

FINANCE, AUDIT AND PERFORMANCE COMMITTEE – 6 JANUARY 2014

COUNCIL TENANT RECHARGE POLICY

REPORT OF DEPUTY CHIEF EXECUTIVE (COMMUNITY DIRECTION)

WARDS AFFECTED: ALL WARDS

1. PURPOSE OF REPORT

- 1.1 To brief Members on the development of a Recharge Policy for council tenants.

2. RECOMMENDATION

- 2.1 Finance, Audit and Performance Committee note the contents of the report.

3. BACKGROUND TO THE REPORT

- 3.1 Officers are currently developing a Recharge policy, which will sit alongside a revised Tenancy Agreement.

- 3.2 The Recharge policy will relate to both former tenants/licensees (in the form of void property recharges) and current tenant/licensees (in the form of repair recharges). It will provide a consistent and transparent approach to recharging with the aim of encouraging good tenant/licencee behaviour and to ensure tenants/licencees take responsibility for their own actions.

- 3.3 Where the council undertakes to carry out a repair that has become necessary as a result of damage caused willfully or through accident or neglect by a tenant/licencee or a member of their family or visitor to their property, the cost of the repair would be regarded as a rechargeable cost.

- 3.4 The policy will cover the following (please note this isn't an exhaustive list):

- Repairs undertaken in an emergency on behalf of the tenant/licencee e.g. lock replacement due to the fault of the tenant such as lost keys.
- Repairs needed due to damage or neglect caused by the tenant/licencee (including untidy gardens).
- Repairs for which the tenant/licencee is responsible that the council carries out. This will apply in circumstances such as where there are health and safety concerns and to prevent further damage, for example to carry out corrective work after the tenant/licencee has carried out poor quality or potentially dangerous alterations e.g. rewiring.
- Repairs to void properties that are necessary because of damage, neglect or poor workmanship by the former tenant/licencee.
- Repairs caused by malicious damage which has not been reported to the police.

- 3.5 Exceptions to the policy will be considered and written into the policy, including whether a tenant has been a victim of crime and has a crime number to cover the repair issue/damage, whether the tenant's vulnerability makes it unreasonable for them to pay and where a tenant has died and there are insufficient funds in his/her estate to pay the recharge costs.

3.6 Affordable payment plans where necessary will be put in place to ensure undue hardship isn't placed on tenants.

3.7 The policy will be developed further over coming months, with a view to implementation from April 2014 with the new Tenancy Agreement. The policy will be developed with input from tenants and full consultation with all tenants on the Tenancy Agreement and Recharge policy will be undertaken.

4. FINANCIAL IMPLICATIONS (KP)

4.1 The financial implications of the tenancy policy will be confirmed upon completion of the document and agreement of the charges. Any charges that are introduced will be based on the schedule of rates used for housing repairs, a review of which is currently being undertaken and inform the policy.

4.2 Any income received as a result of the recharge will be transferred to the Housing Repairs account as part of the HRA to be utilised for future use.

4.3 The cost of administering the scheme is thought to be minimal but will require some element of support service recharge from the debtors function.

5. LEGAL IMPLICATIONS (AB)

5.1 The policy will need to sit alongside the tenancy conditions, which will actually give effect to the policy. The policy itself will not lend the landlord additional powers to those contained in the tenancy conditions.

5.2 Paragraph 3.3 makes reference to "accident". This section of the policy (and tenancy conditions) will need to be drafted in accordance with our insurance policy, so that a conflict does not arise.

6. CORPORATE PLAN IMPLICATIONS

6.1 This report supports the following Corporate Plan aims:

- Supporting individuals

7. CONSULTATION

7.1 Consultation will take place with all tenants on the Recharge Policy.

8. RISK IMPLICATIONS

8.1 None.

9. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

10. CORPORATE IMPLICATIONS

By submitting this report, the report author has taken the following into account:

- Community Safety implications
 - Environmental implications
 - ICT implications
 - Asset Management implications
 - Human Resources implications
 - Planning Implications
 - Voluntary Sector
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Background papers:

Contact Officer: Sharon Stacey, Chief Officer (Housing, Community Safety and Partnerships), ext 5636

Executive Member: Michael Mullaney, Executive Member for Housing and Community Safety