

## BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

<b>From: Joint Housing Board</b>	<b>Report Number: R20</b>
<b>To: Strategy Committee Executive Committee</b>	<b>Date of meeting: 9 July 2015 13 July 2015</b>

### RECHARGEABLE HOUSING REPAIRS POLICY (DRAFT)

#### 1. Purpose of Report

- 1.1 The joint Rechargeable Housing Repairs Policy aims to provide a fair and consistent approach to recharging, minimising tenant debts in this area and increasing funds within the Housing Revenue Account.
- 1.2 The policies and practices in place in both MSDC and BDC were due for review and this has been carried out with the intention of aligning current practices, introducing best practice and implementing a single policy across both Councils.
- 1.3 Both Councils are committed to providing a cost effective, efficient repairs and maintenance service whilst meeting all their legal and contractual obligations as landlords. This policy aims to define a clear standard by which staff can identify a rechargeable repair, apply the policy clearly, consistently and fairly and adopt a proactive approach to advising tenants of their responsibilities.
- 1.4 The policy has been written in line with strategic priorities:

##### MSDC

*Ensure that there are enough good quality, environmentally efficient and cost effective homes with the appropriate tenures and in the right locations.*

##### BDC

*Shape, influence and provide the leadership to achieve the right mix and supply of housing.*

Both Councils have a shared philosophy to be *smaller, smarter and swifter* in light of pressures on local authority resources. This policy aims to maximise resources by collecting payment for rechargeable works where possible, contributing to keeping the Housing Revenue Account in a healthy state.

- 1.5 The policy is intended to remove ambiguity that may have arisen over the passage of time and to provide clear guidance to operational delivery teams. Detailed procedures and training will be put in place to enable staff to uphold the policy with confidence and integrity to the benefit of both councils and their tenants.

#### 2. Recommendations

- 2.1 That the Rechargeable Housing Repairs Policy attached as Appendix 1 to this report be adopted with an implementation date of 1 August 2015.

- 2.2 That the Head of Housing, in consultation with the Chairmen of the Executive and Strategy Committees, be authorised to agree any minor changes to the Rechargeable Housing Repairs Policy.

The Committee is able to resolve these matters.

### **3. Financial Implications**

- 3.1 This policy is intended to contribute to maintaining the condition of housing stock and maximising income to the Housing Revenue Account.

### **4. Risk Management**

- 4.1 This report is not linked to any Strategic Business Risks detailed in the Integrated Significant Business Risk Register.

### **5. Consultations**

- 5.1 The policy has been produced in consultation with the Babergh and Mid Suffolk Tenants' Forum and with colleagues in housing, legal, finance, corporate organisation and audit.

### **6. Equality Analysis**

- 6.1 As part of our duties and commitments to delivering equalities throughout everything that we do, an initial Equality Impact Assessment (EIA) was carried out to assess whether this strategy might have a negative impact on a particular group or person. This did not identify any part of the community or any individual which would be adversely impacted by the implementation of this strategy.

### **7. Shared Service / Partnership Implications**

- 7.1 This single integrated policy draws together elements of the policies previously in place at BDC and MSDC, combined with best practice from external sources to deliver an optimum common approach.

### **8. Key Information**

- 8.1 A key activity of the Housing service is to maintain our houses to the highest standard possible by managing the repairs and maintenance budget and using the rent we collect effectively.

- 8.2 It is recognised that most tenants act responsibly and maintain their homes to a satisfactory standard and condition but on occasions repairs are required which are the tenant's responsibility and the councils need to act quickly to prevent the property from deteriorating by undertaking the repair and recovering the cost from tenants. Recharging for these repairs can provide much needed income for the councils and help to contain the costs of the service and rental levels for all of the councils' tenants.

