POLICY ON RECHARGEABLE REPAIRS

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Equality and Diversity Policy Statement

This policy can be provided in a range of accessible formats, such as large print, audio, or translated versions, depending on individual needs.

Our equality and diversity statement sets out the commitments that shape all our services, from employment practices to the support we provide to tenants and other customers.

We are guided by core values of fairness, inclusion, and equal treatment. These principles underpin our Equality and Diversity Policy and inform how we put it into practice across the organisation.

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Hillhead Housing Association 2000 is a Scottish charity, (SC029908) , a Registered Social Landlord with the Scottish Housing Regulator (326) and a Registered Society registered under the Co-operative and Community Benefit Societies Act 2014 Register number 2562R (S)

HILLHEAD HOUSING ASSOCIATION 2000

POLICY ON RECHARGEABLE REPAIRS

1. POLICY STATEMENT

In appropriate circumstances, Hillhead Housing Association 2000 will seek to recover the cost of repairs and appropriate administrative costs from tenants and others.

HHA's policy on rechargeable repairs is to seek to minimise the circumstances where tenants have to be recharged for repairs, but to also apply charges where the Association has incurred significant costs which are the responsibility of the tenant.

2. RECHARGING THE COST OF REPAIRS

HHA will seek to minimise the requirement to issue rechargeable repair accounts by:

- Not charging where damage is caused by fair wear and tear.

- Not charging where damage is caused by vandalism - provided that the damage has been reported to the Association and also to the Police and a crime reference number obtained and provided by the tenant to the Association's Property Services' staff. This only applies when the vandalism has not been carried out by the tenant or anyone else invited to their home and in accordance with the terms of the tenancy agreement. Repeated acts of vandalism being carried out at the same address may result in repairs being recharged, as well as neglect and misuse.

- Ensuring that the tenant completes all necessary works to bring a house up to a lettable standard (in accordance with the void procedures) prior to a termination of tenancy, transfer to another HHA property or other landlord's property being approved.

- Providing appropriate information to tenants on their responsibilities and on the Association's procedures for reporting repairs.

- Informing tenants on notification of a repair required that it is deemed a rechargeable repair and that the cost of the work will be their responsibility.

- Providing the tenant with the option of whether they wish the repair to go ahead after explaining their responsibilities. If the repair is deemed to be a Health & Safety issue, then this option does not apply and works will always be carried out.

HHA 2000 will apply charges where:

- The Association has agreed in advance with the tenant to carry out "tenant responsibility repairs" on their behalf and the tenant has signed the Association's mandate.

- The Association has carried out repairs which it considers the tenant should pay for because they arose out of tenant neglect, wilful damage, carelessness or criminal conviction.

- The tenant has used the out-of-hours emergency service for work that was not an emergency or was the tenant's responsibility.

- Works carried out by the tenant are not deemed to meet the appropriate standard required by the Association.

- Repairs are carried out to common areas for which other owners share a responsibility under the terms of the titles to the property.

- Emergency repairs are required to common areas that may not have been notified to owners and the mandate signed, but is deemed necessary for the immediate or short term safety of tenants/owners and/or the structure of the building.

3. DISCRETION TO RECHARGE

3.1 The Association recognises that recharging the cost of repairs to tenants may not always be appropriate and discretion is delegated to the Association's Depute Director/Head of Assets to decide whether a recharge should be applied and whether the full cost should be levied.

3.2 Where recharges are disputed by tenants, they should be advised to confirm the reason for disputing the recharge in writing for the attention of the Depute Director/Head of Assets who will arrange an investigation into the circumstances behind the recharge and determine whether the recharge shall stand.

3.3 Where the Depute Director/Head of Assets does not accept the tenants' reason for disputing payment of the charge, the tenant will be advised of the decision and the Complaints Policy followed.

3.4 Where discretion is used to decide not to levy a recharge where it could have been applied, the Depute Director/Head of Assets will record the reason for the decision on the notes in the computerised repairs property file.

3.5 Factors to be considered in deciding whether or not to levy a recharge will include:

- Age of the tenant
- Tenants' understanding of their responsibility
- Particular circumstances of the situation under which the repair was carried out
- The nature of the repair carried out
- Any history of previous rechargeable repairs
- The existence of any other debt such as rent arrears or outstanding repairs recharges and the tenant's payment record towards them.

3.6 Factors to be considered in deciding whether to reduce the level of the recharge will include:

- Existing tenant debt
- Income level of the household
- Likelihood of recovery
- Existence of other rechargeable items
- Avoidance of creating undue hardship

3.7 Where discretion is used to reduce the level of recharge, the Depute Director/Head of Assets will record the reason for the decision on the notes in the computerised repairs property file.

3.8 Rechargeable repairs debts may be used by Association staff as a reason for refusing tenants' moves into alternative accommodation or being bypassed on the waiting list.

4. FINANCIAL ASPECTS OF RECHARGES

In the event that the rechargeable repair cost is less than £80 then the Association will not pursue the recharge as it is considered inefficient in terms of staff time for such a small amount of money. If, however, there is more than one applicable rechargeable repair per property as a result of the same incident, then the total level of rechargeable repairs will be determined. Where it is found that the same tenant has a number of rechargeable repairs, relating to the same or similar issues, costs will be pursued even if below the £80 level.

The Association may refuse to carry out repairs where a large Rechargeable Repairs Account already exists and where there is no evidence that a payment plan has been followed. Consideration will be given to the nature of the repair and any Health and Safety concerns which may be associated with the works. If works are deemed essential then action will be taken to make the situation safe.

An administrative fee will be added to the amount calculated above in the sum of 20% of the cost (including VAT) subject to a minimum administration charge of £10 and a maximum of £50.

