



ESTATE MANAGEMENT POLICY 2016

1.0 INTRODUCTION AND DEFINITION

“Estate Management” is a general term used to include Tenancy Management and Environmental Management.

Tenancy Management and Environmental Management are linked to, but separate from, the management of Anti-Social behaviour. The Association’s Policy on Anti-Social Behaviour sets out how we deal with Anti-Social Behaviour.

Tenancy Management aims to encourage and support a tenant to keep the terms of their Tenancy Agreement. Where appropriate and necessary it will involve taking action to enforce compliance.

Environmental Management aims to create a well maintained neighbourhood in which tenants and other customers feel safe.

Estate Management therefore covers a diverse range of issues such as:

- Providing advice and information on tenancy matters
- Inspecting the condition of common areas
- Enforcing tenancy conditions;
- Monitoring empty properties;
- Providing advice and assistance to tenants and residents on services which enhance the local community,
- Supporting initiatives to reduce crime
- Environmental maintenance and improvements;
- Maintenance of communal areas;
- Co-operation with other agencies delivering services in the community

2.0 LEGAL AND REGULATORY FRAMEWORK

Social Housing Charter Outcome 6 refers to estate management, anti-social behaviour, neighbour nuisance and tenancy disputes and requires that social landlords, working in partnership with other agencies, help to ensure that tenants and other customers live in well-maintained neighbourhoods where they feel safe

Social Housing Charter Outcome 11 relates to Tenancy Sustainment and requires that tenants get the information they need on how to obtain support to remain in their home; and ensure suitable support is available, including services provided directly by the landlord and by other organisations.

Scottish Social Housing Charter Outcome 13 relates to Value for money and requires that 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.

We are required, through our Scottish Secure Tenancy Agreement (Scottish Secure Tenancy 5.4) to:

- Carry out a reasonably diligent inspection of the common parts before the tenancy begins. We will take reasonable steps to remove any danger we find before you move into your house. We will repair any defect we find that will significantly affect your use of the common parts, or the house, within a reasonable period and to
- Keep Boundary walls and fences (excluding dividing fences between gardens) in repair: (Scottish Secure Tenancy 5.8)

In terms of keeping and control of pets, our Scottish Secure Tenancy (Section 2.5) requires that tenants must:

- Obtain our permission in writing before keeping any domestic pet within the property. Excessive numbers of pets will not be permitted. We will withhold permission if keeping the pet is prohibited by the Dangerous Dogs Act 1991, or by any other law. We will withdraw our permission if the pet causes nuisance or damage within the property or the common parts thereof.

The Tenancy Agreement requires that tenants:

- are responsible for the behaviour of any pets owned by you or anyone living with you,
- Must take all reasonable steps to supervise and keep such pets under control.
- Must take all reasonable steps to prevent such pets causing nuisance annoyance or danger to your neighbours. This includes fouling or noise or smell from your domestic pet.
- must take reasonable care to see that such pets do not foul or cause damage to the house, your neighbour's property, anything belonging to us or anything we are responsible for, such as the common parts,
- Are responsible for cleaning up dog faeces.

Section 2.8 of the Scottish Secure Tenancy requires that a tenant must:

- Take your turn, with all other tenants and owner-occupiers sharing the common parts, in keeping them clean and tidy. If you share a common stair, you must also take your turn in regularly cleaning, washing and keeping tidy the common stair, its windows, and banisters. If you and the others cannot agree on the arrangements for doing this or you fail to do the work, we are entitled to decide exactly what you should do and when. Before making our decision, we will consult with you and the others. Our decision will be binding on you. If you do not do the work contained in this paragraph, we may do it ourselves and charge you for it. This is in addition to any other legal remedies open to us.

Section 2.9 of the Scottish Secure Tenancy requires that a tenant must:

- Comply with any local arrangements for the use and sharing of the common parts including drying greens and drying areas. You must comply with any local rotas for the use and sharing of the common parts. In cases of dispute between the users of the common parts, we are entitled to decide the arrangements and rotas for the use of, and the sharing of, the common parts. Before making our decision, we will consult with you. Our decision will be binding on you.

Section 2.10 of the Scottish Secure Tenancy states that:

- If you(the tenant) have exclusive use of a garden attached to the house, you must take reasonable care of it and keep it from becoming overgrown, untidy or causing a nuisance.

