

## **CLYDESDALE HOUSING ASSOCIATION LIMITED**

**Policy:** Rechargeable Repairs Policy

**Date:** 30 October 2024

**Lead Officer:** Technical Services Manager

**Review Date:** October 2027

**Regulatory Standards:** Standard 1

The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users.

### ***Guidance***

- 1.1 The governing body sets the RSL's strategic direction. It agrees and oversees the organisation's business plan to achieve its purpose and intended outcomes for its tenants and other service users.
- 1.2 The RSL's governance policies and arrangements set out the respective roles, responsibilities and accountabilities of governing body members and senior officers, and the governing body exercises overall responsibility and control of the strategic leadership of the RSL.
- 1.3 The governing body ensures the RSL complies with its constitution and its legal obligations. Its constitution adheres to these Standards and the constitutional requirements set out below.
- 1.4 All governing body members accept collective responsibility for their decisions.
- 1.5 All governing body members and senior officers understand their respective roles, and working relationships are constructive, professional and effective.
- 1.6 Each governing body member always acts in the best interests of the RSL and its tenants and service users and does not place any personal or other interest ahead of their primary duty to the RSL.
- 1.7 The RSL maintains its independence by conducting its affairs without control, undue reference to or influence by any other body (unless it is constituted as the subsidiary of another body).

### **The Scottish Social Housing Charter relevant indicators:**

#### **4: Quality of housing**

Social landlords manage their businesses so that:

- tenants' homes, as a minimum, meet the Scottish Housing Quality Standard (SHQS) by April 2015 and continue to meet it thereafter, and when they are allocated, are always clean, tidy and in a good state of repair.

## **5: Repairs & Maintenance**

Social landlords manage their business so that:

- tenants' home are well maintained, with repairs and improvements carried out when required, and tenants are given reasonable choices about when work is done

## **13: Value for Money**

Social landlords manage all aspects of their businesses so that:

- tenants, owners and other customers receive services that provide continually improving value for the rent and other charges they pay.



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## **1. Introduction**

Clydesdale Housing Association is committed to delivering high quality services to customers and to continually improve those services based on customer feedback, the latest good practice and available guidance.

We have adopted an approach to recovering rechargeable repairs which is fair, open and transparent.

## **2. Policy Objectives**

Clydesdale's Rechargeable Repairs Policy objectives are as follows:

- Keep rents affordable by recovering costs from tenants who have neglected or damaged our properties
- Viability for the Association by recovering costs and keeping overheads at a minimum
- Preserving the good condition of the Association's properties.
- Making sure we are complying with the Deed of Conditions for common areas in respect of outright owners and sharing owners

## **3. Definition of a Rechargeable Repair**

The following items are classified as a rechargeable repair by the Association:

- Any accidental or wilful damage or neglect caused by a tenant, anyone living with a tenant or an invited visitor to a tenant's house.
- Where a "reactive" repair becomes a rechargeable repair. For example, where a contractor reports that he considers the damage was caused by the tenant.
- The Association will not carry out repairs specified as the tenant's responsibility contained within the Scottish Secure Tenancy Agreement unless the tenant asks the Association to carry out a repair on their behalf.
- Repairs identified as being the tenant's responsibility during the end of tenancy visit
- Where a tenant has failed to provide access to a contractor and this has been validated by the Association
- Failure due to a component belonging to the tenant
- Where a tenant has carried out unauthorised alterations which require to be made good by the Association.
- Planned and cyclical maintenance which we are required to carry out as defined in the Deed of Conditions where these exist.
- Emergency repairs for outright owners and sharing owners where failure to do so would adversely affect the condition of an adjoining Clydesdale Housing Association property.
- Ad hoc reactive repairs where agreement has been reached between Clydesdale Housing Association, adjoining owners or sharing owners for example, a repair to a roof.

- Common repairs as defined by the Factoring Policy.

These definitions do not apply to damage caused by fair wear and tear or for acts of vandalism, provided the Police were called.

#### **4. Stakeholders**

The following people have been identified as being stakeholders in relation to this Policy.

- Current tenants
- Former tenants
- Outright owners
- Sharing owners
- Committee of Management who have overall responsibility for ensuring compliance with the policy
- Staff of the Association who are responsible for delivering the service, and monitoring its success

#### **5. Rechargeable Repairs Service**

The Association's approach to the rechargeable repairs process is detailed below.

- a) At the start of a tenancy, tenants will be given clear guidance on what repairs they are responsible for.
- b) They will be given a Tenant's Handbook/Guide to Repairs which provides additional information on:
  - The standard the property should be left in at the end of the tenancy. This includes the condition of the decoration and any repairs the tenant is responsible for carrying out to comply with the Association's Re-Let Standard.
  - Where a tenant has carried out an unauthorised alteration, the cost of removing and making good the alteration will be recharged.
- c) Sharing owners and outright owners will be provided with details of items they are responsible for through a Deed of Conditions and a Factoring Statement.

Tenants will be given the opportunity to carry out, repairs which have been classified as rechargeable. They will be given a list of conditions which specify the standard the Association expects the work to be carried out to.

The Association recognises there is a cost benefit to the tenant where the Association is prepared to carry out the repair on behalf of the tenant and recharge the cost. The Association is therefore prepared to do this for the tenant but only after the tenant has signed a repayment agreement. The repayment agreement will take account of the tenant's ability to repay the debt and an appropriate repayment amount and timescale will be agreed.

It is recognised that emergency or urgent repairs need to be responded to very quickly. The Association will make sure that these are carried out timeously and the tenant recharged thereafter.

All rechargeable repairs of a health and safety nature or which may affect the fabric of the building or the neighbouring property will be carried out whether the tenant agrees or not and recharged accordingly.

Prior to terminating a tenancy, the Association will seek to identify all rechargeable repairs due at the pre termination visit.

The Association will seek to recover all money due through rechargeable repairs. Where a tenant does not pay, their details will be passed to a Debt Collection Agency for recovery.

Detailed procedures have been drawn up to achieve the Policy Objectives and recover the costs from tenants, former tenants, outright owners and sharing owners.

## **6. Achieving the Policy Aims and Objectives**

The Association will incorporate a range of performance measures in the recovery of rechargeable repairs as follows:

- Amount of money recovered through the rechargeable repairs process
- Number of referrals to the Debt Collection Agency
- Analysis of condition of property at re-let stage through customer satisfaction surveys
- Analysis of customer satisfaction levels in rechargeable repairs
- Analysis of number of complaints received in relation to rechargeable repairs.

## **7. Links to Other Policy Documents**

This Policy Document is linked to a range of other documents. These are listed below:

- Repairs and Maintenance Policy
- Void Management Policy
- Equality and Diversity Policy
- Risk Management Strategy
- Long term financial plans

## **8. Equal Opportunities Statement**

Clydesdale Housing Association operates under the overarching duty of a Registered Social Landlord to provide housing accommodation and related services in a manner which encourages equality of opportunity. In particular the observance of equal opportunity requirements as specified in the Housing (Scotland) Act 2001 and the Equality Act 2010.

We do not discriminate against any tenant in any way either directly, indirectly or by association because of their age, disability, gender identify (reassignment), marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

To support our commitment to equality of opportunity an equality and human rights impact assessment has been carried out on this policy

## **9. Review**

Clydesdale Housing Association will review this policy every three years or earlier should good practice, guidance or legislative changes occur.