



Void and Letting Management Policy

Version:	2
Date of SMT Approval & effective date:	15 th January 2025
Last Reviewed:	8 th June 2022
Next review date:	June 2027
Document owner	Housing Manager/Property Manager

Introduction

Empower Housing Association (EHA) strives to offer a home for life to our tenants. There are occasions when a tenancy will come to an end earlier than we would hope. Empty homes (voids) may arise due to a formal termination of a tenancy, a tenant transferring to another tenancy or the death of a tenant.

it is EHA's responsibility to inform the relevant partner when a void occurs and to invoice for the void rent loss as appropriate. This income is crucial to ensure EHA can continue to improve, invest in its homes and offer value for money services to tenants.

Local Authorities, Care Providers and partner agencies are generally liable for rent loss on properties that become vacant where a Management Agreement or Managed Lease is signed.

Local Authorities, Care Providers and partner agencies will remain responsible for void costs until a suitable referral is identified and a tenant moves into the property/void bedroom.

All invoices will be raised in line with the terms of the relevant agreements.

EHA aims to let every property to a tenant who is best matched for that property, and letting every wheelchair accessible property to tenants whose needs require this level of space and adaptation. Each tenancy offered is based on the promotion of the tenant's best interests, rights, and choice.

We will endeavour to let all properties as quickly as possible to ensure that homes do not remain empty for long periods of time.

Scope of the Policy

- To provide clear guidance for EHA's Housing Management, Maintenance and Finance teams on managing void properties.
- This policy applies to all rented property owned and managed by EHA.
- Day-to-day responsibility for the operation and monitoring of this policy lies with the appropriate managers.
- All relevant colleagues have a responsibility to ensure that this policy is applied as instructed.

The Policy

Void management covers several related activities including:

- Tenancy termination
- Tenancy termination on the death of a tenant
- Property inspections
- Identifying rechargeable works
- Ordering and supervising repair work
- Offering tenancies and assisting new tenants to move into our homes

- Creating tenancies, signing tenancy agreements, submitting housing benefit claims

Tenancy Termination

All Tenants are required to meet their obligations contained within their Tenancy Agreement. Tenants are required to give at least 4 weeks written notice to terminate a tenancy, unless a shorter notice period has been agreed with EHA, notice will end on a Sunday. The property/bedroom should be left in an acceptable condition, excepting for fair wear and tear.

An End of Tenancy Booklet will be provided to the tenant and their representative detailing their rights and responsibilities when ending their tenancy. The booklet is required to be completed in full and returned to EHA to allow for the tenancy termination to be processed.

Upon receipt of the End of Tenancy Booklet EHA will notify Housing Benefit (HB) of the tenant's wishes and request for their claim to be cancelled in line with the notice period. Tenants in receipt of HB must continue to pay their rent in full and must ensure any arrears owed to EHA are cleared prior to the end of the notice period.

Any tenants who pay their own rent directly to EHA will be advised on the status of their rent account and must agree to pay any outstanding debts before the tenancy ends.

All rent due should be paid in full.

Tenants will be required to vacate the property by noon on the Monday after the tenancy end date otherwise they will be liable for a further week's rent (referred to as mesne profit) for use and occupation of the property.

Death of a Tenant

Where the termination of a tenancy is due to the death of a tenant the termination date will be the date on which the tenant died. The tenant's representative will have four weeks to remove personal belongings and furniture from the bedroom/property during which time no rent will be charged.

With due sensitivity, EHA will advise the tenant's representative of any outstanding rent or issues which will result in a recharge liability, and that this will be charged against the tenant's estate unless addressed by their representatives. A Tenancy Termination letter will be sent to the tenant's representative under these circumstances.

If, following the death of a tenant we are unable to end a tenancy due to the tenant having no next of kin, representative or Will, we would serve a notice to quit that is addressed to "The Personal Representatives of" the deceased (naming the tenant) and deliver it to the last known address. A copy of this notice should also be served on the Public Trustee.

Property Inspections

Where a notice to terminate a tenancy is received, an initial inspection of a bedroom/property shall be carried out by EHA prior to the tenant vacating the property.

The purpose of this inspection is to check the general condition of the bedroom/property and to advise the tenant and their representative of what is required to end the tenancy satisfactorily. This will cover obligations such as any work required to be done by the tenant prior to ending the tenancy.

