

**DECENT & AFFORDABLE HOMES PDG
16 JUNE 2015**

HOUSING SERVICES HOARDING POLICY

Cabinet Member Cllr Ray Stanley
Responsible Officer Housing Services Manager

Reason for Report: To explain the need for a new policy for the Housing Service relating to hoarding and to seek the adoption of this.

RECOMMENDATION(S): That Cabinet recommends the adoption of the Housing Services Hoarding Policy.

Relationship to Corporate Plan: The Council must run the Housing Service efficiently and effectively in accordance with the provisions of the regulatory framework. The Corporate Plan includes a pledge entitled “Better Homes” where the long term vision is to ensure that the housing needs of our residents are met through the provision of good quality housing.

Financial Implications: Housing management staff have to manage cases involving properties that are either cluttered or are being used to hoard large amounts of possessions, including animals, which can lead to damage to the property caused by rodent or insect infestations, blocked drains or other problems. These may also affect neighbouring properties. Rechargeable repairs costs can be inflated if there is such damage, which can prove at times difficult to recover.

Legal Implications: The Council’s tenancy agreement contains clauses relating to “condition of your home” which state that tenants should keep the inside and outside of their property in a clean and reasonable condition. The agreement also states that the tenant, their household or visitors must ensure that they do not cause nuisance or annoyance to neighbours, or cause any damage to the property.

Risk Assessment: Failure to provide housing management staff with policies to use in the course of their day to day activities could result in a less consistent and effective service.

1.0 Introduction

1.1 The Council is committed to improving the Housing Service. The implementation of a new Hoarding Policy will provide guidance for Officers to follow when responding to issues that arise when properties are cluttered or are being used to hoard large amounts of possessions including animals.

1.2 Hoarding is often described as when someone is unable to dispose of excess or unused belongings to the point where these items are “clogging up” their living space. It is good practice to put in place preventative measures to reduce health and safety risks to the tenant and others as well to reduce neglect and wilful damage to the property.

- 1.3 This policy sets out the Housing Service approach to identifying and dealing with issues of hoarding and clutter in Council properties.
- 1.4 Tenants Together (formerly Scrutiny Improvement Group) approved the draft Hoarding Policy at their meeting on 9 April 2015.
- 1.5 Members are asked to consider the content and agree the adoption of the new policy.

2.0 Overview of policy

- 2.1 The policy emphasises the need for operational staff to identify and report any concerns about the condition of properties where it has been identified they are cluttered or are being used to hoard large amounts of possessions or animals. The Neighbourhood Officer can then take relevant action to address any issues.
- 2.2 It is recognised that hoarding/clutter can become a significant health and safety risk both to the tenant, their households and any visitors to their property or neighbouring properties which cannot be ignored.
- 2.3 Hoarding/clutter can generate complaints of anti-social behaviour. These may include complaints about untidy gardens, unwelcoming odours from the property and infestation by vermin. These will be dealt with in line with the Housing Services Anti-social behaviour policy.
- 2.4 The policy acknowledges that by the time that any issues of hoarding are brought to the landlord's attention, it is likely that they will be severe, resulting in breaches of the tenancy agreement. It sets out our commitment to having Officers work with the tenant to address any health and safety concerns or breaches of the tenancy agreement.
- 2.5 Reference is made to the tenancy agreement, highlighting that tenants are responsible for the behaviour of their household and are required to comply with the terms and conditions.
- 2.6 The policy refers to the Housing Services Recharge Policy which states that any costs incurred due to neglect or wilful damage will be recharged to the tenant.
- 2.7 Although animal hoarding is more uncommon, any cases will be brought to the attention of the RSPCA and any other relevant agencies, for further advice and assistance to ensure that the welfare of any animals have been met.
- 2.8 It is recognised that there may be many reasons why a property has either become cluttered or why large volumes of items have been hoarded at the property. These may include mental health issues or be due to bereavement or shock. Therefore, Officers will work in partnership with other agencies to address any issues raised and ultimately to improve the quality of the life for the tenant and their household.

