

Epping Forest District Council

**HOUSING SERVICE STRATEGY ON
HOUSING & NEIGHBOURHOOD
MANAGEMENT**

1. Introduction

- 1.1 This Housing Service Strategy relates to the Council's approach to the provision of Housing & Neighbourhood Management Services. The Strategy sets out how this element of the service is delivered by the Communities Directorate and includes links with other services both internally and externally.
- 1.2 Housing & Neighbourhood Management is an important front-line service which covers a wide range of activities and is delivered through the Area Housing Offices. It ensures, perhaps more than any other part of the service that good landlord and tenant relationships exist so that tenants' rights and responsibilities in respect of their Conditions of Tenancy are clearly communicated and understood.
- 1.3 The recovery of rent arrears and dealing with anti-social behaviour is undertaken by the Area Housing Offices. These areas of work are not covered by this Strategy as it is covered in two separate Housing Services Strategies approved by the Housing Portfolio Holder.
- 1.4 This Housing & Neighbourhood Service Strategy together with the Strategy and Statement on Anti-Social Behaviour Policies and Procedures complies with the Homes and Communities Agency's Regulatory Framework's Neighbourhood and Community Standard.
- 1.5 This Strategy has been formulated in consultation with representatives of the Tenants and Leaseholders Federation, and includes information contained in the Communities Directorate's Policy & Procedures. The Strategy has been considered by the Housing Select Committee and was approved by the Housing Portfolio Holder in July 2015.

2. Background to Housing Management

- 2.1 The Housing Management Service is delivered through two Area Housing Offices (north and south), and the Limes Centre, Chigwell which is a sub-office of the Area Housing Office (South).
- 2.2 At each of the Area Housing Offices the Area Housing Managers have Section meetings at least every two months to ensure staff communication on policy, procedural, and performance matters etc. The Assistant Director (Housing Operations) is a member of the Communities Management Team, also comprising the Director of Communities, Assistant Director (Property & Development) the Assistant Director (Private Sector Housing and Resources) and the Assistant Director

(Community Services).

- 2.3 Comprehensive systems are in place and are detailed later in the Strategy. The efficiency of these systems are confirmed by the Housing Service being accredited with both the international quality standard of ISO 9001:2008 and the Customer Service Excellence Award for all of its services including Housing and Neighbourhood Management.

3. Aims and Objectives

- 3.1 The aim of the Council's Housing Service Strategy on Housing and Neighbourhood Management is:

“To ensure that tenants are advised in all matters relating to their tenancies whilst actively seeking to maximise the use of the Council's housing stock, improve housing estates and deal with breaches in tenancy conditions through good landlord & tenant relationships.”

- 3.2 This aim will be met by:

(a) Ensuring that all tenants are advised of their and the Council's responsibilities under the Tenancy Agreement at its commencement and throughout the period of the tenancy;

(b) Keeping close links between tenants and their Housing Management Officer to reduce the likelihood of breaches of the Tenancy Agreement;

(c) Acting in accordance with Part IV of the Housing Act 1985 (Section 87-89), the Localism Act 2011 and the Council's discretionary policy on under-occupation and succession.

(d) Consulting with tenants on issues regarding their home or local community which may affect them;

(e) Encouraging tenants to set up their own Residents Association;

(f) Taking appropriate actions to deal with breaches of tenancy conditions;

(g) Ensuring the Council's housing estates are properly maintained; and

(h) Dealing with breaches of covenants by people occupying former Council homes;

4. Statutory Requirements

- 4.1 The relevant key statutory requirements for housing management are as follows:

a) Localism Act 2011

- Requirement to publish a Tenancy Strategy and Tenancy Policy
- Powers to grant Flexible (fixed-term) Tenancies
- Protection for Pre-Act Secure (lifetime) Tenants

b) Housing and Regeneration Act 2008

- Family Intervention Tenancies
- Changes relating to tolerated trespassers

c) Housing Act 1985

- Notice of proceedings for possession or termination
- Grounds and orders for possession
- Extended discretion of Court in certain possession proceedings
- Succession
- Assignment, lodgers, and subletting
- Repairs and improvements
- Variation of terms of tenancy
- Variation of rent
- Provision of information and consultation
- Consultation on matters of housing management

5. Client Consultation, Information & Involvement (Statutory Requirement)

5.1 The way in which tenants will be consulted, informed and involved with regard to the Council's policy on housing and neighbourhood management is as follows;

- a) Consultation with the Tenants' and Leaseholders Federation;
- b) Consultation with recognised tenants' associations;
- c) Information to tenants in publications e.g. Housing News, Annual Report;
- d) Posters on services displayed throughout the District;
- e) Liaison with the Citizens Advice Bureau;
- f) One-to-one consultation with tenants;
- g) Changes in policy;
- h) Changes under Part IV, Section 102/3 of the Housing Act 1985 to amend the Standard Tenancy Agreement; and
- i) Consultation on matters of housing management under Part IV, Section 105 of the Housing Act 1985.

