

**Cheshire West and Chester Council**  
**Housing Management**

**Rechargeable Repairs**  
**Policy**

**1 MANAGEMENT INFORMATION**

|                          |                                                  |
|--------------------------|--------------------------------------------------|
| Approval Date – V2       | February 2022                                    |
| Next Review Date         | February 2024                                    |
| Responsible Service Area | Strategic Housing and Commissioning              |
| Responsible Director     | Gemma Davies, Director Economy, Housing & Policy |

## **Aim of Policy**

This policy applies to all housing management services delivered on behalf of Cheshire West and Chester (CW&C) Council.

We aim to provide tenants with a high quality, efficient and comprehensive repairs service whilst maintaining properties to a high standard. However, some repairs are required as a result of damage or neglect caused by the tenant and we consider these are rechargeable as a way of protecting assets and supporting viability.

This Policy sets out the circumstances in which tenants will be recharged for repairs and explains the arrangements for payment and conditions that must be met before works are carried out.

Only emergency repairs will be completed prior to full payment being received, the cost of which will be recharged to the tenant. This will enable us to reinvest money back into services for the benefit of tenants and communities. Other rechargeable repairs will not be undertaken until the tenant has paid in full. Affordable payment plans are available to assist tenants in financial hardship.

This Policy will ensure that:

- A consistent and fair approach is adopted in relation to defining a rechargeable repair;

- A consistent and clear message is communicated to tenants and staff in terms of actions that will be taken against tenants or former tenants that have caused damage to our properties
- Effective measures are in place to recover costs incurred,
- And where persistent recharge repairs occurs we will ascertain if there any other support needs.

## Policy

We will strive to recover the costs of repair works carried out due to tenant non-compliance with the terms of their tenancy during the tenancy or when the property has been vacated.

### Identification of recharges

Potential recharges will be identified in a number of ways including:

- When a tenant reports a repair to the Service Centre;
- When a repairs visit is undertaken when the tenant is in residence;
- When a general visit is undertaken when the tenant is in residence;
- When the property is empty (a void property);
- When a tenant contacts the area office;
- When a pre-termination assessment is completed;
- When a tenant contacts the area office; and
- By authorised agents of ForHousing (Managed)

We will always carry out emergency repairs. If the emergency repair is rechargeable the tenant will be advised they will be recharged for the cost of the repair. Tenants will be requested to pay in advance; where this is not possible a payment plan will be agreed. Emergency repairs are defined as those that, if left undone would be a danger to residents or the general public or could cause damage to the property. Emergencies and other repair classifications, target times for completion and repairs which are the tenants' responsibility are publicised in the tenant leaflet on the repairs service.

Recharges will be set at a reasonable rate and include the cost of carrying out the works. A discount of 10% will be offered if the tenant can pay over half of the recharge upfront or the whole amount within ten working days of the invoice. All costs are subject to an administration fee of 10% plus VAT.

Should a tenant wish to carry out a rechargeable repair themselves, they will need to request permission to carry out the work. The work will need to be carried out by suitably qualified contractor, and any relevant certification will need to be provided on completion. We will inspect completed works to ensure that they meet required standards.

If the tenant asks us to complete the repair then the tenant will be informed this will only be approved once full payment has been received. If required, we will arrange a payment plan with the tenant to facilitate affordable instalments until the total amount

of the repair cost has been received by us, at which point the repair will be undertaken.

### **Persistent recharges**

ForHousing will review rechargeable repairs data through current systems and the implementation of other ICT products to identify tenants that persistently damage their property, or continually require a lock change to gain access to the property, for example. This is to ensure that these tenants are identified at an early stage and where necessary the appropriate support can be provided to the tenant or the necessary action taken to prevent further damage being caused.

### **Tenancy support**

If ForHousing have information that a tenant has support needs it will provide additional advice and assistance to help them sustain their tenancy. This may be a referral to our Wellbeing service or to an external agency.

### **What will be recharged?**

Works carried out by us due to non-compliance of the tenancy agreement will be recharged. Examples of recharges include:

- Wilful damage or neglect due to actions of the tenant or former tenant, household members, invited guests or contractor employed by the tenant;
- Alleged break into property where tenant has not reported this to the Police and does not have a crime reference number;
- Any item that does not become defective due to fair wear and tear;
- Action not taken by the tenant, such as reporting repairs;
- Removal of items left in communal areas;
- Clearing properties at any time during a tenancy or at the point the tenancy ends;
- Clearing gardens at any time during a tenancy or at the point the tenancy ends;
- Making good any alterations carried out by the tenant where approval has not been authorised to carry out such works or has resulted in damage to the property or neighbouring property;
- Any court costs as a result of a breach of tenancy conditions, for example incidents of anti social behaviour or gaining access to properties to carry out a gas service;
- Call out fees for any out of hours work carried out which is not deemed to be an emergency;
- Where specialist equipment and/or materials have been ordered and the tenant refuses to have them fitted or provide access (with the cost of the equipment / materials recharged); and
- Loss of key fob.

Examples of where a recharge may be applied or where the tenant can carry out the works themselves at their own cost include:

- boarding up broken windows;
- re-glazing windows;
- forced entry because of lost keys;
- supplying, fitting and/or repairing additional locks;
- repair due to unauthorised DIY, such as wall removal;

- decent homes components requiring replacement outside of their planned lifecycle; and
- repeated repairs due to tenant actions, such as blocked wastepipes.