Rechargeable repairs

At the property inspection the tenant and their representative will be advised that EHA will recharge the tenant if any agreed works have not been completed prior to vacating the property. This will include tenant damage, decorating, disrepair or neglect, changing locks or replacing keys for external doors and for the cost of removing rubbish, furniture or personal belongings.

We will write to the tenant confirming what work is required and that this will be recharged if not completed to a satisfactory standard. An estimate of the cost of doing the work will be provided to the tenant with a 10% administration fee added.

Tenants will be recharged the full cost of the works required if they are not completed or completed works to the required standard.

Vacant possession

EHA's Property Manager will arrange to meet with the tenant and/or their representative at the property on the last day of the tenancy to complete a full property inspection, take final meter readings and collect all keys. While a property is empty EHA may take the opportunity to carry out major repairs and/or major component replacements and planned maintenance works.

Any alterations & improvements carried out by the previous tenant have either been approved by us and are of an acceptable standard or, if they have not been approved by us and are of an unacceptable standard then they are removed and the property is re-instated with the costs being charged to the former tenant. We will give the outgoing tenant an opportunity to return the property to its previous standard before giving up the tenancy as part of pre termination inspection

Any non-standard fixtures that are left by the previous tenants will be gifted to the incoming tenant only where they are to an acceptable standard and fit for purpose.

EHA may carry out decoration works to the bedroom/property while it is empty, as required.

Once properties are vacant, EHA will require fortnightly health and safety and security checks to be undertaken by the keyholder in line with the property insurance. Any issues noted during the fortnightly inspections must be reported to EHA as soon as possible in order for them to be addressed and actioned in line with our Repairs Policy.

Void repairs (Lettable Standard)

The Property Manager will identify and complete all necessary repairs to enable a property to be re let as soon as possible. All repairs will be completed to EHA's Minimum Lettable Standard (Appendix 1).

Throughout the void repair process, the Property Manager will take a proactive approach to ensuring that the Housing Management team are kept closely informed of the progress with repair works, and the anticipated date of the property being available for occupation.

Repairs will be classified into two categories:

- Essential repairs that must be completed while the property is empty (including safety checks); and/or
- Non-essential or minor repairs that can be completed once the new tenant has moved into the property.

The condition of the properties major components may be surveyed at this time to ensure that the planned life cycles are in line with the needs of the property.

EHA may use the void period on a fully vacant property to bring forward any work that may cause major disruption to the incoming tenant or may be difficult to undertake once the property is occupied, such as major or programmed improvement works.

All void work will be undertaken by EHA's own work force or appointed contractors, and post inspected to ensure work is completed to a satisfactory standard in relation to time and quality.

Creating tenancies, signing tenancy agreements, submitting Housing Benefit claims

The Housing Management team will aim to let a property within a reasonable timeframe, usually within 4 weeks of receiving a nomination. As part of this process the incoming tenant will receive an offer letter, and suitable arrangements will be made for the new tenant to sign the tenancy agreement. All tenants will complete an Income and Expenditure form and if required an application for Housing Benefit to assist in meeting rent costs, this can be completed by the Housing Management Team on the tenant's behalf upon request. All new tenants will receive help and support with claiming housing benefit from EHA's Rents Department.

All individual tenants will be issued with a copy of electrical, gas and EPC certificates in compliance with our legal requirements on sign up of their new tenancy.

Offering tenancies and assisting new tenants move into our homes

EHA provides tenancies for individuals requiring varying levels of support where the environment plays a key part to their independence. EHA aims to ensure that any nominations for tenancies are appropriate and suitable for both the incoming tenant, and any existing tenants at the property. Existing tenants in shared housing are directly affected by the selection of incoming tenants, as are tenants in schemes with shared facilities.

Nominations

EHA hold nomination agreements with Local Authorities or Care Providers for all of the properties we manage

Tenant nominations can impact significantly on the sustainability of tenancies and the right for tenants to enjoy peaceful occupation of their homes.

To qualify for exempt status from the Regulatory Standard in providing Specialist Supported Housing (SSH), tenants must receive a high level of support which equates to the level of support provided in a care home. As EHA only provide Specialist Supported Housing, nominations for tenants must satisfy this criteria.