6. General Principles

6.1 Section 3 of the Strategy sets out the aims and objectives of housing and neighbourhood management. This Section details the general approach taken on the delivery of the service under the following headings:

7.2 Changes in Tenancy

Changes in tenancy will be managed in accordance with legislation and the Council's discretionary policies. The main types of changes are as follows:

a) Succession

Pre- April 2012 Tenancies

All of the Council's secure tenants who signed up to their tenancy prior to 1 April 2012 enjoy many rights under the Housing Act 1985 Part IV ("Tenants Charter"). One of these is the right of succession to a tenancy which takes place upon the death of the tenant. Any successor tenant who is either a spouse or a Civil Partner is able to remain at the accommodation regardless of any under-occupation. Under the legislation, in the case of succession by a family member who meets all of the rules, if the accommodation afforded by the dwelling-house is more extensive than is reasonably required by the tenant then the Council can serve a notice of seeking possession more than six months but less than twelve months after becoming aware of the tenant's death requiring them to vacate and move to smaller accommodation unless the Council's under-occupation policy applies.

Post April 2012 Tenancies – Lesser succession rights for family members

Under the Localism Act 2011, for all tenancies (including Flexible Tenancies) commencing after 1 April 2012, the right to succeed was repealed for family members. However, from 1 April 2012, all of the Council's secure tenants have been granted additional contractual succession rights within their Tenancy Agreement, in addition to those set out in the Localism Act. If at the time of the tenant's death, the dwelling-house is occupied by a family member (as defined by Section 113 of the Housing Act 1985) and not occupied by a spouse or a civil partner of the tenant as his only or principal home, the following additional rights will apply through the terms of the Tenancy Agreement;

- Provided there is no under-occupation, a family member will be allowed to succeed to the tenancy provided they meet all of the succession rules set out under the Housing Act 1985 Part IV and has been residing at the property as their only or principal home for over three years
- Where the property is under-occupied by a family member, if the family member meets all of the succession rules set out under the Housing Act 1985 Part IV and has been residing at the property as their only or principal home for over three years, they will be made one offer of suitable alternative accommodation. If the successor tenant refuses to move, then the Council will take Court action to seek possession under Ground 16 of the Housing Act 1985
- Where the property is under-occupied by a family member who has resided at the property for less than three years then they be required to vacate. If the occupier refuses to vacate, then the Council will take Court action to seek possession

b) Assignment

Under the Housing Act 1985, tenants have the right to assign their tenancy to anyone who would be eligible to succeed to their tenancy upon their death. When a formal request is received a Deed of Assignment will be signed by both parties concerned.

c) Mutual Exchanges

All secure tenants have the Right to Exchange, with tenants being able to register free of charge with HomeSwapper, which matches property swaps electronically. All mutual exchanges are administered by way of assignment, thereby protecting the rights of the tenant and the Council. Housing Services staff will visit all Council tenants seeking an exchange to give advice and assistance, inspect the condition of the properties, ensure there is a clear rent account and note any other relevant information prior to giving permission in accordance with current legislation.

d) Any Other Changes in Tenancy

Any other changes in tenancy such as name or marital status will be administered by Housing Management, with the Housing Options Section being notified. Following an investigation into the validity of the changes the tenant will be formally notified of any changes.

8. Joint Tenancies

- 8.1 When an existing tenant requests the creation of a joint tenancy, an analysis of the tenancy history will be undertaken. A joint tenancy will not be granted if there has been a previous succession to the tenancy, due to the new joint tenancy removing the succession which has already taken place. Generally, requests for joint tenancies with relatives will not be granted. In some circumstances, joint tenancies with carers may be granted, provided the carer has themselves given up accommodation to care for the secure tenant. Housing Management will observe Council policy and Government Circulars when taking decisions.

9. Introductory Tenancies

- 9.1 Under the Housing Act 1996, local authorities are given discretionary powers to operate a scheme of "introductory tenancies", whereby all new tenancies allocated are not secure until after a twelve month "trial" period. The Council's Cabinet agreed the introduction of an Introductory Tenancy Scheme, which was brought in on 1 April 2005. Introductory Tenancies apply to both Secure and Flexible (fixed-term) Tenancies. The scheme has proved to be very successful and has assisted in reducing both incidents of anti-social behaviour on estates and rent arrears.

