

ABANDONMENT AND STORING OF GOODS POLICY

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Policy approved by:	John Bowker
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EIA Required?	<input type="checkbox"/>
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Lead officer:	Rebecca Cullen

1 INTRODUCTION

1.1 Stockport Homes Group (SHG) is committed to developing safe and sustainable neighbourhoods as well as maximising its contribution to meeting housing need.

1.2 This Policy sets out SHG's key principles to:

- ensure the housing stock (residential and non-residential) is managed efficiently, by ensuring prompt action is taken when a property is identified as possibly abandoned.
- manage the storage of goods that are left in SHG properties when a tenant is evicted, abandons the property or whether a tenant has died, and no Next of Kin (NOK) has come forward to take responsibility for the tenant's affairs.
- maximising the amount of furniture that can be recycled from properties and re-allocated to households in need following termination of tenancy where furniture is left in the property or where items are donated to the service.

2 STRATEGIC LINKS

2.1 The Policy links with several SHG policies:

- Local Government (Miscellaneous Provisions) Act 1982
- Housing Act 1985
- SHG's Eyes Wide Open Statement
- Tenancy Contacts Policy
- Empty Homes Management Policy
- Estate Inspection and Customer Walkabout Policy
- Allocations Policy
- Homelessness Strategy
- Greater Manchester Combined Authority Zero Waste Policy
- Environmental Strategy.

3 KEY FEATURES

ABANDONMENT

3.1 It is the responsibility of the Neighbourhoods and the Independent Living Teams to manage properties (and garages) which appear to have been abandoned, in order to ensure SHG's housing stock is managed effectively and to minimise any negative appearance of empty properties in SHG neighbourhoods.

3.2 Abandonment is a breach of tenancy and is considered fraudulent misuse of property under the Housing Act 1985.

3.1 A property may be abandoned if (but not limited to):

- There is a clear and obvious lack of furniture, curtains etc.
- Neighbours report that a property is not lived in/the tenant has left and no termination form or notification has been received
- The Housing Fraud/Customer Finance/Caretaking Teams have found evidence to suggest that the tenant is no longer living at the property
- No access is obtained, despite the SHG's best efforts
- The exterior of the property is in poor condition
- The tenant has died, and no NOK has come forward to make it known that they will be taking responsibility for terminating the tenancy.
- No access to numerous visits and contacts to complete gas safety checks and fixed wire test.

3.2 Abandoned properties can have a negative impact on the perception of an area, which subsequently may affect the sustainability of the neighbourhood.

3.3 Ensuring properties are used effectively helps to address the demand on the Housing Register as well as reducing rent loss.

3.4 SHG will take prompt action to gain possession of properties when they are identified as being abandoned. This will include properties where the tenant has died, and no NOK has come forward to take responsibility for dealing with the tenant's affairs and clearing the property.

STORAGE OF GOODS

3.5 In the event of abandonment or eviction, SHG has a legal obligation under the Local Government (Miscellaneous Provisions) Act 1982 to store any goods of value which are left in their properties.

3.6 SHG's Furniture Recycling Team are responsible for storing all goods of value legally protected by Section 41 (31 days) and under the Homeless Reduction Act 2018 (up to 56 days).

3.7 The owner of the goods must have the opportunity to reclaim the items, however, after a notice period has elapsed, the goods become the property of SHG, and arrangements will be made for their disposal (which includes the recycling of items wherever practical).

3.8 A Section 41 Notice will be served, which allows the tenant 31 calendar days to collect their belongings.

3.9 'Goods of Value' for storage are defined in the legislation and in this policy as those which are deemed **not** to be:

- of a perishable nature; or

- where it would be of unreasonable expense or inconvenience to store the goods
- unreasonable expense is defined by SHG as £600 or more (average transportation, storage, and disposal of items over a 31-day period).

3.10 The owner can reclaim their belongings but will be charged for any costs incurred in transporting and storing the items.

3.11 If a tenancy is terminated by a relative following the death of a tenant, the relative will be responsible to arrange for the removal of all goods within the property. If the relative does not want to claim any of the goods, disposal can be arranged with any costs incurred recharged to the deceased tenant's estate.

3.12 Where a tenant's NOK has not been identified, the relevant teams will make efforts to locate them; whilst attempts are made to identify the NOK, goods found in the property must be stored. If no NOK is identified following the necessary searches, goods will be disposed of.

4 EQUALITY IMPACT ASSESSMENT (EIA)

4.1 This policy is fully accessible to all, including those in minority groups and who have a protected characteristic under the Equality Act.

4.2 Where applicable the appropriate action will be taken if necessary, to ensure that the policy is accessible, this may include for example provision of translation services where appropriate.

5 OWNERSHIP, MONITORING & REVIEW

5.1 This Policy is owned by the Operations Directorate and will be monitored by the Operations Management Team.

5.2 The Policy will be reviewed in line with the Operations Management Policy and Procedure Review Schedule.