In accordance with the Regulator of Social Housing (RSH) Consumer Standards this Policy aims to ensure that EHA:

- Let's homes in a fair, transparent and efficient way
- Considers the housing needs and aspirations of tenants and potential tenants
- Makes the best use of available housing
- Lettings are compatible with the purpose of the housing
- Homes are good quality, well maintained and safe & secure for tenants¹

When allocating supported living accommodation, EHA complies with Regulatory Standards, regulations linked to the Health and Social Care Act (Regulated Activities) Regulations, commissioning referral processes, nomination agreements with placing authorities, all other relevant Legislation and this Policy.

Due to the geographical spread of our homes EHA receive nominations from Local Authorities (who are aware of housing needs in their area) rather than operating housing registers.

Referrals for supported living accommodation will be considered by EHA and decisions will be based on the eligibility criteria for this service, a Housing Needs Assessment and referral information received.

All nominations must have:

- The ability to meet the rent and service charge payments. This includes applicants who would be entitled to Housing Benefit
- A demonstratable need for supported accommodation. Where necessary, evidence may be required of an applicant's entitlement to a funded support package. This includes obtaining commissioner approval

- Demonstratable evidence that the suitability of the tenancy has been considered, including any impact on other tenants.

EHA will not exclude any application on the grounds of any protected characteristics.

In order that applicants are considered for vacancies which will meet tenants needs a Tenant Application Form will be completed. This will allow all parties to detail any specific requirements, and support needs that the applicant may have and agree the suitability of the nomination.

If a referral for a place in a supported living scheme is rejected, the reason for the rejection will be communicated to the applicant and the person who made the referral or nomination, along with any information about alternative supported living schemes. An applicant can submit an appeal within 28 days from the date of the decision letter and provide additional information to address the reasons for rejection.

The appeal will be reviewed by the Director of Operations & Housing. The applicant will be informed of the outcome, could either uphold the original decision or overturn it, leading to the application being reconsidered. If the appeal is unsuccessful or the applicant is not satisfied with the how their application and appeal has been handled in line with this policy, the applicant may wish to submit a complaint which EHA will review in line with the Association's Complaints & Feedback policy and procedure.

Tenancy Sustainment

EHA will seek to minimise unnecessary empty homes by providing intensive housing management to support vulnerable tenants with financial inclusion support and signposting (relating to benefits, utilities, debt or budgeting), through the installation of adaptations via a Disabled Facilities Grant (DFG), so that tenant's needs can be met allowing them to remain in their home. With the provision of housing related support, we can support our tenants to maintain their tenancies by understanding their requirements.

Helping People to Make an Informed Decision

Where practical, prospective tenants will be given the opportunity to visit and if appropriate, stay for no longer than 4 nights at the supported living scheme they have applied for. They will be given suitable information to allow them to make an informed choice about the suitability of the accommodation along with the level of care, support and supervision provided by the nominated Care Provider.

Funding

Before a place in a supported living scheme is confirmed, an applicant will need to have entitlement to funding that is adequate to meet their needs or be able to demonstrate that they have the means to pay the rent, personal care and support charges or are eligible for Housing Benefit.

Financial Restrictions

We will assess an applicant's financial situation from the information provided in the Income and Expenditure form to determine their eligibility for housing benefit.

- The applicant's income and savings will be evaluated to see if they can afford other housing options.
- Any savings or capital that the applicant has will be considered, as it is expected that the applicant will use these funds to pay for their own rent if over £16,000.

Responsibilities

The Housing Manager and Property Manager have the responsibility to ensure that all empty homes and lettings are dealt with in accordance with this policy.

