



ABANDONED PROPERTIES POLICY AND PROCEDURE

Responsible Director: Director of Homes and Wellbeing

Responsible Manager: Head of Homes and Wellbeing

Last updated: November 2021

Next update: November 2024

EST 05 Abandoned Properties Policy

1. Introduction

- 1.1 It is the policy of NCHA to minimise the number of empty properties and the length of time that properties stand empty.
- 1.2 In line with 1.1, it is the policy of NCHA to have an efficient procedure for dealing with properties which appear to be abandoned. This procedure must also comply with legal requirements for the protection of customers from eviction.

2. Aims

- 2.1 This Policy aims to:
 - Ensure that NCHA responds promptly to all reports of abandoned properties.
 - Ensure that Estate Services carry out checks in order to confirm and recover all property has been abandoned.
 - Reduce the risk associated with the management of abandoned properties.

3. Abandonment

- 3.1 NCHA will investigate and take action upon any information that a property has been abandoned and is no-longer occupied by the customer. For purposes of clarity a property is only abandoned where the customer does not intend to return.
- 3.2 Where the customer is not occupying the property as their main or only home then enforcement action may still be taken to recover the property.
- 3.2 We will arrange to secure any suspected abandoned property, where required. In circumstances where we believe that the property is unsecure or that the situation poses an immediate threat to health and safety we shall enter the property without notice.

4. Investigation

- 4.1 NCHA will investigate all cases where there is legitimate reason to believe that a property is no-longer occupied and will make checks before taking action to repossess the property.

5. Repossession

- 5.1 We will seek to repossess the property and will serve notice to terminate the tenancy. If the customer makes contact during the notice period and advises that they are occupying the property, we will conduct a Tenancy Audit to confirm their lawful occupation.

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6. Statutory and Regulatory Framework

- NCHA Tenancy Contract
- Housing Act 1985
- Housing Act 1988
- Housing and Planning Act 2016
- Protection from Eviction Act 1977
- Landlord and Customer Act 1985
- Torts (Interference with Goods) Act 1977