

Housing Services Voids Policy

Department	Housing Services
Responsible Person	Director of Housing
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1. Policy Introduction

- 1.1 This policy sets the approach and commitment of the Council's Housing Service, to manage the prompt and efficient turnaround of void properties.
- 1.2 A property is classed as void, or empty, when there is no current or 'live' tenancy running against the address. The void period is the time between one live tenancy ending and a new tenancy commencing.
- 1.3 Voids may result from several reasons such as a formal termination of a tenancy; a tenant transferring to another tenancy; an eviction; abandoning a tenancy or the death of a tenant.
- 1.4 This policy applies to all general needs and sheltered and supported housing properties let by the Council's Housing Service.
- 1.5 Tenancies that change due to cases of succession, assignment or mutual exchange are not covered by this policy because there is no void period.
- 1.6 Properties that become vacant through regeneration, and are earmarked for demolition, are also excluded from further void turnaround performance monitoring.

2. Aims and Objectives

The key aims and objectives of this policy are to:

- 2.1 Manage void properties to enable an efficient and customer focused service which achieves a letting target of 28 calendar days for a standard void. Voids which have significant structural defects and/or asbestos which requires removal prior to works being commenced have a letting target of 35 calendar days, from one tenancy ending to the next one starting.
- 2.2 Minimise void rent loss and maximise rental income by achieving target turnaround times.
- 2.3 Ensure that properties are let which are safe and secure to live in, in accordance with the Council's lettings standards.
- 2.4 Set out the responsibility of tenants, both for outgoing tenants when returning properties and those tenants taking on their new homes.
- 2.5 Ensuring value for money by minimising void repair costs through clear and effective communications with tenants. For example, getting the outgoing tenant to make necessary repairs during the termination notice period and by leaving the property clean and empty of belongings at the end of the tenancy.

- 2.6 Minimise how long the Council's properties remain empty so that they can be made available to those that need them, as quickly as possible.

3. Terminating a tenancy

- 3.1 Section 12 of the Council's Tenancy Conditions sets out the requirements and responsibilities for ending a tenancy. Tenants must give four weeks' (28 days) written notice of their intention to end their tenancy by contacting the council via its website, or by letter or email. Where tenants are transferring to sheltered or residential accommodation, only two weeks' notice is required.
- 3.2 During this notice period the Council will carry out a pre-termination inspection to determine whether any alterations or repairs need to be carried out by the tenant so that the property can be left in a safe and suitable condition for re-let. This may include removing improvements and fixtures and fittings added by the tenant.
- 3.3 Where alterations have been installed by the tenant, without seeking the Council's permission first, the Council may appoint its own repair contractor to rectify this and recharge the tenant for this work as per the Council's Tenant Recharge policy.
- 3.4 Tenants are required to pay all rent owed up to the end of tenancy and return keys on or before the end of tenancy date.
- 3.5 Tenants must provide a forwarding address so that the Council can make contact with them after the end of tenancy date if required.
- 3.6 Tenants are expected to make their own arrangements with Royal Mail to redirect their mail to their new address.
- 3.7 If a tenant fails to leave the property after the end of the notice period, the Council may take legal action to have them removed.
- 3.8 If tenants vacate the property but fail to remove all belongings and personal items, the Council may appoint its own contractors to remove these items. In some circumstances rather than dispose of these items, the Council may store them for a period of up to 28 days, whereby if they have not been collected, the Council will dispose of them. In both cases, the outgoing tenant will be recharged for these services as per the Council's Tenant Recharge policy.
- 3.9 If the Council's appointed voids repair contractor, while undertaking void works, discovers additional damage, defects or alterations, previously unknown, which the Council considers to be the fault of the previous tenant, the Council may recharge that tenant to rectify these items as per the Council's Tenant Recharge policy.

4. Abandonment of property

- 4.1 If a tenant fails to give sufficient notice or vacates the property and leaves the keys without prior notice, the Council may still charge them rent for the full 28 day period.

5. Death of a tenant

- 5.1 If a tenant dies and there is no succession (grant of the tenancy to another qualifying person) the Council will issue a 28-day Notice To Quit served on the public trustee to formally end the tenancy. If there is a next of kin, they will be contacted and advised of the process to end the tenancy.
- 5.2 The items of the deceased should be removed from the property prior to the end of the 28-day notice by the next of kin. The next of kin will be liable for any delays in the return of keys which extend the period beyond the 4 week period.
- 5.3 If the property is under probate the Notice to Quit will also be served on the Executor of the deceased tenant's estate and the property must be handed back to the Council with the same protocol as for a termination of tenancy, including any recharges where applicable. If the period exceeds the end date of the notice, then the rent due will be claimed against the estate.

6. Transferring properties

- 6.1 Where a tenant is transferring from one Council owned property to another, usually the same protocol applies as for a termination of tenancy, including clearing any rent arrears before the end of tenancy date, clearing the property of all belongings and being liable for any recharges where applicable. However, in exceptional circumstances discretion may be applied.

7. Eviction

- 7.1 The Council will use legal action to evict tenants where there has been breach of tenancy and it is necessary to recover the property.
- 7.2 Tenants that are evicted are still liable for the same recharges for clearance and storage of any items left in the property, along with any repairs made to rectify unauthorised alterations.

8. Void works

- 8.1 On termination of a tenancy, a voids surveyor will visit the property and carry out an assessment of any works required in order to make the property ready to let for the next tenant.
- 8.2 If a property is a ready-let or requires minor works - All essential works will be completed whilst the property is empty. In certain cases, some work may be completed after the new tenant has moved into the property.

- 8.3 All voids works aim to return the property to the Council's lettable standard, which will be in accordance with the Housing Health and Safety Rating Systems (HHSRS) contained within the Housing Act 2004, the property should be free from "any deficiency that might give rise to a hazard which interferes with or puts at risk the health or safety or even the lives of the occupants".
- 8.4 All voids will be issued with electrical and gas safety certificates and an Energy Performance Certificate in compliance with the Council's legal requirements.
- 8.5 Where possible, any existing adaptations which would benefit someone living with disabilities, will remain in place after void works.

9. Equality Impact

- 9.1 Applying this policy consistently and sensitively will ensure that all tenants and their household members in Council owned homes who have protected characteristics and/or are deemed vulnerable for other reasons receive services that are based on a recognition of their vulnerability. The Council will make all appropriate adjustments to the services they receive in order to mitigate any potential negative impacts on them and to ensure they receive fair and equal treatment from the Council as their landlord.