

Tenancy Management Policy



Directorate: Communities

Issue Date: June 2019

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Version: V3

Document Information

Scope:

This policy demonstrates Salix Homes' commitment to managing tenancies and delivering services in accordance with the law and our values of working.

The policy aims to:

- Ensure that all properties are kept in a well maintained condition by tenants to reduce repair costs.
- Minimise the visual disruption to our neighbourhoods by reducing unsightly gardens and abandoned vehicles.
- Ensure our neighbourhoods are places where people want to live.
- Ensure our neighbourhoods are safe for customers and free from nuisance animals.
- Ensure that all legal requirements for dealing with abandoned properties are followed in accordance with relevant legislation and the Tenancy Management Procedure.
- Minimise the rental income loss through pro-actively managing abandoned properties.

Service Standards / Performance Measures / Corporate Strategy:

Service Standards

- Salix Homes will acknowledge all reports of potential breaches of tenancy within one working day;
- All customers will be provided with an action plan of how Salix Homes intends to address the issue;
- All customers will be updated regularly by a Salix Homes Officer on how their case is being progressed.

Performance Measures

- % Reports responded to within one working day;
- % NTQ's which do not result in termination.

Document Information

Risks:

Damage to property

Risks:

- Significant neglect of property can generate considerable cost of repair and take time to rectify.
- Neglect / damage can cause repairs issues for other residents therefore incurring other costs.

Risk Mitigation:

- All signs of damage and / or neglect to be challenged as standard when carrying out a home visit.
- Where damage and / or neglect is found, a visual inspection of surrounding properties will be carried out to ensure this has not caused wider damage.

Supporting customers

Risks:

- Customers needing support may go unnoticed if not identified through poor property condition.
- Customers could feel in an unsafe environment if nuisance animals are causing problems within the area.
- Incorrect delivery of the policy could result in Salix Homes facing charges of illegal eviction.

Risk Mitigation:

- Appropriate referrals will be made for customers where applicable with their consent.
- Any dangerous animal identified or reported will be discuss with Greater Manchester Police and the Dog Warden Service.
- ICT solution in place to ensure all steps are taken to avoid illegal evictions claims.
- All cases of abandonment will be reviewed before pursuing legal action.

Lack of satisfaction with neighbourhood

Risks:

- Neighbourhoods in poor condition from abandoned vehicles or untidy gardens can lead to deterioration in the quality of life of other customers.
- These issues can create hard to let properties as customers do not want to live in untidy or unsafe neighbourhoods.

Risk Mitigation:

- Abandoned vehicle checks will be made with the Police at point of first report to remove as soon as possible.
- Garden inspection to be undertaken within five days of identification or speaking with a complainant.

Related Policy/Procedure & Documents:

- Anti-Social Behaviour, Hate Crime and Domestic Abuse Policy & Procedure

Document Information

- Pet Registration Policy
- Vehicle Registration Policy
- Empty Properties Policy & Procedure
- Storage of Goods Left in Properties Policy & Procedure

Related Legislation / Relevant Regulation:

Salix Homes is required to comply with statutory requirements and rules and guidance issued by the Government.

Whilst the following list is not exhaustive, the requirements laid out have been taken into account when formulating this policy and all staff will refer to the documents listed for further clarification or seek legal advice where necessary:

- Landlord and Tenant Act 1975
- Criminal Law Act 1977
- Protection from Eviction Act 1977
- Housing Act 1985
- Housing Act 1988
- Housing Act 1996
- ASB Crime & Policing Act 2014
- Human Rights Act 1998
- Data Protection Act 1998 (as amended by statutory instrument 2002 No. 2905)

Under Article 8 of the Human Rights Convention, as applied to public sector landlords by the Human Rights Act 1998, everyone has a right to respect for their home. This is not an absolute right therefore we are entitled to seek possession where we reasonably believe a dwelling to have been abandoned.

However, it is essential that the correct legal procedure is followed to ensure that Human Rights legislation is not breached.

Retention & Legal Basis for Storage:

All legal basis for processing are stored within the Information Asset Register.
All retention periods for storage are held within the Data Retention Schedule.

Stakeholders:

No customer or employee consultation has taken place as only minor amendments were made when reviewing the Policy in June 2019.

Data Protection Impact Assessment (DPIA)

No DPIA was performed for this policy.

Equality Impact Assessment (EIA)

No EIA was performed for this policy.

Introduction

1. This policy sets out how Salix Homes aims to manage tenancies and ensure that all tenants comply with the conditions set out in their tenancy agreement. The policy will identify processes to deal with any breaches of tenancy in a timely manner in order to best utilise Salix Homes properties and support the delivery of sustainable tenancies.