2.9 In extreme cases, it may be necessary for the Housing Service to start tenancy enforcement action. Officers will use a variety of those tools and powers available to them to address any tenancy breaches, to fulfil any legal obligations or take action where it has been identified that there is a health and safety risk which could have a detrimental effect on the tenant, members of their household and visitors or the property.

Contact for more Information: Claire Fry, Housing Services Manager (01884 234920 cfry@middevon.gov.uk)

Circulation of the Report: Councillor Ray Stanley, Management Team

List of Background Papers: A copy of such papers to be made available for public inspection and included on Website

Mid Devon District Council

Hoarding Policy

Policy Number: HSG v0.4

June 2015

Version Control Sheet

Title: Hoarding Policy

Purpose: This policy statement outlines Mid Devon District Council's (MDDC), Housing Service approach to identifying and dealing with issues of hoarding in Council properties.

Owner: Housing Services Manager
cfry@middevon.gov.uk
Telephone number 01884 234920

Date: June 2015

Version Number: v0.4

Status: New Policy

Review Frequency: Every 4 years or sooner if required and in accordance with changes in good practice and legislation

Next review date: June 2019

Consultation This document was sent out for consultation to the following:

Cabinet Member
Staff
Tenants Together
Management Team
PDG Decent & Affordable Homes

Document History

This document obtained the following approvals.

Title	Date	Version Approved
Cabinet Member		
Tenants Together	9/4/15	
Management Team		
PDG Decent & Affordable Homes		
Cabinet		

1. Introduction

This policy statement outlines Mid Devon District Council's (MDDC), Housing Service approach to identifying and dealing with issues of hoarding and clutter in Council properties. It recognises that hoarding is often described as when someone is unable to dispose of excess or unused things to the point where their belongings are clogging up their living space.

Whilst, people who clutter are more seen as someone who lets possessions to pile up in their property. However, preventive measures must be put in place to reduce health and safety risks to the tenant and others as well as to reduce neglect and wilful damage to the property. Where necessary, the Housing Service will take enforcement action in connection with any breaches of the tenancy agreement.

2. Scope

This policy sets out how the Housing Service will respond to dealing with issues that arise when properties are cluttered or are being used to hoard large amounts of possessions including animals.

This policy covers the following points and should be read in conjunction with the related documents as stated below:

- Tenancy management
- Health and Safety issues
- Tenancy home checks
- Animal hoarding
- Partnership working
- Tenancy enforcement

3. Related Documents

- a. Anti-social Behaviour Policy
- b. Decant Policy
- c. Recharge Policy
- d. Tenancy Agreement

4. Tenancy Management

- 4.1** The Housing Service has operational staff that visit tenants and their households at home. Staff are required to identify any issues that arise when properties are cluttered or are being used to hoard large amounts of possessions or animals and report them to the relevant Neighbourhood Officer.
- 4.2** In extreme cases, piles of clutter can become a health and safety risk and can result in trips, slips and falls. If the home is difficult to clean, living conditions can be unhygienic and can lead to rodent or insect infestations, blocked drains and other problems that may also affect neighbouring properties. Staff will identify any risks to

the tenant, their household, visitors or neighbouring properties and to take appropriate action in accordance with the severity of the risk.

- 4.3** Issues with hoarding/clutter can generate complaints of anti-social behaviour and these will be dealt in line with the Housing Services, Anti-social Behaviour Policy and Procedures. Complaints may include those relating to untidy gardens, unwelcoming odours from the property or infestation of vermin.
- 4.4** Housing staff are aware that there will be times where a property may be cluttered And messy and that this may be due to a lifestyle choice or lack of education. Hoarding issues are thought to be more related to mental health issues. Concerns should be directed back to the Neighbourhood Officer when discovered.
- 4.5** The Housing Service is likely to become aware of hoarding/clutter issues:-
- During routine planned maintenance works due to the property (gas services or property upgrades)
 - When complaints of anti-social behaviour are received; for example, those concerning the presence of vermin or clutter in outside spaces
 - When reports of welfare concerns from family members or neighbours are received.
- 4.6** It is common that once any issues of hoarding have come to the landlord's attention, the situation is likely to be severe resulting in breaches of the tenancy agreement. Neighbourhood Officers will raise awareness of any breaches with the tenant and will take appropriate action.
- 4.7** When an issue has been identified the Neighbourhood Officer will regularly visit the Property and will put together an action plan to work with the tenant to reduce the hoarding issues and to address any health and safety concerns. We understand that it may be a slow process in reducing rubbish and clutter from the property.
- 4.8** Tenants are responsible for the behaviour of members of their household and are required to comply with the terms and conditions of the tenancy agreement.