## 9. Summary of changes upon adoption of this policy

- 9.1 All instances of rechargeable repair identified by e.g. the tenant or a housing officer will be visited by a specialist Housing Repairs Officer who can advise the tenant of the options available to them. This, together with a set of standardised templates for letters to tenants will improve consistency of advice and fair application of the policy.
- 9.2 Where a rechargeable repair is identified tenants will be offered the opportunity to carry out the repair themselves which would then be inspected on completion. Previously this option has only been available to tenants ending a tenancy and moving out of a property.
- 9.3 Where the tenant waives the option or fails to carry out a rechargeable repair themselves they will be offered the opportunity to pre-pay for the rechargeable repair to be carried out by the Council at a discounted rate compared to paying after the work is completed. Pre-payment will reduce the risk of bad debt and the cost of debt recovery.
- 9.4 All rechargeable repairs will be recharged to the tenant except in cases where it would cause extreme hardship. Appeals will be at the discretion of a Corporate Manager.

## 10. Appendices

Title	Location
1 Draft Rechargeable Housing Repairs Policy	attached

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## Babergh and Mid Suffolk District Councils

### Rechargeable Repairs Policy (Draft)

#### Introduction

This is Babergh and Mid Suffolk Councils' first joint recharges policy. Both Councils are committed to providing a cost effective, efficient repairs and maintenance service whilst meeting all their legal and contractual obligations as Landlords.

Both Councils are committed to ensuring that current properties are maintained to acceptable standards and meet Decent Homes standard.

By creating this policy, we aim to define a clear standard by which staff can identify a recharge, apply the policy clearly, consistently and fairly and adopt a proactive approach to advising tenants of their responsibilities.

Within this policy a Recharge can be defined as follows:

***“An amount owed to the Council by a current or former tenant or leaseholder to cover the costs of void property and repairs work that has been or is to be carried out to property that is owned by the Council but where the costs are the responsibility of the tenant, former tenant or leaseholder”***

During the life of a tenancy most repairs arise from normal wear and tear and are repaired in accordance with the current Repairs and Maintenance procedure.

However there are occasions when this is not the case and necessary repairs are the result of accidental or wilful damage and/or neglect by the tenant, their families or their visitors.

In the interests of fairness to a larger section of the councils' tenants all reasonable efforts should be made to recover recharges in such circumstances. This will also promote tenant responsibility.

The tenancy agreement is a legally binding contract which requires tenants to take responsibility for the conduct of everyone including any pets, visitors to the property and any communal area. In order for the housing service to be cost-effective it is important that staff make it clear to tenants what is expected of them and that tenants comply with the agreement.

#### Policy Aims

- To maximise the resources available to allow re-investment in our stock and to provide services to our customers.
- To maximise the resources available to allow investment in the provision of new council homes for those in housing need.

- To avoid recharging where possible.
- To promote fairness.
- To ensure adherence to the tenancy agreement.
- To make clear tenant and staff responsibilities.

### Options for tenants

To ensure fairness and consistency in most cases tenants will be given the opportunity to rectify works identified as rechargeable within a defined period of time - there will be some exceptions to this. See Appendix A.

If the tenant waives this option or fails to carry out or rectify rechargeable work to an agreed acceptable standard, a recharge will be raised and the full cost of the work plus an administration fee and VAT where applicable will be recovered from the tenant.

Where the Council is to carry out the repair, tenants will be offered the opportunity to pay in advance with the incentive of the admin fee being waived.

### Responsibilities

**Tenants** are responsible for:

- Carrying out any repairs which fall under their areas of responsibility, in line with their tenancy agreement
- Obtaining permission before carrying out alterations or additions to their property
- Repairing any damage they cause or meeting the costs if “the council” carries out the work on their behalf
- Ensuring prompt payment for rechargeable items

**Housing Management:** staff are responsible for:

- Identifying rechargeable repairs and keeping records/evidence in line with the procedure  
In the case of tenancy termination:
- Carrying out a pre-termination visit
- Agreeing with the tenant what items can be left in the property on termination of the tenancy
- Identifying tenants who may be exempt from paying for rechargeable items
- Advising any prospective tenant of their obligation to pay any recharge prior to any new offer of accommodation being made.

