

# Residential Property Management Policy

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## 1.0 SCOPE

### Purpose

- 1.1 This Policy sets out whg's approach and obligations in relation to the management of homes of all tenures apart from those with social and affordable rents. This Policy applies to customers who are leaseholders (residential and commercial), shared owners, freeholders and market rent tenants.

### Legal and regulatory framework

- 1.2 whg grants tenancies to a variety of properties on a number of tenure types, including assured, assured shorthold and long lease terms.
- 1.3 whg also has a duty to co-operate with the local authority if requested under the Housing Act 1996.
- 1.4 whg will keep all customer data secure. Data will be processed in line with GDPR principles and our Customer Privacy Notice and Sales Customers Privacy Notice.
- 1.5 Market rent properties are not regulated in the same way as social assets and therefore a Policy is required to ensure that we are open and transparent about the mechanism that we will use in order to let the properties.
- 1.6 Although this is the case we will give regard to the RHS Governance and Financial Viability standard such as to adhere to all relevant law.
- 1.6 whg is expected to comply with the Regulator's Home Standard, Tenancy Standard, Tenant Involvement and Empowerment Standard and the Rent Standard as best practice although not a requirement due to this not a social or affordable offer

## 2.0 POLICY STATEMENT

### Service Charges

- 2.1 Leaseholders, shared owners and freeholders will be charged for any services provided in line with the provisions in the lease or deed of transfer. Market rent tenants will not have separate charges for services, but their total rent will be sufficient to pay for any services provided.

### **Repairs and Improvements**

- 2.2 whg will deliver a repair service to customers in line with the tenancy agreement or lease. Repairs that are listed as the responsibility of the tenant or leaseholder in the tenancy agreement or lease will not be delivered by whg. All repairs that are required due to customer neglect or damage will be dealt with in line with our Recharge Policy, and will require the customer to pay for the cost of the repair, usually before the repair is completed.
- 2.3 whg will carry out improvements to leasehold and Shared Ownership properties in line with the lease. If applicable The cost of those improvements will be apportioned equally and recharged to relevant leaseholders and Shared Ownership customers. Repairs carried out to communal areas may be recharged back to the leaseholder, Shared Ownership customers or freeholder if applicable and in line with the tenancy agreement/lease.
- 2.4 Where the lease provides for it, whg will collect and manage a sinking fund for leaseholders and Shared Ownership customers to cover or contribute to the cost of improvements.

### **Nuisance and Anti Social Behaviour**

- 2.5 If a leaseholder, Shared Ownership customer or freeholder is the victim of nuisance and/or anti social behaviour (ASB), whg has no requirement to have involvement unless the perpetrator is a tenant or leaseholder of whg. Customers should speak directly with their neighbours to resolve nuisance and/or ASB or seek advice from the Local Authority, Law Centres and solicitors or the Police.
- 2.6 The market rent tenancy agreement and lease requires whg to take appropriate action in cases of nuisance, harassment, racial harassment or victimisation and to uphold the tenancy agreement or lease whenever there is sufficient evidence to merit and substantiate proceedings where the tenant/leaseholder is the perpetrator. Where sufficient evidence of serious nuisance or anti social behaviour is provided, whg may take possession action to recover a market rented property, and if the lease allows, forfeiture action to end a lease (leaseholders/Shared Ownership customers).
- 2.7 Possession or forfeiture action may only be taken if evidence shows that serious or ongoing nuisance or anti social behaviour has been proven. Action will not be taken in relation to issues determined to be a 'clash of lifestyle' or noise that is everyday household noise.

### **Money and Debt Advice**

- 2.8 Where there are rent or service charge arrears, money and debt advice will be available to leaseholders, Shared Ownership customers and market rent tenants, to enable them to make sensible agreements to clear arrears. This service is not generally available to freeholders, although limited advice will be

offered in relation to any debt owed to whg. More detailed advice is available from the Citizens Advice Bureau, and national debt advice agencies.

### **Customer care**

- 2.9 whg will exercise discretion in the application of this Policy and will take account of the circumstances and vulnerabilities of individual customers. Colleagues will also act with due regard to the whg Customer Excellence Policy and whg Equality and Diversity Policy at all times. whg's tenancy, lease agreements and draft transfers set out landlord and customer responsibilities.

## **3.0 PERFORMANCE MEASURES**

- 3.1 There are no performance measures or targets directly relating to this Policy.

## **4.0 MONITOR AND REVIEW**

- 4.1 This Policy will be monitored by the Director of Housing and reviewed every three years by the Policy Group.

## **5.0 ASSOCIATED DOCUMENTS, POLICIES AND PROCEDURES**

- 5.1 Customer Excellence Policy  
Equality and Diversity Policy  
Housing Act 1988  
Housing Act 1996  
Housing Act 2004  
Localism Act 2011

<b>Document author</b>	Tansy Crowley-Sweet, Income and Residential Property Manager
<b>Document owner</b>	Gary Brookes, Director of Housing
<b>Legal advice</b>	Richard Dewsbury has reviewed the Policy and is satisfied with the content
<b>Consultation</b>	Director of Housing (Gary Brookes) and Service Manager (Pip Hughes)
<b>Approved by</b>	Policy Group in April 2019
<b>Review Date</b>	October 2022
<b>Corporate Plan aim</b>	Deliver high quality homes and services for our customers
<b>Equality analysis</b>	Policy has been reviewed by Hyacinth Austin and it was deemed that no EA was required
<b>Key changes made</b>	Very light review with very minimal changes