

Abandoned Homes Policy

1.0	SCOPE
	Purpose
1.1.	This document sets out whg's policy towards minimising risk of abandonment and recovering possession of abandoned homes let on general needs tenancies.
	Legal and regulatory framework
1.2.	Protection from Eviction Act 1977 Part 1 (1) (2) Anyone preventing a resident, who has right to occupy a property, from occupying that property, is guilty of an offence unless they can prove that they reasonably believe the resident no longer lives there.
1.3.	Housing Act 1988 Part 1: Assured Tenancies As long as a tenancy was granted to an individual who lives in the property as their only or principal home, and it is not otherwise prohibited from being an assured tenancy, the tenancy is an assured tenancy.
1.4.	Housing Act 1988 Section 15A: Loss of Assured Tenancy Status An assured or assured shorthold tenancy will lose its assured status if the tenant parts with possession of the home. The tenancy cannot regain assured status.
1.5.	Notices to Quit etc. (Prescribed Information) Regulations 1988 Notices served to end a tenancy with basic protection (i.e. a tenancy that is not assured) must be in writing, give four weeks' notice, and contain the prescribed information.
1.6.	Torts (Interference with Goods) Act 1977 The bailee (i.e. whg, when in possession of a former resident's belongings following abandonment of a property) must serve reasonable notice on the bailor (i.e. former resident) of intention to sell or dispose of their belongings.
1.7.	Regulator of Social Housing: Tenancy Standard Registered providers shall minimise the time that properties are empty between each letting [2.1.5] and shall make sure that the home continues to be occupied by the tenant they let the home to [2.2.6].

2.0	POLICY STATEMENT
	Preventing Abandoned Homes
2.1.	We recognise abandonment as a form of tenancy failure that particularly affects younger customers and customers in the first two years of their tenancy.
2.2.	Community Housing Officers will ensure customers who are at a higher risk of abandonment are provided with tailored support to minimise risk of tenancy failure, working in partnership with colleagues in our Tenancy Sustainability and Health and Wellbeing teams wherever appropriate.
2.3.	The Community Housing management team will review abandonment case data on a quarterly basis to understand underlying trends and risks, and effectiveness of targeted interventions.
	Investigating an Abandoned Home
2.4.	Where we become aware that a customer is not or may not be living in their property as their only or principal home, we will investigate as a possible abandonment.
2.5.	Investigation may include: <ul style="list-style-type: none"> • repeat visits to the property with inspection and recording of external property condition, utility meters and any internal areas visible; • contact with any known associates of the customer including but not limited to neighbours, known family, employers; • contacting statutory and partner agencies; • reviewing the customer's credit file for alternative addresses; • reviewing publicly-available customer information including social media; • contacting utility companies and other landlords as appropriate.
2.6.	whg will attempt to contact the customer by all available means throughout the investigation.
	Action Following Abandonment
2.7.	At the conclusion of the investigation, whg will determine whether there is reasonable cause to believe that the property has been abandoned.
2.8.	Where the property is reasonably believed to be abandoned and there is no reasonable indication of intention to return, whg will serve a Notice to Quit on the tenant at the property and any other known addresses. Following expiry of the Notice, the tenancy will end and whg will take possession of the property. The decision to take possession must be made by a Regional Community Housing Manager with due regard to all available evidence.

2.9.	Where it is unclear whether the property has been abandoned but there is reason to believe the customer is not occupying the property as their only or principal home, whg may serve a Notice of Seeking Possession under the Housing Act 1988. This may be served concurrently and without prejudice to any Notice to Quit.
	Belongings Left in Property
2.10	Where a customer has abandoned a property but left belongings inside, whg will take an inventory of the items and serve a tort notice on the former tenant providing notice to arrange collection of the items. whg will store items for 28 days, after which period they will be sold or disposed of as appropriate.
2.11	Soiled, damaged or infested items will be disposed of on discovery.
2.12	Any sale value of items will be offset against removal and storage charges plus any other debt owing. Any amount remaining will be reimbursed to the former tenant.
	Additional Considerations
2.13	Where the customer has not submitted a valid Notice to Quit but has provided a clear and unequivocal indicator that they wish to end their tenancy, for example handing in keys, whg may serve Notice to Quit under the terms of this Policy in order to formally end the tenancy. In such circumstances, an investigation will not usually be carried out.
2.14	Where whg has reasonably and lawfully ended a tenancy through service of a valid Notice to Quit, whg is not obliged to grant a new tenancy should the customer subsequently make contact. Any such situation will be reviewed on an individual basis with the customer concerned, and whg may offer a new tenancy depending on the particular circumstances.
2.15	Customers who are not occupying their whg property but have no other home will be provided with appropriate support and signposting, where possible, to ensure they are able to return to the property or to find suitable accommodation.
3.0	PERFORMANCE MEASURES
3.1.	The Community Housing management team carries out monthly assurance checks that review whether abandonments have been conducted in line with policy. Additional quarterly reviews are conducted by the Policy and Compliance Officer to provide second-line assurance. These check whether whg is compliant with the Tenancy Standard and all applicable legislation.

3.2.	This Policy supports whg's ambition not to evict into homelessness. Abandonment data is scrutinised quarterly by the Community Housing management team to identify trends and potential intervention points in order to maximise tenancy sustainability.
3.3.	There are no key performance indicators associated with this policy.
4.0	EQUALITY AND DIVERSITY
4.1	Abandonment disproportionately affects customers under the age of forty, in particular customers in the 18-25 age bracket. This Policy supports customers to sustain their tenancies, recognising that additional support may be required for younger customers.
5.0	TRAINING AND DISSEMINATION
5.1.	Colleagues responsible for investigating abandonments will receive training on the policy and all associated procedures and guidance notes.
6.0	MONITOR AND REVIEW
6.1	This Policy will be monitored by the Director of Housing and reviewed every three years by the Policy Group and approved by Group Executive.
7.0	ASSOCIATED DOCUMENTS, POLICIES AND PROCEDURES
7.1	Documents, policies and procedures associated with this Policy are: <ul style="list-style-type: none"> • whg tenancy agreements • whg Abandoned Homes Procedure • whg Lodgers, Subletting and Tenancy Fraud Policy and Procedure • whg Unauthorised Occupiers Policy and Procedure

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Consultation	Community Housing; Income and Allocation; Community Safety; Health and Wellbeing; DPO; Governance; H&S
Approved by	Policy Group and Group Executive
Review Date	January 2025
Corporate Plan aim	<ul style="list-style-type: none">• Deliver high-quality homes and services
Equality Assessment	None undertaken
Key changes made	Clarification of action for lawfully-ended tenancies; clarification of Policy points