10. Family Intervention Tenancies

- 10.1 Family Intervention Tenancies were introduced under the Housing and Regeneration Act 2008, and are designed to provide non-secure tenancies, in an alternative property, to applicants who have previously been the subject of a Possession Order made on the grounds of nuisance or annoyance and where a lower security of tenure should be provided for the purposes of providing behavioural support. Should any applicants offered a Family Intervention Tenancy re-offend then re-possession of the property through the Courts will be more easily achievable than if they were secure

tenants.

11. Demoted Tenancies

- 11.1 The Council may apply to the County Court for a “Demotion Order” to reduce the security of tenure of an existing tenant on their own home on the grounds of anti social behaviour or unlawful conduct, following the service of the prescribed notice. A Demotion Order ends a secure tenancy. If the tenant remains in occupation of the property after the date that the secure tenancy is ended, it creates, in the place of the secure tenancy, a less secure “demoted tenancy” for a minimum period of twelve months. Demoted tenants lose many of their rights including; the Right to Buy and any discount accrued for any demoted tenancy period, their right to succession, which does not apply during any demoted tenancy period and security of tenure. Demoted tenants are automatically promoted back to a higher form of security (i.e. secure tenant) after twelve months, unless there has been a further breach of tenancy during that period. The Court may then make an Order for possession if the demoted tenant, another resident or visitor has behaved in a way which is capable of causing nuisance or annoyance or if such a person used the premises for illegal purposes, and the Court is satisfied it is reasonable to make the Order. Seeking possession of a Demoted Tenancy is more straightforward, as the Court cannot refuse a landlord’s application for possession unless it thinks that the procedure has not been properly followed. Prior to the serving of any Notice, officers would have undertaken home visits and written letters to the tenant taking every possible action to try and resolve matters.

12. Priority Transfers

- 12.1 If in exceptional circumstances a tenant needs to be transferred to alternative accommodation for housing management reasons e.g.due to personal risk, (which must be confirmed by appropriate sources), the Assistant Director (Housing Operations) and the Housing Options Manager will authorise Priority Transfers in appropriate cases in accordance with the Council’s Housing Allocations Scheme.

13. Vehicle Crossovers & Off-Street Parking Schemes

- 13.1 For all current and former Council properties, Housing Management will assess all applications for vehicular crossovers ensuring that the Council’s existing policy is applied. Residents of neighbouring properties will be consulted with their views being taken into account before permission is granted. In addition, Ward Members will be consulted on any crossover which removes between 6 and 12 metres in length of grassed amenity land.
- 13.2 The Council undertakes a programme of off-street parking schemes in order to ease parking congestion in high priority areas. Potential sites are identified by either local residents Ward Members or officers. All requested sites are placed on a register and are scored based upon an assessment criteria which includes the percentage of Council tenants in the area, lack of possible off-street parking, consultation outcomes etc. The Cabinet approve the register and agree the schemes to be given priority. Due to the high cost, the Council can only achieve a limited number of off-street

parking schemes.

14. Breaches of Tenancy Conditions

14.1 Prevention

Housing Management will work proactively through home visits and estate inspections to ensure against breaches of tenancy conditions. This will attempt to identify neglect of gardens, rubbish dumping, vandalism and the general external condition of properties.

14.2 Action Taken in Response to Breaches of Tenancy Conditions

When an alleged breach is reported, the Housing Management Officer will investigate the case. If an actual breach is identified, the tenant will be notified formally of the breach and given a deadline by which to resolve it. The implications of their action under the terms of their tenancy will also be explained. A home visit will be undertaken if the problem persists. Should Housing Management serve Notice or proceed to Court, appropriate evidence will be gathered as necessary.

14.3 Boundary Disputes

When Housing Management receives written confirmation of a boundary dispute, a Housing Management Officer will visit. If appropriate, a joint visit will be made with a Surveyor. In difficult cases the Assistant Director (Housing Operations) may arrange for a Consultant Chartered Surveyor to be employed in order to resolve the matter. All parties will be told of the decision in writing. Should any of the parties dispute the decision, they will be advised that it shall stand unless they provide documentary evidence to the contrary.

14.4 Breaches of Covenants

When Housing Management receive a complaint of a potential breach of a covenant on a former Council dwelling the matter will be investigated. If appropriate, the freeholder/leaseholder will be notified of the breach and, if it persists, Legal Services will be asked to take Court action.