**Asset Management:** staff are responsible for:

- Identifying rechargeable repairs and keeping records/evidence in line with the procedure

- Raising a job with appropriate recharge code to allow identification of invoice to be raised
- Identifying tenants who may be exempt from paying for rechargeable items

**Finance:** staff are responsible for:

- Creating an account to allow the invoicing of rechargeable items
- Raising and issuing an invoice to the current or former tenant for the recharge
- Implementing effective procedures to maximise collection of the income owed to the Councils from current and former tenants

Staff who carry out home visits should take note of any damage or unauthorised alterations to properties and report them upon their return to the office.

A full procedure guide will be made available to all housing staff to ensure that they are aware of the processes involved and that processes are consistently applied.

### **Exceptions**

Consideration will be given in exceptional circumstances which indicate that recharging will cause extreme hardship. Such cases will need to be agreed by a Corporate Manager.

### **Appeals**

Where a tenant considers that the proposed recharge is unfair, appeals will be referred to the Corporate Manager – Asset Management for a decision.

### **Accidental Damage**

Tenants are responsible for any accidental damage. Tenants may be able to claim the cost of repairing this damage against their Household Contents Insurance.

### **Criminal Damage**

If a tenant has been the victim of a crime and criminal damage has been caused, it must be reported to the Police and the Council. A crime number must be obtained from the police, otherwise this will incur a recharge. Tenants may be able to claim on their own Household Contents Insurance for loss or damage caused as a direct result of theft or attempted theft (forced entry/exit).

### **Key contacts**

This Policy has been produced following the work of a small steering group. We strive to be open and inclusive and welcome all contribution and feedback to this work. Therefore, if you have any questions or would like more information about this Policy please contact:

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If you need help to understand this information in another language or format including large print, please call the number below

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## Appendices

A – List of works that tenants are not authorised to rectify

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## List of works that tenants are not authorised to rectify.

There are certain rechargeable works which tenants will not be able to carry out and where there will be no opportunity to prepay for the work, these are listed below.

These works refer to rechargeable work which is required due to the actions or negligence of a tenant or associated persons.

**Gas and Electric Installations** – Any damage caused to the installation, hardware, plumbing, wiring or fixtures and fittings which could present a risk to the occupier or associated persons. Any repairs required to ensure the safety of the installations would be undertaken.

**Safety Equipment** – Damage to smoke or carbon monoxide detectors or other similar devices which are designed to alert the occupier to danger, which has rendered them inoperable or unreliable. Damaged units will be replaced.

**Glazing** – Any damage to windows, doors or internal glazing which could present a risk to the occupier or associated persons. Damage to glazing will be made safe and windows will be boarded up.

**Water Leaks** – Any damage to the installation, hardware, plumbing or fixtures and fittings which could result in further damage to the property or of adjacent properties. Any repairs required will be undertaken to prevent further damage occurring.

**Communal/Common Areas** – Any damage to these areas caused will be made good to minimise the impact on other tenants, owners or occupiers.

**External Doors** – Any damage to external doors which inhibits the security of the property will be repaired in order to protect council property, Doors will be repaired where possible and full replacement will be a last resort.

**Locks** – Repairing damage to locks, changing locks or gaining access when the tenant has lost their keys or locked themselves out of the property. Note: When a tenant has lost keys or locked themselves out tenants would be allowed to arrange for a locksmith to attend at their own expense to remove and replace a barrel.

**Out of Hours** – Rechargeable work which necessitates that it has to be carried out out of hours.

**Priority Work** – Any rechargeable work which due to its nature deems it a danger which could present a health and or safety risk to the tenant or associated persons.

**Wastes and Drains** – Removing blockages, clearing and cleaning wastes and drains.