5. Health & Safety

- 5.1** Hoarders can accumulate volumes of rubbish or clutter leading to unsafe and unhygienic conditions to the property which can impose a significant health and safety risk.
- 5.2** It is generally not seen as good practice to completely clear the rubbish or clutter away from the property. This is due to the fact that it is unlikely to solve the problem. In addition, the clutter may often build up again. The Housing Service will work with the tenant to resolve the issue but will not offer extra storage space as this is only a quick fix, costly and does not address the problem. However, as a landlord we have a responsibility to ensure that our properties are safe to live in. If there is a detrimental health or safety risk, then any rubbish or clutter will be cleared to comply with legislative requirements.

5.3 In extreme cases of hoarding where a serious health and safety issue has been identified or where there is damage to the property, then it may be necessary for us to decant the tenant and their household to allow access to the accommodation. This will be dealt with in line with the Housing Services, Decant Policy. Any costs incurred due to neglect or wilful damage will be recharged to the tenant.

6. Tenancy Home Checks

6.1 Neighbourhood Officers will carry out tenancy home checks on all properties. During These visits they will identify if there is an issue with hoarding at the property or if access routes for emergency services are blocked. When such issues have been identified, the Officer will work with the tenant and involve relevant agencies to address the problem.

7. Animal hoarding

7.1 Animal hoarding is more uncommon. It is considered a problem if the owner:

- is not able to provide basic needs for the animals, such as food, shelter and veterinary care
- is allowing their animals to live in poor conditions – for example, overcrowding or severe lack of hygiene
- is not aware that the animals are having a negative effect on their personal health or the health of family members.

7.2 The person hoarding will often not understand they are neglecting the animals and putting their own health and that of others at risk. They often have an emotional attachment to their pets, making it extremely difficult to give up any animals during treatment.

7.3 Where cases of animal hoarding have been identified, the Housing Service will involve the RSPCA and other agencies, as appropriate, for further advice and assistance to ensure that any welfare concerns are addressed.

8. Partnership working

8.1 It is recognised that it may be necessary to involve a range of agencies to play a part in trying to reduce hoarding issues and ultimately to improve the quality of life for the tenant and their household.

8.2 The Housing Service will work with a range of agencies such as social services, community mental health teams, the Fire Service, Environmental Service and family members.

9. Tenancy enforcement

9.1 There is a variety of tools and powers that can be used to address tenancy breaches. However, it is understood that there are no “one-size fits all” solutions.

The Housing Service will liaise with experienced practitioners to achieve the best result in a given case taking into account our duty to equality and the fostering of relationships.

- 9.2** Where there is a problem with gaining access to the property to fulfil our legal obligations or where it has been identified that there is a health and safety risk which could have a detrimental effect on others, we will take the necessary legal steps to obtain an injunction. Any costs incurred in doing this will be recharged to the tenant.
- 9.3** The tenant will also be recharged for any damage to the property caused by neglect or wilful damage. This will be dealt with in line with the Housing Services, Recharge Policy.

10. Equality and Diversity

- 10.1** The Housing Service will tailor its services to meet the diverse needs of individuals. The aim will be to foster good relations with people when providing services to eliminate discrimination and to promote opportunity of equality. All action taken by us will be in accordance with the requirements of current legislation.

11. Review

This Policy has been written in line with good practice and current relevant legislation. Unless there any changes to such legislation beforehand, the next review of this Policy is due June 2019 and every four years thereafter.