14.5 Unauthorised Occupation

In the case of unauthorised occupation, Legal Services will be asked to apply to the County Court for possession within 5 days. A Notice will be fixed to the door of the property.

14.6 Social Housing Fraud

The Corporate Fraud Team has a dedicated officer who investigates social housing fraud. The Council has launched its "Cheater Campaign" which publicises the fraud hotline through the distribution of posters and leaflets throughout the District. The cheater Campaign has also been publicised in the Tenants' magazine "Housing News". Reports of social housing fraud come from a number of sources, including from the general public, Members, other Council officers and services, through

Tenancy Audits, and the checking of internal documentation held on persons and general processes. The types of Social Housing Fraud investigated fall mainly into the following 6 categories:

- Sub-letting of a Council property
- Fraudulent Right to Buy applications
- Obtaining a tenancy by deception
- Non-occupation of a Council property
- Unlawful successions to a Secure Tenancy
- Fraudulent Private Sector Grant applications

The Council has a separate Housing Service Strategy on the Prevention of Social Housing Fraud. The Strategy sets out to approach in dealing with cases of Social Housing Fraud in more detail. However, as public disclosure of the Fraud Strategy would undermine the Council's efforts to deal with this issue the document is confidential and for the use of officers only.

14.7 Estate Inspections

Housing Management Officers will inspect the areas they are responsible for on a regular basis and will generally identify problems whilst they are visiting tenants on other matters. More formally, Area Housing Managers will inspect a sample of estates with each of their Housing Management Officers and record requested actions to ensure that estates are kept to a high standard. Representatives from local Residents Associations will be invited to attend the annual estate inspections. In addition, Ward Members will be asked in advance if they have any concerns and will receive a report on the outcome of the inspection.

15. Older and Disabled People's Garden Maintenance Scheme

- 15.1 Housing Management will monitor the Older and Disabled People's Garden Maintenance Scheme, which is managed by Voluntary Action Epping Forest (VAEF). Provided applicants have no-one living at the property who is under 70 years of age and have a clear rent account they will be added to the list and dealt with in date order. The Council funds VAEF's part-time Co-ordinator; around fifty vulnerable tenants' gardens are maintained four times each year between April and October.

16. Compensation for Tenants Improvements Scheme

- 16.1 Requests from tenants to undertake improvements will be received by Housing Management and passed on to the Housing Repairs Service to deal with the technical aspects. Providing the improvements qualify under the Scheme, the Housing Management Officer will ensure the rent account is clear, and, if agreed, write to the tenant giving consent and details of how to claim their compensation on vacation of the property. When the improvement has been completed, the Housing

Repairs Officer will visit to ensure the improvement has been carried out satisfactorily. When a claim has been made, the Housing Repairs Officer will visit again to inspect, and if satisfied, the Housing Management Officer will calculate and arrange payment of the compensation.

17. Alterations and Improvements (Not Qualifying for the Tenants Improvement Scheme)

- 17.1 The Tenancy Agreement requires tenants to seek permission before undertaking any improvements to their properties. The Housing Assets Section considers each application from any tenant, checking that the improvement does not qualify for the Compensation Scheme (see 16.1). If the improvement is straightforward e.g. shed, greenhouse, no structural works etc, permission will be granted. If the request is more complicated then the Housing Assets Section will arrange for an inspection to be undertaken. If appropriate, neighbours will be consulted and their views taken into account. Housing Management will be consulted and the tenant will be notified of the decision in writing.

18. Estate Enhancements & Grounds Maintenance

- 18.1 The Assistant Director (Housing Operations) and the Area Housing Managers (North and South) attend twice yearly meetings with Leisure Services in order to monitor the Grounds Maintenance Contract for the Communities Directorate. Housing Management also become involved in various improvement schemes.

19. Abandoned Vehicles

- 19.1 When vehicles appear to be abandoned and are identified on Housing Act land, the Housing Management Officer will contact officers in the Neighbourhoods Directorate who will determine ownership via the DVLA computer link. For those which are clearly abandoned, a Notice will be attached to the vehicle warning the owner of its removal within seven days and, if appropriate, to remove the vehicle. If the vehicle is in such a poor condition that it is likely to cause a danger it will be removed immediately.