Section 2.11 of the Scottish Secure Tenancy states that:

- If you share a garden with others, you must take your turn with them to keep it from becoming overgrown, untidy or causing a nuisance (unless we have agreed to do this)

Section 2.12 of the Scottish Secure Tenancy requires that:

- No property belonging to you or anyone residing with you, including bicycles, motorcycles or prams, should be stored in any of the common parts except in areas set aside for storage. You must not do anything that causes inconvenience or danger to anyone using the common parts.

Section 2.13 of the Scottish Secure Tenancy requires that tenants must:

- Put all your household rubbish for collection in the bin store or other proper place allocated for it. You must take reasonable care to see that your rubbish is properly bagged. You must comply with arrangements that are made for the collection of refuse that are advised to you by the local authority or by us. Rubbish containers should be returned to their normal storage places as soon as possible after the rubbish has been collected. You must comply with the local arrangements for the disposal of large items (such as large electrical items).

Section 2.2 of the Scottish Secure Tenancy requires that:

- “You, (the tenant) those living with you and your visitors must take reasonable care to prevent damage to the common parts”.

3.0 OVERALL OBJECTIVES

The Association’s Corporate Management Plan 2015-2020 sets out a number of Corporate Objectives that are linked to this Policy, as follows:

- To provide a comprehensive and responsive customer service to the Association’s tenants, sharing and factored owners (SO1);
- To have in place a robust asset management and implementation strategy to ensure the long term maintenance of the Association’s properties and ensure compliance with the Scottish Housing Quality Standard. (SO2);

- To ensure the Association satisfies all health, safety and environmental requirements and legislation (SO7);
- To provide the Association's customers with advice and information services as a means of supporting sustainable tenancies (SO9).

The Association's Customer Services Departmental Management Plan sets out a number of Departmental Objectives to support the implementation of the Corporate Management Plan:

- To provide a range of quality housing and maintenance services to tenants and other customers (CS1);
- To achieve consistently high levels of customer satisfaction from the delivery of services (CS4);
- To work with customers, local groups and partners to develop accessible and inclusive services which assist tenants to sustain their tenancies and live independently in their homes. (CS5)
- To provide a quality factoring service to owner occupiers (in accordance with the Property Factors Act 2011)(STO1);

4.0 TARGETS

The Association completed an extensive Tenant Survey in 2013 and 79% of tenants indicated that they were satisfied with their neighbourhood and this level of satisfaction is slightly lower than comparable RSL's and lower than we would wish to achieve. The Association published and implemented an Action Plan to address the issues raised in the survey.

5.0 HOW WE WILL ACHIEVE OUR TARGETS

5.1 Making Tenants Aware of Their Responsibilities

We will explain the Conditions of Tenancy before the tenant signs a tenancy agreement. We will give the tenant a copy of our Tenant's Handbook that explains the conditions of tenancy in a simple and straightforward manner.

Housing Services Officers will carry out New Tenancy visits within six weeks of the beginning of a new tenancy. Follow up visits will be programmed as necessary following that initial visit, where it is apparent that the tenant may require support to keep to the conditions of tenancy. We will prioritise New Tenancy Visits where tenants are considered to present a high risk of an unsustainable tenancy. Indicators of high risk may include:

- Under 25 years old
- First Tenancy
- Receiving support or vulnerable
- Previously homeless
- History of rent arrears in former tenancy
- History of anti-social behaviour in a former tenancy

We aim to complete 100% of New Tenant Visits for tenants considered to be at High Risk.

We will liaise with external support agencies where any tenant requires support to sustain their tenancy, and the support is of a type or extent that cannot be provided by our in house Tenancy Sustainment Team.

The Association carries out a visit each two years to each tenancy. This will be an opportunity to identify and address Estate Management issues with tenants.

5.2 Maintaining Common Areas to a High Standard

We will set out high standards in our specifications for the maintenance of common areas. Specifications will be set out and periodically reviewed in consultation with customers prior to each contract retender for:

- Landscape Maintenance
- Close Cleaning

5.3 Proactively Looking For Problems

The Association will inspect each development on a regular basis. The Association will review the frequency of inspections at least annually. The Association will publish its Estate Inspection Programme and information on the outcomes of estate inspections and the assessed condition of each area at inspection. Information on the outcomes of Estate Inspections will be provided to Registered Tenant's Organisations.

We will publicise, through our Facebook page and text messages, advice to each tenant and factored owner that a programmed visit is to take place and that they may meet us on site to show any issues of concern.

The Customer Services Committee will carry out one visit to each housing development each year. This programme of visits will be set out by the Customer Services Committee and will be publicised and tenants and owners who will have the opportunity to meet Committee members and raise issues of concern. Issues raised will be reported to the Committee at later meetings, and completed or concluded at the point where it is not possible to achieve them.