Related Legislation, Regulation and Codes of Practice

- Social Housing Regulation Act 2023
- Regulator of Social Housing (RSH) Consumer Standards
- RSH Tenancy Standard
- Building Regulations Act 1984
- Decent Homes Standard 2006
- Environmental Protection Act 1990
- Gas Safety (Installation and Use) Regulations 1998
- Health and Safety at Work Act 1974
- Housing Act 1988
- Housing Act 2004
- Housing Health and Safety Rating System 2006
- Landlord and Tenant Act 1985
- Localism Bill 2011
- Management of Health and Safety at Work Regulations 1999
- Supported Housing Regulatory Oversight Act 2023

Related Policies, Procedures and Documents

- Tenancy Agreement
- Repairs Policy
- Tenancy and Tenure Management Policy
- Application for Housing Policy
- Aids and Adaptations policy
- Income Collection and Arrears Policy
- Equality, Diversity and Inclusion Policy
- Reasonable adjustments

Reporting and Monitoring

The activities covered under the Void & Lettings Management Policy will be subject to performance monitoring on a continuing basis. EHA will report on our key performance areas to our Management Team, the Board and our tenants. KPI's

will include lets per month, percentage of bedspaces tenanted and income lost due to voids.

If any significant issues arise, these will be dealt with by the Director of Housing and Operations who will report such matters to the CEO / Board.

Consultation and Publicising Policy

Managers and colleagues in the appropriate teams have been consulted about this Policy

The Policy will be added to the website so all tenants and those working with our tenants can access the Policy

Review

The policy will be reviewed every three years (or sooner if there is a change in regulation, legislation or codes of practice).

Equality Impact Assessment

An Equality Impact Assessment has been completed for this policy.

Appendix 1

Minimum Lettable Standard

It is EHA's policy that the following minimum standards should be achieved for all voids (including bedrooms and fully vacant properties):

Works	Minimum Standard
Potential Risks and Hazards	Free from risks and hazards to health and safety (HHSRS)
General Cleanliness	The bedroom/property will be cleared of furniture, carpets (if needed) and belongings/rubbish from the previous tenant. Floors will be swept out, kitchen and bathrooms' surfaces to be washed down & free from damp mould & dirt. Any loft spaces, basements and out-buildings should be emptied.
Garden Areas	Gardens attached to the property will be cleared of rubbish. Broken or hazardous fencing should be removed. Paths and steps should be free from trip hazards.
Electrics	All electrics must be checked, and a certificate of inspection retained by EHA. Alterations to the electric system clearly undertaken by the tenant must be removed unless compliance certificate covers them. Certificates to be issued to all new tenants.
Gas	All houses with gas central heating to have a full gas safety check undertaken and compliance certificate issued to new tenant.
Smoke Alarm	All smoke and CO alarms will be inspected to ensure all are within a valid expiry date..
Water Supply	During severe cold spells consideration will be given to whether stopcocks will be shut off and the water supply drained down.
Windows	All windows will be fully operational and checked for safety. Window keys will be issued to tenants where we have fitted locks.
Front Door	Minimum mortice on timber door or security lock on glazed door. Check for security and draughts/water ingress.
Internal Doors	All internal doors should be intact and operating properly. Bathroom doors will have a locking device. Door closers will be operating where fitted.
Floors	All loose and missing floorboards to be re-secured/replaced. Floor surface to be even to allow carpets to be laid.
Lighting	There is a minimum of one ceiling light fitting in each room and all staircases have lighting (including in communal areas of flats)
Heating	All habitable rooms have a radiator or other source of heat.
Stairs	Minimum of one handrail per staircase. Handrails, steps, balustrades, newel posts, and treads will be securely fitted.
Skirtings and Facings	Missing or badly damaged skirting/facings to be replaced. If possible, to repair – will be re-secured and filled where necessary.
Bedroom Cupboards	Missing shelves or hanging rails to be replaced

Hall Cupboards	Missing shelves or hanging rails to be replaced
Shower unit	Any electric showers will be included in the electrical check, if faulty they will be replaced.
Bathroom	Bathroom suite will be checked for chips/cracks, sealed & disinfected.
Kitchen	There will be adequate work surfaces that are clean, secure and in good condition. A sink unit with a drainer, plug and taps in good working order. Plumbing for washing machine. Adequate electrical points for kitchen appliances, including a dedicated electrical cooker point. Sufficient storage units that are clean, secure and in good condition. Adequate ventilation to prevent damp and mould growth.
Internal walls / ceilings	Internal walls and ceilings will be free from significant cracks, holes or damage. They will be clean and free from damp, mould or mildew. Any damaged plaster or wall/ceiling coverings will be repaired or replaced.
Decorating	Walls will be painted or decorated to a reasonable standard.
EPC	An up-to-date Energy Performance Certificate (EPC) should be provided to all new tenants.