Nuisance from pets

2. Salix Homes:
 - Will take appropriate action against residents who fail to control their animals. Instances of dog fouling will be reported to the dog warden and tenancy warnings will be issued if the offence is committed within the locality of the offender's home.
 - Will ensure that action is taken where animals are causing the condition of the property to deteriorate, or where they are creating unhealthy living conditions through not being cared for in the correct manner.
 - Will ensure that animals causing a nuisance through barking or other noise will be dealt with using the Anti-Social Behaviour Policy and Procedure.
 - Will take appropriate action where residents fail to properly control their dogs in our communal open space.
 - Report any dog owners who allow their dogs to foul public areas to the dog warden service for investigation and action. We will explore training staff to be able to give out fixed penalty notices to tenants who allow their dogs to foul on our land and don't clean it up.
 - Will carry out education initiatives in support of the dog registration scheme to help our customers to keep their dogs under control.
 - Will not allow any pets in properties with a shared communal entrance and will take action to remove pets found on blocks who were not registered during the 2013 Pet Registration Scheme.
 - Will ensure that any owner of a pet not registered in the 2013 Pet Registration Scheme, is served with a 28 day removal notice as soon as the pet is identified.

Vehicle Nuisance

3. Salix Homes:
 - Will ensure that any abandoned vehicles are reported to Greater Manchester Police to establish who the vehicles belongs to. In cases where this information is unobtainable, Salix Homes will work with Greater Manchester Police to remove the vehicle from its standing as soon as possible.

- Will take action against individuals who consistently park in a manner which obstruct others from accessing their own property and causes inconvenience for pedestrians.
- Will take action against individuals who carry out vehicle repairs on their property for others in return for any cash or other form of payment.
- Will take appropriate action to deal with any abandoned and untaxed vehicles on Salix Homes owned land. If the vehicle is parked on land under other ownership, Salix Homes will liaise with the land owner to try and resolve the issue
- Will ensure that all vehicles parking on high rise blocks will be subject to a vehicle registration scheme. Any vehicle not displaying the registration permit may be subject to a 15 day removal notice being applied.

Poor Property Condition / Property Damage

4. Salix Homes:

- Will take action against those who deliberately damage their property for any reason. The tenant will also be subject to action should they allow other household members or visitors to cause damage to the property in any form.
- Will address concerns where a customer is neglecting their property. Customers have a duty to ensure all repairs are reported to Salix Homes as soon as they are identified to prevent the problem from escalating. Salix Homes will take action against those who continually fail to report repairs which lead to further damage being caused.
- Will take action against those who fail to carry out minor repairs for which customers have a responsibility. The below is a list of indicative minor repairs, however this is not exhaustive:
 - Repairing and maintaining anything that a customer has fitted to their home
 - Sealing a wash basin, sink or bath
 - Repairing minor plaster work
 - Carrying out minor repairs to internal doors, shelves, cupboards and skirting boards
 - Replacing broken toilet seats
 - Replacing lost keys
 - Ensuring that the home is effectively heated and ventilated and that any air vents are kept clear.
 - Ensuring that proper venting arrangements are made for the extraction of water vapour from appliances.
- Will take action against those who fail to keep their homes in a hygienic condition or those who keep their homes in a condition where it is untidy. Salix Homes will also make appropriate safeguarding referrals where the condition of the property is deemed to be detrimental to the health of any household members.
- Will take action against those who fail to keep their property decorated in a

suitable manner.

- Will take action against those who would carry out modifications or alterations to their property (both internal and external) without obtaining prior permission.
- Will ensure that we identify support requirements and make appropriate referrals to support agencies.
- Will take action against those who fail to keep communal areas free from obstruction.

Environmental Nuisance

5. Salix Homes:

- Will identify visibly overgrown or untidy gardens whilst working in our neighbourhoods.
- Will take action against those who fail to keep their garden tidy and maintained.
- Will support customers where circumstances dictate they are unable to carry out this maintenance.
- Will ensure that complaints of untidy gardens are acted upon with minimal delay.
- Will take action against customers who leave rubbish or bulky waste items in their garden.
- Will take action against customers who fly-tip or litter.
- Will take action against those found to have perpetrated graffiti either at their home or within their neighbourhood.
- Will take action against customer who allow their dog to foul within their neighbourhood.

Use Of Your home

6. Salix Homes:

- Will take action against those who use their property to run a business without obtaining our prior permission.
- Will take action against customers who use their property to run a business which causes nuisance or annoyance to other residents within the locality.

Access

7. Salix Homes:

- Will give all customers reasonable advanced notice should we need to access their property for any reason.
- Will take action against customers who fail to allow access to staff and contractors or any other agency when directed by Salix Homes.

Abandoned Properties

8. Salix Homes:

- Will not take possession of an abandoned property unless:
 - A court order for possession has been applied for and granted
 - The tenant has given notice to quit or notice to surrender the tenancy
 - A valid notice to quit served by Salix Homes has expired.
- Will carry out a property inspection within 24 hours of receiving a report of an abandoned property.
- Will undertake investigations to determine the validity of the report including:
 - Attempt to contact the tenant to find out if they intend to return
 - Check records for any indication of why the tenant is away i.e. extended holiday, prison, hospital stay etc.
 - Send a letter to the tenant asking them to contact us within seven days.
- Will serve a 28 day Notice to Quit by hand to obtain possession of the property.
- Will change the locks of the property upon the expiry of the 28 day Notice to Quit.
- Will interview any customer who returns following the expiry of the notice to quit and make a decision whether or not to grant a new tenancy.
- Will contact any customer (or a representative) who receives a jail sentence to establish if the tenant is prepared to relinquish or surrender their tenancy.