

**DECENT & AFFORDABLE HOMES PDG
26 JANUARY 2016**

RECHARGE POLICY

Cabinet Member Cllr Ray Stanley
Responsible Officer Housing Services Manager

Reason for Report: To review the Recharge Policy.

RECOMMENDATION(S): Cabinet approves the revised Recharge Policy.

Relationship to Corporate Plan: The Council must run the Housing Service efficiently and effectively in accordance with legislative requirements and the provisions of the regulatory framework.

Financial Implications: The Council will recover the cost of work undertaken for tenants, leaseholders, other residents and any other organisations.

Legal Implications: The contractual obligations of tenants are contained in the tenancy agreement. Individual leases set out the liabilities of leaseholders and the responsibilities of freehold residents who reside in former Council properties are usually set out in their conveyance and any associated covenants.

Having a clearly defined policy ensures a fair and consistent approach.

Risk Assessment: Failure to provide housing management staff with the appropriate policies could result in a less consistent and effective service.

1.0 Introduction

- 1.1 The review of this policy reflects changes in good practice and legislative changes. It provides a framework for staff which sets out how they should respond to queries and tackle management issues where enforcement action is required.
- 1.2 The Recharge Policy was adopted at the meeting of the Decent and Affordable Homes Policy Development Group in June 2011. The policy was due to be reviewed by May 2015. Conflicting priorities have delayed this work.
- 1.3 The tenancy agreement clearly states that the Housing Service will recharge the tenant for any repair or replacement of items if the damage has been caused as a result of neglect, misuse or accidental damage caused by the tenant, their household or visitors to their home.
- 1.4 Tenants Together approved the draft Recharge Policy at their meeting on 10 December 2015.

1.5 Members are asked to consider the proposed changes and to agree the adoption of the reviewed policy.

2.0 Proposed policy changes

2.1 The policy has been updated and sets out how the Council will deal effectively with recharges. These may be due to damage, or for the cost of clearing redundant possessions which are left by tenants when they vacate their property, or for any non-standard alterations.

2.2 The policy has been amended to give more clarity with subheadings to reflect the different recharges which may be recovered.

2.3 A section has been added to reflect the steps that will be taken to reduce recharges. This includes reducing incidents of unauthorised and substandard alterations and neglect, misuse, wilful and deliberate damage to Council property. It explains that we will advise tenants of their responsibilities during the sign up process and identify any of the above issues during Tenancy Home Checks.

2.4 The policy introduces a section on assignment by mutual exchange. This explains how a property is inspected by us prior to a mutual exchange taking place. The purpose of this is to identify any repairs and/or tenant's improvements or fixtures which are not our responsibility to repair or maintain.

It highlights that it will be the responsibility of the incoming tenant to accept the property in its current condition. This includes advising the incoming tenant that they will be responsible for any fixtures and fittings installed by the outgoing tenant which are not our responsibility. In addition, the policy explains that the incoming tenant will take responsibility for defects caused by the outgoing tenant, for example broken door handles and holes smashed in walls.

2.5 An additional section has been added to reflect the tenant's responsibilities, which are outlined in their Tenancy Agreement. It highlights that tenants must keep their property in a reasonable condition and must leave their home clean and tidy when their tenancy ends. Tenants are advised that they will be recharged for the cost of making good any damage they have caused, for clearing, and removal of items left behind.

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