The Association will use the outcomes of recorded estate inspections, along with other information, to identify priorities for action to improve the condition of estates. The Assistant Technical Services Manager will include, as part of the planned maintenance programme each year, a sum for investment to address necessary scheme enhancements.

In the course of their general duties all members of our staff will look for, and report on, any signs of deterioration to our properties or common areas.

When we carry out a recorded inspection, we will complete an Estate Inspection Record. Where we identify matters requiring remedial action we will, as appropriate:

- Establish and maintain contact with tenants and residents who may be affected by, or responsible for, the issue;
- Inform affected tenants and residents in writing of action which we propose to take to remedy any problems identified;

- Enforce contractual arrangements to ensure that gardens and common areas are maintained to the standards that the Association requires and that are commensurate with resident satisfaction;
- Monitor on a continuing basis to ensure that required standards are achieved and maintained;
- Arrange for repairs or graffiti removal to be carried out promptly once the need has been identified or reported. Graffiti which is considered to be “Hate” in that it refers to disability, race or ethnicity, religion or belief, sexual orientation or transgender identity will be removed within 24 hours
- Put in place arrangements by which residents may inform us of their views on the maintenance of common areas and other estate management matters.
- Respond to customers who raise estate management concerns to advise them of corrective action we have taken.

Tenancy conditions will be enforced if appropriate. Alternatively, practical advice and assistance will be arranged where appropriate. This will include referring tenants/sharing owners to garden service schemes run by external agencies.

The Association will regularly monitor, as part of its programme of Estate Management Inspections, general environmental matters such as litter, street cleaning, refuse dumping, lighting, abandoned cars, caravan parking, pigeon lofts, condition of footpaths etc. and notify or liaise with other agencies that may be able to assist in resolving any issues.

Other agencies include:

Police

It will be appropriate to contact the police where there is reason to believe that a tenant or household member is involved in some form of illegal activity.

Social Work

The Social Work Department has a major role to play in a number of situations which might also include a breach of tenancy. Social Work may be able to provide critical support to an individual in order to enable a person to sustain their tenancy.

Health Board

Community Health workers may be able to provide information on specific health problems being faced by families which may impact on their ability to sustain their tenancy.

Environmental Health

In some circumstances concerning excessive noise, or stray dogs, the Environmental Health Department has powers to take action.

Voluntary Organisations

There are a wide range of voluntary organisations working within the Association's area of operation and many offer services which could be relevant to difficulties which may come to the attention of the Association.

Community Wardens

Ochil View is in partnership with Clackmannanshire Council and Paragon HA in the management of a team of Community Wardens, with a broad remit to patrol and act

against environmental nuisance in Clackmannanshire. Wardens have powers to issue fixed penalty notices to persons responsible for littering, dog fouling, fly tipping etc.

Clackmannanshire Citizen's Advice Bureau

Citizen's Advice Bureau provide a high quality, broad based advice service to Clackmannanshire residents and have agreed to extend this to Ochil View tenants in West Fife. Citizen's Advice Bureau may be able to introduce tenants to agencies that can provide support, training and assistance in maintaining conditions of tenancy.

The Association will create links with all relevant agencies and agree terms of joint working. Throughout, the Association will be aware of the need for sensitivity and confidentiality in dealing with people's circumstances. Where appropriate, contact with other agencies will be undertaken with the co-operation of the person concerned.

5.4 Cleaning Common Stairways

The Association will offer a stair cleaning service to residents and promote take-up. Where residents do not clean the stairs to a satisfactory standard, after due notice and opportunity to improve, the Association will impose the stair cleaning service. For owners, the costs will be recovered through an addition to the management charge. Tenants will have the opportunity to enhance the stair cleaning service where they are willing to meet any increased costs associated with enhancements in specification

The Association will inspect common stairs and closes on a regular and recorded basis. The frequency of such inspections will be assessed by the Association on the basis on the condition of stairs and closes. Inspections will be carried out not less than twice per year.

The condition of common stairs will be assessed with relation to:

- Presence of any material in the close or stair that would present a fire hazard or obstruction to clear exit route in the event of a fire;
- Presence of any refuse or dumping in the stair or close;
- Presence of graffiti or evidence of vandalism in the stair;
- Presence of any tripping hazard in the stair and close and the physical condition of the stair and close floor, walls and ceilings;
- Cleanliness of the stair and close, walls and windows.

