. Therefore your tenancy can end on and rent will be due up to the end of that period.

Please make sure that payment of £..... Is made before that date in order to leave you rent account clear at the end of your tenancy.

At the end of your tenancy, you must ensure that the property and all Landlord's fixtures and fittings (such as kitchen units, door handles etc) are present and are left in good lettable condition and repair and free from rubbish, in accordance with your tenancy agreement. If you do not do this, you will be charged for the cost of cleaning or repairs which are your responsibility. The Association can accept no responsibility for any belongings left in the property when you leave.

The keys to the property should be returned to the area office on the date the tenancy ends. If the keys are not returned by that date, you will be charged with the costs of changing the locks.

I would like to visit you on at to carry out an inspection of the premises. If this time will not be convenient, I would be grateful if you would contact me as soon as possible to arrange an alternative appointment.

I would be of great assistance if you would indicate on the form times when you would be prepared for a prospective new tenant to view the property. Your co-operation in making access available would be greatly appreciated, as it will allow us to let the property quickly.

Please can you sign the copy of this letter which is attached and return it to me within 7 days in order to indicate your agreement to the above requests.

Yours sincerely

Providence Row Housing Association

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I/we wish to terminate my/our tenancy, and I/we understand that it will end on
 I/we agree to comply with the requests listed above.
 Viewing would be convenient on or by telephoning
 Signed Signed Date
 Forwarding address

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App 5

NOTICE TO QUIT

To: (name) of (address)

I, on behalf of your landlord, Providence Row Housing Association of 458 Bethnal Green Road, London, E2 0EA give you NOTICE TO QUIT and deliver up possession to Providence Row Housing Association of 458 Bethnal Green Road, London, E2 0EA..... on (date) or the day on which a complete period of your tenancy expires next after the end of four weeks from the service of this notice.

Date

Signed

INFORMATION FOR TENANT

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1. If the tenant does not leave the dwelling, the landlord must get an order for possession from the court before the tenant can lawfully be evicted. The landlord cannot apply for such an order before the notice to determine has run out.
2. A tenant who does not know if he has any right to remain in possession after a notice to quit or a notice to determine runs out can obtain advice from a solicitor. Help with all or part of the cost of legal advice and assistance may be available under the legal aid scheme. He should also be able to obtain information from a Citizens' Advice Bureau, a Housing Aid Centre or a rent officer.

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