Where the repair is minor in nature, the tenant should be advised to carry out the work themselves because of the administrative costs which will be applied.

Tenants will be issued with an invoice for payment for each rechargeable repair. Payment should be made within 14 days upon issue of the invoice.

As an incentive to tenants and to encourage payment, the administration charge may be waived by the Association's staff if the amount is paid within 14 days of the date of the invoice letter, or an agreement to pay the recharges in regular instalments is honoured. The Association's staff will reserve the right to charge the administration fee retrospectively if the agreement is not honoured.

Arrangements can be made to pay in instalments where payments of the full outstanding balance would cause unnecessary hardship. In such circumstances, the Depute Director/Head of Assets will be consulted and will have the ultimate decision in relation to the instalment arrangements. Recharges may be applied at any time both during a tenancy or subsequently thereafter.

5. RECOVERY OF RECHARGES FOR REPAIRS

The Depute Director/Head of Assets will seek to recover the costs from tenants in a manner which does not cause undue hardship.

The Association's Finance Staff, in consultation with the Depute Director/Head of Assets will make arrangements with tenants, in appropriate cases, to recover the cost over a period of time with the tenant paying by regular instalments, the instalment amount varying according to the circumstances of the tenant concerned.

5.1 Rechargeable Repair debts;

- may be written off in accordance with any future policy on write-offs and bad debts.

- will be recovered from any monies owed to tenants in respect of any debt, rebate, tenant reward or loyalty scheme, or payment owed to the tenant.

- will remain as notes in the Association`s computerised system under the unique tenant reference name.

5.2 Tenants will be given every opportunity to clear their debt but the Association will, in appropriate circumstances, take court action where no arrangement has been made or honoured to clear the debt.

Where a decree is granted by the court for recovery of the debt, the Association will consider wage arrestment as a means to recover the debt.

5.3 The Association reserves the right to refuse to refund rechargeable repairs costs or any other outstanding debt from any credit on a tenants' Rent Account.

5.4 The Association may consider "factoring" the debt to another agency for recovery by them (subject to Management Committee approval).

6. MONITORING AND REPORTING OF RECHARGEABLE REPAIR DEBTS

The Finance Staff will regularly monitor and take appropriate action on outstanding rechargeable repair debts.

6.1 The Management Committee will receive a report on an annual basis on rechargeable repairs debts from the Finance Staff which will outline:

- Current total debt
- Income received in the period
- Details of the value and type of rechargeable accounts raised in the period
- Details of the steps taken to recover the debt, including reports on third parties instructed to carry out searches and traces.
- Proposals for write-offs
- Information from the Property Services Team in relation to decisions to waive or reduce recharges.

7. ADMINISTRATION OF THE POLICY

Staff will refer to the Procedure Note in Appendix 1 for administering the Policy.

8. POLICY REVIEW

8.1 This policy will be reviewed every 3 years.

8.2 All proposed amendments to the policy will be submitted to the Management Committee for approval.

9. RESPONSIBILITY

9.1 The Depute Director/Head of Assets will be responsible for ensuring that this policy is implemented, monitored and reviewed as required.

Appendix 1

PROCEDURE FOR ADMINISTRATION OF THE RECHARGEABLE REPAIRS POLICY

1. RECEIVING AND ORDERING OF RECHARGEABLE REPAIRS

1.1 Tenant calls or visits the Association`s office or HHA is notified from;

- The Association`s out-of-hours call out contractor
- The Police or emergency services

1.2 The Property Services Assistant;

- Informs the tenant/owner of their responsibilities.
- May request that the Property Services Officer pre-inspect the repair before ordering the works.

1.3 If the job is given an emergency priority, the Property Services Assistant;

- Calls the Association`s emergency contractor to verify the repair
- Ensures it reaches the contractor as per its priority status
- Ensures the job is carried out as per the Association`s timescales for repairs.

1.4 The Property Services Assistant;

- Raises a repair order
- Codes it as CRE on the Omniledger system
- Sends the repair electronically to the Association`s contractor
- Saves the job order in the appropriate place in the Property Services' team files.

2. MONTHLY REPORTING

The Property Services Officer/Assistant;

- Runs a monthly Omniledger report on rechargeable repairs.

- Types up a letter to the tenant/owner with details of the repair.

- On a monthly basis or when appropriate the Property Services Assistant will e-mail the Finance Staff a spreadsheet of the rechargeable repairs for that month.

- Finance Team produce appropriate invoices that are issued by Property Services

- A copy of the tenant recharge letters is saved in the appropriate Property Services file.

3. BILLING

3.1 The Finance Staff;

- Match any payments received to invoices.
- Ensure tenants accounts are kept up to date

4. DEBT COLLECTION

4.1 The Finance Staff;

- Sends out a statement 30 days after invoice date.

- Sends out a reminder letter 30 days after the statement date. Tenants are given the opportunity to agree to a payment plan at this stage.

5. WRITE OFFS

5.1 The Finance Staff;

- Prepares an annual statement/write-off report that highlights outstanding balances due requesting Committee approval to “write-off” the debts.
- If agreed, the write-offs are credited to the tenant accounts.

- Inform the Head of Development & Property Services, details of each tenant recharges that have Management Committee approval to be written off.

5.2 The Head of Development & Property Services ;

- After making a decision to *waive* the recharges under the circumstances detailed in sections 3.4 and 3.5 above the Depute Director/Head of Assets will inform the Finance Staff of their reasons and copy all relevant correspondence with the tenant to the Finance Staff.

- After making a decision to *reduce the level of* the recharges under the circumstances detailed in sections 3.6 and 3.7 above, the Depute Director/Head of Assets will inform the Finance Staff of their reasons and copy all relevant correspondence with the tenant to the Finance Staff.