Where items are found within the stair which are considered to be a fire hazard or obstruction, the Association will try to identify the person(s) responsible and require that the item be removed within two working days. The Association will remove the items if the owner cannot be identified or if the owner does not remove the items as required within the period of notice.

5.5 Vermin and Pest Control in Common Areas

Where evidence of vermin or pests occurs, the Association will ensure a prompt response by qualified operatives to deal with the problem in accordance with environmental health guidelines.

5.6 Unoccupied Property

The Association will secure void property while it is unoccupied, including the use of security measures on ground floor property, if required. At regular Estate Management visits, staff will externally inspect empty property for signs of forced entry or unauthorised occupation, and will take appropriate action if it appears that empty property is not secure.

5.7 Abandoned Property

The Association will take action to promptly investigate and where necessary, recover possession of abandoned property in accordance with the requirements of the Housing (Scotland) Act 2001 and any other relevant legislation. The arrangements are set out in the Abandoned Property Policy.

5.8 Contacts with Tenants and Residents

As part of our objective of encouraging good tenant/landlord relationships we will encourage tenants and residents to take an active interest and participate in the well-being of their community and surrounding environment.

We will aim to achieve this through our Tenant Participation Strategy. In particular, we will:

- Have regular communication with individual tenants through, for example and as appropriate, personal letters, newsletters, home visits and information sheets telling tenants who receive stair cleaning services and Landscape maintenance Services the specification and frequency of maintenance visits
- Attend meetings, where invited, with any organised tenant and resident groups;
- The involvement of tenants and residents at a local level to improve their environment through public consultation over environmental improvements, artworks etc.
- Offering tenants and factored owners the opportunity to amend the landscape maintenance specification, where residents are willing to meet any enhanced costs arising.

5.9 Pets

Dogs and cats may be kept by tenants or residents only where prior permission, in writing, has been applied for and given by us. The Association will maintain a record of all properties where permission to keep a dog or cat has been given. Housing Officers will ensure that this requirement is recorded and enforced.

Where injury to people or damage to property is attributable to a dog or cat, the Association will withdraw permission for the dog or cat. The tenant will be in breach of the conditions of tenancy if they continue to keep the dog or cat after that date. The Association will involve such other agencies as appropriate to secure the welfare of the dog or cat on removal from the property

The Association will not permit the keeping of dogs and cats in property where the design makes this unsuitable. This includes our development at Mill Road Alloa and such other properties as we consider to unsuitable as a result of design, layout or any other reason.

The Association will permit the use of personal CCTV systems by tenants where:

- The tenant has applied for, and obtained permission for CCTV equipment as an alteration to the property;
- The areas covered by the camera(s) includes public areas only and does not infringe the privacy of other tenants or residents;
- Cameras are not motorised;
- Use complies with the requirements of the Information Commissioner and is exempt from the Data Protection Act ;
- The tenant has a well-founded fear of crime;
- The images are not sold, broadcast or published;
- A sign is erected to warn that CCTV is in operation.

The Association will consult with the Police before granting consent.

6.0 TAKING THINGS FURTHER: ENFORCING CONDITIONS OF TENANCY

The Association's general approach to dealing with breaches of conditions of tenancy will be as follows:

Contact will be made with the affected residents and, where appropriate, their neighbours to clarify the issues, and explain the tenants' responsibilities. The objective at this stage will be to reach mutual agreement between those concerned on the action which should be taken. However, if mediation is inappropriate or ineffective, enforcing conditions of tenancy may involve contact with other agencies, as set out above.

Agreements on action will be confirmed in writing to the individual(s) concerned.

If there is persistent or serious breach of the conditions of tenancy the Association will consider legal action. This action may involve:

- Action for damages, for example in cases of damage to property;
- Action for specific implement or Interdict;
- Anti-social behaviour Order, where the behaviour is defined as Anti-social behaviour;
- Eviction. This will only be used in the most extreme circumstances and where the breach of tenancy is very serious.

7.0 OWNER OCCUPIERS AND OTHER RESIDENTS

The Association has set out a Factoring Policy, and associated procedures that set out our relationship with owner-occupiers and other residents.

8.0 REVIEW OF THIS POLICY

This policy will be reviewed at least every 3 years.

Considered by the Management Team on	27 th January 2016
Reviewed by the Involved Residents Group	21 st October 2015
Recommended by the Customer Services Committee	4 th February 2016

Approved by the Management Committee on	25th February 2016
Date of Next Review	February 2019

APPROVED