

Policy

Title: **Recharge Policy**

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A policy should be a short statement which describes in general terms or objectives what a service area's principles and key objectives are on a particular subject and should be no longer than a 2 pages in length. The aim of the policy is to have a practical effect of the strategy it supports.

Translations available on request by phoning 0151 510 5000

यदि आपनि এই तथा अना आसार पोते चान, अहले दवा करे 0151 510 5000 नयले फोन करुन।

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Introduction

This policy looks to set out how Halton Housing Trust will look to recover the cost of any rechargeable item from its customers.

One of the main areas that this will apply to is rechargeable repairs. A condition in the Trust's tenancy agreements state that customers must "not damage, deface or put graffiti on your home or any part of our property. You may have to pay the reasonable costs for any repair or replacement arising from any damage caused to your home or any other property by your family, visitors, including children or lodgers. These costs may be charged in addition to your rent and recovered as explained.....above". This policy will apply to any customer who breaches this tenancy condition.

However, other items such as the cost of missed appointments, court costs or gas injunction costs, will also be subject to recharge.

Aims / Objectives

The Trust's policy should be viewed as part of a wider campaign to encourage customers to take responsibility for the maintenance of their homes in accordance with their conditions of tenancy. It will also reinforce our stance on tackling anti-social behaviour. By taking prompt action when customers wilfully damage Trust property we are sending out a clear message that the Trust will not tolerate this type of behaviour. Such action also demonstrates that we are aiming to utilise our available budgets in an effective manner.

Performance Measures / Monitoring

Operational PIs will measure the proportion of recharges raised that have been collected on a monthly basis, as well as the overall amount in pounds. This will link into the Strategic PI on Net Operating Cashflow.

Scope

This policy involves the following service areas:

- Housing Management and Stock Investment – for initial identification, liaising with the customer and requesting the recharge to be raised by Finance;
- Finance – for the administrative aspects of the recovery process;
- Housing Management (Legal Support Section) - in the later stages of the recovery process where it has been decided that legal action is required to recover the debt.

Responsibility

The overall responsibility for the effective implementation of this policy will lie with the Director of Resources.

Individual Heads of Service in Housing Management, Stock Investment and Finance will ensure that appropriate procedures are in place in each area to ensure that the recharge process is effective; and for ensuring that staff are adequately trained in these procedures.

Service Standards

Standards for each of the service areas involved in the overall recharge process will be included in the Recharge Procedure.

Policy Statement

Rechargeable Repairs

The Trust aims to provide a good quality, value for money repairs and maintenance service. An important element of this approach is the need to ensure that where repairs are required which are the customers' responsibility, then the cost of these works are borne by the customer.

General circumstances where repair or reinstatement work may be rechargeable include:

- any items if the work is necessary because of an act of damage, neglect, misuse or some accidental damage by the customer, his/her family or visitors to their home.
- any reinstatement work made necessary by unsatisfactory or unauthorised customer improvements or alterations;
- any damage to the Trust's fixtures and fittings, whether internally and externally, that cannot be attributable to fair wear and tear throughout the duration of the tenancy;
- where customers vacate their property, and have not left it clean, cleared and in a good condition. Any reinstatement of damage, decoration, removal of furniture and other items, both in the property and any external areas will be recharged to them as former customers.

Where it is assessed that repair work will be rechargeable, the customer will be advised in advance of their responsibility to organise completion of the works or, if the Trust is requested to carry them out, their responsibility to repay the full cost of the works.

Recovery of Recharges

Where a customer is identified as being responsible for a repair, they must sign an agreement to this effect and pay the full cost of the repair, before commencement of any works. In certain circumstances, an arrangement may be made to pay the amount of the recharge by instalments. This would normally be over a period of no more than 12 months.

In exceptional circumstances where there is a risk to safety or potential property damage (i.e. where emergency repairs are required); the repair will be issued to a contractor prior to a payment arrangement being made. However, customers will be advised of their responsibility in advance of the work being commenced and the contractor will be requested to obtain the written consent of the customer prior to carrying out the work.

The Trust will seek reimbursement from both existing customers and former customers. Where the customer has moved out and a forwarding address is not available, attempts will be made to trace them.

The Trust may consider the use of an incentivised repayment system offering discounts for prompt payments etc, if this is proven to be cost effective and shows a positive effect on collection rates.

Other Items

Other items such as the cost of missed appointments, court costs or gas injunction costs, can also be subject to recharge.

Repairs required as a Result of a Crime

If the repair is required as the result of a crime e.g. stolen keys or broken windows, the customer will be required to report the incident to the police and obtain a crime reference number. In such cases, the works may be deemed not rechargeable.

However, it should be noted that the Trust treats the malicious reporting of any such damage as a crime –in order to avoid a possible recharge - very seriously and we will work in close co-operation with the local Police to respond to any incidents of false reporting.

Vulnerable Tenants

Additional consideration should be given to vulnerable customers in respect of rechargeable repairs. If it is considered that the property defect will have an undue effect on a customer's medical condition or their general well being, orders can be raised and a payment arrangement made at a future date. This includes repairs for older customers where there are concerns for their general health.

Legal Action

Failure to pay or maintain payments of the recharge may result in the instigation of legal action for the recovery of costs. Other sanctions may be considered; for example, customers that have outstanding recharge payments will be prevented from transferring to another Trust property until the debt is repaid or satisfactory arrangements have been made to clear the balance.

By adopting this approach, the Trust will demonstrate to all customers that it is seeking to prevent unnecessary additional costs and so maximise the best use of available budgets.

Redress

Customers who are not in agreement with any issue relating to the Recharge Policy may have recourse to the Trust's complaints procedure, but only where they feel the policy or its associated procedure has not been implemented correctly.

Consultation arrangements

In any review of this policy, the Trust will ensure that it takes account of good practice elsewhere, as well as the views of customers in accordance with the arrangements set out in the Customer Involvement Policy.

Benchmark Analysis

The Trust's performance in this area will be compared with other housing associations in its peer group particularly as part of any review.

Regulatory or Legal Compliance

The Housing Corporation's Regulatory Code and guidance – point 3.5 – states that “Housing Associations must provide good quality housing services for residents and prospective residents”; with sub-point 3.5.3 saying “with agreements that clearly set out residents' and landlords' rights and obligations.”

KLOE's affected

KLOE 4 on Housing Income Management affects this policy in particular within the following sections:

- Rent and Service Charge Accounting and Collection; and
- Current and Former Tenant Arrears Recovery.

There is an expectation that best performing organisations will have separate records and accounts for rent arrears, court costs, rechargeable repairs and other debts.

There should also be a co-ordinated approach to the recovery of rent, service charges or former tenant debts; for example, rechargeable repairs being pursued without taking account of other debts to the organisation, or rechargeable repairs/court costs are not systematically pursued even where the customer has no other debts.

Links to Strategies, Procedures and Associated Documents

Recharge Procedure
Sundry Debtors Procedure
Finance Strategy
Empty Property Management Policy
Repairs, Maintenance and Improvement Policy
Rent Arrears Recovery Policy

Equality and Diversity Considerations

This policy will be applied equitably and fairly to all of the Trust's customers. Special consideration will be given where any vulnerable customers are involved in this process.

Business Impact

This policy will not have any direct impact on the Trust's Business Plan or on its business activities in general. However the effective implementation of this policy will demonstrate that the Trust aims to utilise its available budgets in an effective manner, and should result in a better service being provided for Trust customers.

Self Assessment Compliance Statement (SACS) Considerations

It is not envisaged that this policy will have any impact on the SACs document. No changes/amendments will be required.