### **Tenant responsibility repairs**

Tenants can ask us to carry out repairs which are classified as the tenants' responsibility. These are usually fixtures and fittings which were in working order when the tenant signed for the tenancy. These include bath panels, internal doors, toilet seats and replacement locks because of lost keys. We will require payment in advance for these non-essential works.

### **What will not be recharged?**

We will not make a recharge in the following cases:

- To the family of a tenant who has passed away if there is no estate;
- When a tenant goes into residential care and has no means to pay;
- Where a tenant has been a victim of a crime, and who has reported the crime to the Police and obtained a crime reference number or valid supporting evidence from the Police;
- Any damage caused to the home of a tenant by someone behaving in a racist or anti social way or due to domestic abuse, where incidents are reported to us as an act of anti social or racist behaviour or due to domestic abuse;
- Works that are required due to fair wear and tear of the property as defined by component lifecycles;
- If a faulty security fob needs replacing, and it is returned to us;
- Items left in an empty property, such as carpets and fitted wardrobes, where this has been agreed by us, for example, for use by the next tenant;
- If the damage is not part of a history of repeated accidental damage;
- The tenant has been identified as having housing support needs and the damage caused is as a result of these needs.

### **Improvements**

Improvements made to the property will not be recharged where approval to carry out such works has been granted and completed works have been inspected by our surveyor and confirmed in writing. An exception applies where permission granted is conditional, requiring the tenant to return the property to its original condition at end of tenancy.

### **Appeals process**

Current and former tenants have the right to challenge repair recharges. Such requests will be considered by the ForHousing Strategic Housing Lead within 10 working days of receipt. Tenants also have the option to take advice from an independent source such as the Citizens Advice Bureau, Law Centre or Solicitor.

### **Recovery of recharges**

If attempts to recover recharges have been unsuccessful, depending on the level of debt and likelihood of recovery, we will decide whether to commission a debt collection service or make a referral to court to recover the debt. These debt recovery costs will be recharged to the tenant and include administration costs, interest charges, Court and Solicitor fees, debt collection service fees and VAT.

Current and previous tenants risk suspension from future property allocations if they have breached their tenancy conditions. Failure to pay recharges is considered a breach of tenancy conditions.

### **Best practice**

ForHousing will continue to seek best practice from other organisations in the sector and will consider alternative processes should they be deemed successful. This may involve completing pilots with certain groups of tenants and /or certain rechargeable works.

### **Efficiency**

Departments within ForHousing who are involved in the recharge process such as Finance, Asset Management, Neighbourhoods, Customer Experience, Business Excellence and the Income Maximisation Team will continue to seek alternative ways of working which may involve further automated or digitalised processes to collect rechargeable repairs.

### **Value for money**

ForHousing will undertake a value for money review to determine the cost of administering recharges. This will include considering additional resource, streamlining of processes, and the outcomes versus the outputs, for example.

## **How the Policy will be delivered**

If staff become aware of problems with effective operation of the Policy or the associated procedures, they should report this to the Policy Owner. This feedback will be incorporated into the policy / procedural review process.

Conditional property improvement permissions requiring the tenant to return the property to its original condition at end of tenancy will be retained on Documotive for reference and enforcement when properties become vacant.

## **Related Documents**

- Repairs and Maintenance policy
- Repairs and Maintenance procedures

## **Equality Analysis**

|                                                                                         |                                |
|-----------------------------------------------------------------------------------------|--------------------------------|
| <b>Date of approved EA</b>                                                              | 8 <sup>th</sup> September 2018 |
| <b>Results of EA / Actions taken forward to mitigate any potential negative impacts</b> |                                |

## Consultation & Business

The tenancy agreement defines tenant actions considered to be in breach of the tenancy. This includes property damage and neglect which this Policy identifies as circumstances in which required repairs will be recharged to the tenant. Tenants are consulted on changes to the tenancy agreement.

## Monitoring Arrangements

We will monitor and report performance in compliance with this Policy taking into account level of recharges and associated recovery rates.

## Control Data & Approval History

|                          |                                                                         |
|--------------------------|-------------------------------------------------------------------------|
| <b>Policy Owner:</b>     | CW&C: Alison Amesbury, Strategic Housing & Commissioning Senior Manager |
| <b>Next review date:</b> | February 2024                                                           |

| Issue         | Approved By                                                  | Date                           |
|---------------|--------------------------------------------------------------|--------------------------------|
| Approval – V1 | ForHousing SMT                                               | 30 <sup>th</sup> April 2018    |
| Approval – V1 | CWaC, Cabinet Member - Housing                               | 8 <sup>th</sup> September 2018 |
| Approval – V2 | CW&C, Cabinet Member Housing, Planning and Climate Emergency | 17 <sup>th</sup> February 2022 |

## Document Revision History

| Date                           | Version Number | Key Changes                                                                                                                                                                                                                                    |
|--------------------------------|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8 <sup>th</sup> September 2018 | 1              | Original Version                                                                                                                                                                                                                               |
| 15 <sup>th</sup> March 2021    | 2              | Further detail added in respect to; aim of policy, identification of recharges, tenancy support, examples of where a recharge may be applied, best practice, efficiency and value for money. Updated CW&C responsible Director name and title. |