



# **MOLENDINAR PARK HOUSING ASSOCIATION**

## **RECHARGEABLE REPAIRS POLICY**

**Date of Approval:** 7 May 2019  
**Date of Next Review:** February 2022

*Registered in Scotland* 2400 R (S)  
*Registered Scottish Charity* SC043725  
*Registered Property Factor* PF 000125

# POLICY

## 1. Introduction

- 1.1 This document outlines Molendinar Park Housing Association's policy in relation to the recharging of tenants and owners of repair costs incurred by the Association arising from neglect or vandalism.

## 2. Policy Aim

- 2.1 The Association aims to deal with this matter in a pragmatic and liberal manner, which ensures that tenants are dealt with in a fair and equitable manner without an unreasonable burden being placed on the Maintenance Budget.

## 3. Legislation ,Guidance and Scottish Social Housing Charter

- 3.1 The Association aims to take account of all relevant statutory, regulatory and good practice requirements, including:
- The Housing (Scotland) Act 2001, and subsequent amendments
  - Part 5 of the Scottish Secure Tenancy Agreement
  - The Scottish Housing Quality Standard
  - The Scottish Social Housing Charter, April 2017 where the following are relevant:
    - Repairs, maintenance and improvements – Social landlords manage their businesses so that tenants' homes are well maintained, with repairs and improvements carried out when required and tenants are given reasonable choices about when work is done;
    - Quality of housing – Social landlords manage their businesses so that; tenants' homes as a minimum meet the Scottish Housing Quality Standard (SHQS) when they are allocated are always clean, tidy and in a good state of repair, and also meet the Energy Efficient Standard for Social Housing (EESH) by December 2020
    - Equalities – Social landlords perform all aspects of their housing services so that; every tenant and other customer has their individual needs recognized and is treated fairly and with respect, and receives fair access to housing and housing services;
    - Communication – Social landlords manage their businesses so that; tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord; how and why it makes decisions and the services it provides.

## 4. Equalities

- 4.1 Information on this policy will be available in a range of formats, including, but not limited to large print, braille and other languages for tenants whose first language is not English. Placing a copy of this policy on our website will also enable tenants to access an audio version of the policy, and for those without internet access audio versions will be made available.

## 5. Criteria for Recharging Repairs

- 5.1 While it is perfectly legitimate to charge tenants for damage caused through neglect or carelessness the cost or pursuing relatively small amounts of money can be wasteful of staff resources.
- 5.2 In view of the above the Association will only recharge a tenant for repairs in excess of £50 or for repairs of less than £50 where there is a recurring history of damage.
- 5.3 Tenants will be recharged the costs incurred by the Association (regardless of the amount) arising from a tenant failing to provide access to a contractor for Gas Service and Repair Appointments when the access arrangements have been clearly agreed with the tenant beforehand.
- 5.4 It is a relatively common event that tenants lock themselves out of their dwellings and the Association responds by assisting them to regain access. In some cases this is a simple joinery exercise, in other cases it necessitates the provision of a new lock and keys.
- The tenant is responsible for replacing lost keys and forcing access and changing locks because of lost keys. Therefore, the Association will always recharge the cost of works in these circumstances except where there are unusual or mitigating circumstances.
- 5.5 Void repairs are repairs that have to be carried out to empty properties to bring them to a standard whereby they can be re-let and which are deemed to be the responsibility of the outgoing tenant. Mainly, they are identified during a pre-termination inspection, usually by the Maintenance Officer. The tenant will be given the option to carry out any repairs identified themselves or have the Association do them. If, at the post-termination (Void) inspection the repairs have not been carried out to an agreed standard, or if new repairs are identified that were previously not able to be seen (e.g. hidden by furniture), the repairs will be carried out by the Association and recharged to the tenant.

The Association accepts that a certain amount of repairs will be required as a result of fair wear and tear and will not charge for works required simply for this reason. This determination will be made at the time of the pre and post-termination inspections.

Photographic evidence on the condition of the property will be collected at the start and end of each tenancy.

5.6 Tenants are expected to clear and clean their houses on termination of tenancy.

Glasgow City Council will uplift old items of furniture and belongings for domestic residents at no charge. However, when the Association does this it has to pay for time, labour, vehicle costs and landfill disposal costs. As tenants can easily avoid these costs they will be passed on in full.

The same principles apply to cleaning vacated properties and all charges will be passed on in full.

The circumstances of elderly and vulnerable tenants who have no-one to help them will be considered individually. In the case of deceased tenants the Association will not generally seek to recoup costs from the deceased tenant's estate.

Repair work resulting from tenant alterations will be recharged to the tenant.

If any charge is to be made under this category photographic evidence will be collected.

## 6. Transfer and Mutual Exchange Applicants

6.1 Applications will not normally be considered whilst the applicant has an outstanding debt to the Association unless there are extenuating circumstances and appropriate arrangements have been made for repayment.

Each case will be considered on its own merits.

## 7. Owner Occupiers

7.1 **All work carried out on an individual basis for owner occupiers will be recharged.** The Association does not carry out work for Owner Occupiers except in exceptional circumstances and with the prior approval of the Maintenance Officer and with a prior arrangement regarding the payment of such work.

## **8. Reporting Procedures**

- 8.1 The Housing Services Officer will provide a written report to the Management Committee on an annual basis. This report will detail, as a minimum
- The level of rechargeable repairs
  - The amount of rechargeable repairs recovered
  - The action taken

## **9. Individual Case Assessment**

- 9.1 Each rechargeable case will be assessed taking account of all the circumstances surrounding the damage or cause of repair. In certain cases the Association may waive all or part of the charge. This discretion may be applied where, for example the tenant is vulnerable or has serious health issues.

## **10. Complaints and Appeals**

- 10.1 All tenants have the right to appeal a decision by the Association to recharge and to use the Complaints procedure where it is considered that the matter has not been dealt with appropriately and in line with the Association's standards and policy. Appeals will be dealt with in the context of and in line with the Association's Complaints/Appeal Procedure.

## **11. Repayment Arrangements**

- 11.1 Where requested, the Association will consider agreeing a repayment arrangement with the tenant. The terms of any payment arrangement will be assessed on a case by case basis following consideration of the circumstances of the tenant, other monies owed to the Association, the nature of the rechargeable repair and its cost.

## **12. Payment Collection**

- 12.1 Payments will be pursued in line with the Associations Debt Recovery Procedures.

### **13. Policy Review**

- 10.1 The policy will be reviewed and amended as necessary every three years, or earlier if legislation; guidance or practice requires this.

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