

# Appendix B

## Briefing Note

To:	Budget and Performance Panel
From:	Head of Health and Housing Services & Head of Environmental Services
Date Requested:	17 July 2012
Date Circulated:	4 September 2012
Subject:	Damage to Council Houses and the State Some Homes are Left in by Some Residents

### Questions From Budget and Performance Panel 17 July 2012.

- **What are the terms, conditions and legal obligations on the tenant's agreement? Do we have a policy on responsible ownership?**

The council's tenancy agreement covers all aspects of a tenancy including rent and other charges, repairs and improvements, community responsibilities, using your home, tenant involvement, moving house, and ending your tenancy. The tenancy agreement was reviewed in 2008.

The tenancy agreement is comprehensive and sets out the tenants responsibilities and promotes "responsible ownership".

The council also has an anti-social behaviour policy which also covers unintentional damage to property, and other aspects of behaviour of tenants, their household and their visitors.

- **Can it be subject to changes if our policy need to be reviewed?**

The tenancy agreement can be reviewed and is subject to a statutory process of consultation.

The anti-social behaviour policy is currently under review.

- **How quickly do we check a home if we get complaints from a neighbour, for example overgrown gardens & run down state of the property?**

Our standards in response to individual reports are:

- Every report will be quickly and formally acknowledged
- Every report will be investigated by the tenancy and estate management team
- Investigations will seek to identify and interview all interested parties
- Investigations will start at the earliest possible time after receipt of the complaint and be conducted with all reasonable speed
- We will not pre judge any complaint – decisions and actions will be based on facts
- Every report will be graded to assist in prioritising our initial response

The Estate Manager will normally make contact with a complainant within 5 working days and will agree an action plan.

- **Do we call in on the day the tenants vacate the property to check that it is not trashed and left in a desperate state?**

We do not call in on the day a tenant vacates a property but we aim to undertake a pre-vacation visit during the period of notice.

The purpose is to enable the Inspector to carry out a full inspection of the property noting the time scale for carrying out repairs, repairs which will be rechargeable to the outgoing tenant and the decoration of the property prior to the tenant leaving; this is supplemented by a full inspection once the keys have been received and the property is fully empty.

In addition the estate manager also visits to reinforce the requirements of what the tenant needs to do when moving out.

- **The tenant hands in the keys on leaving at the Council office? Is this best practice!**

The current arrangements regarding the handing of keys in are inline with “best practice”. The council regularly reviews its processes in relation to empty (void) property management looking at the practices of other social landlords, and developments in the managing of voids. A further joint review of the void management process is being undertaken by the Health and Housing Services and Environmental Services who share the responsibility for ensure effective management of the overall process.

- **What is the turn around in Council housing?**

	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12
Number of properties relet	322	351	345	352	423	294	323

	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12
Average relet times (cal. days)	35	38.3	32.2	41.89	37.8	38.31	49.9

- **Has the housing department ever considered checking and collecting the keys from the tenant’s home on the day they leave?**

This has been considered in the past but had not been found to be practical nor cost effective. Health and Housing Services and Environmental Services are looking at all aspect of the process as part of the current review

- **We reward council tenant’s £75 cash if they leave the house in good condition. How much do we spend on this incentive per year? Given that money is tight, should we continue this scheme?**

The scheme we have adopted is an example best practice and is a common measure within the social housing sector. Current take up is low and over the last three years only a total of £750 has been paid out. Given the low take up, the financial impact is negligible, and consideration is being given to increase the incentive as part of the current review of void management.

- **Should the tenant not have a duty of care to the property?**

All tenants have responsibilities through a legal implied obligation to use a property in a tenant like manner. In theory damages are recoverable against a tenant who is in breach terms within the tenancy conditions either expressed or implied. Whether this is an appropriate remedy in practice will depends on the facts of each case and in particular on the financial means of the tenant. Where a tenant is without means there is no point in pursuing him or her for damages.

- **How much do we spend on refurbishing trashed up homes per year in our district?**

It is not possible to provide the spend for refurbishing “Trashed up homes” but the overall costs of bring void properties back up to the council’s lettable standard can be provided together with the level of charges made to ex-tenants for the proportion of repairs that are “not deemed fair wear and tear”. The costs related to repair that are “not deemed fair wear and tear” have fallen over the last two years and appear to be continuing to reduce.

	2010-11	2011-12	2012-13
No voids	312	347	82
Total Cost of Void Repairs	£379,184.00	£397,817.00	£68,716.00
Average Cost of Void Repairs	£1,215.33	£1,146.45	£838.00

Of which:

Void Repairs Recharged	£77,812.00	£57,071.00	£2,392.00
Average recharge	£249.40	£164.47	£29.17
Percentage of recharge	20.52%	14.35%	3.48%

- **Why is it difficult to trace a tenant when they leave Lancaster for non payment and also trashing homes?**

The majority of tenants leaving with debts are traced. The council uses “Experian” and this is a very effective tool for tracing past tenants as part of the debt recovery processes.