20. Caretaking Service & Cleansing of Communal Areas

- 20.1 Housing Management will undertake and monitor the cleaning service, which includes all sheltered housing scheme cleaners, mobile cleaners, and cleaners at some designated blocks across the District. In addition, there are three Caretakers, two at the Limes Farm Estate, Chigwell and one at the Oakwood Hill Estate, Loughton. Notice Boards have been installed in all designated blocks on housing estates to advise residents when cleaning will be undertaken and inviting their comments on the standard of the service.

21. Right to Buy

21.1 Housing Management will respond to enquiries from the Home Ownership Team concerning the tenancies of tenants who have applied to buy their home.

22. Land Sales

22.1 When a request is received to purchase a piece of Housing land, the Housing Management Officer will inspect the site and seek the advice and agreement of their Area Housing Manager. If the land is less than 50 square metres, in accordance with delegated authority, the Assistant Director (Housing Operations) in consultation with the Housing Portfolio Holder and local Ward Members will decide if the land can be sold. If all are in agreement, the proposed purchaser will be advised of the valuation and the land will be sold. If the request is refused, then they will have the right to Appeal. Requests to purchase land in excess of 50 sq mtres will be referred to the Housing Portfolio Holder.

23. Covenant Approval

23.1 Housing Management will deal with requests from the owners of former Council properties who are seeking permission to carry out improvements. In addition to receiving requests, any improvement works to former Council properties that have not been notified will be identified on estate inspections and through checking the list of planning applications. If any request is refused, the owners will have the right to appeal against the decision.

24. Family Mosaic Housing-Related Support Services

24.1 Under the Supporting People Programme, Essex County Council provides housing related support to tenants with care and support needs through its appointed contractor, Family Mosaic. This additional support is of great assistance to Housing Management Officers when dealing with tenants who are in need of additional housing welfare support. Cases are referred to the Family Mosaic “Gateway” for assessment. The Family Mosaic Support Worker will visit tenants, offer counselling, advice and support, assist with tenancy set-up, benefit and employment advice or provide any other help they may need to in order to sustain their tenancy. Regular meetings are held with Family Mosaic to monitor progress and performance.

25. Action Plan

25.1 The actions in the table below will be undertaken in the future by the Housing Service in order to enhance the Housing Management Service.

Action	Lead Officer	Timescale	Resource Implications
Update the Equalities Impact Assessment for Housing and Neighbourhood Management	Area Housing Managers	September 2016	Within Existing Resources
Explore greater use of CCTV on estates to combat anti-	Area Housing Managers	On-going	Within Existing

social behaviour and fly-tipping			resources
Continue to support all Resident Associations and attend meetings when appropriate.	Area Housing Managers	On-going	Existing resources

26. Key Targets and Performance Monitoring

26.1 The Council will monitor performance and compliance with this Strategy through quarterly customer Improvement meetings chaired by the Assistant Director (Housing Operations) and Area Housing Managers, to ensure that a number of targets, which include the following, are met:

Key Targets & Performance					
Performance Indicator	2014/15	2015/16	2016/17	2017/18	2018/19
	(Actual)	(Target)	(Target)	(Target)	(Target)
Rent collection rate	99.08%	98%	101%	101%	101%
Rent arrears as a percentage of the rent roll	1.27%	1.5%	1.5%	1.5%	1.5%
Former tenant arrears collection rate	£82,336	£75,000	£75,000	£75,000	£75,000

26.2 As can be seen, performance on both current and former tenant rent arrears in 2014/2015 has been exceptional particularly in the light of the Welfare Reforms.

26.3 It should be noted that the calculation of the rent collection rate will, from 2015/2016, be based upon the "Housemark" formula. Housemark is a performance indicator benchmarking club for Councils, Arms-Length Management Organisations and Housing Associations in England. It aims to improve performance and efficiency in social housing. It has more than 950 members and is jointly owned by the Chartered Institute of Housing and the National Housing Federation.

- 26.4 In previous years, the total amount collectable (100%) included both the current collectable rent and all outstanding arrears. In future years, the rent collectable will represent the total amount (100%), with all outstanding arrears being added above this figure, hence the target in future years being in excess of 100%. As the former Housing Scrutiny Panel has already agreed the target of 98% for 2015/2016, this cannot be changed.
- 26.5 The targets for future years have been set taking into account the potential effect of the introduction of “Universal Credit” which is expected to be implemented some time during 2016 in the Epping Forest District. As this will include housing benefit being paid directly to tenants, it is expected to have a detrimental effect on rent collection.

27. Reviewing the Strategy

- 27.1 The Strategy for Housing and Neighbourhood Management will be reviewed by the Housing Scrutiny Panel in consultation with the Tenants’ and Leaseholders Federation before July 2018.