

## Local Housing Companies' Rechargeable repairs policy

<b>Reference:</b>	Version 1	<b>Author:</b>	Tracy Garner
<b>Scope:</b>	Loddon Homes Berry Brook Homes	<b>Approved by:</b> <b>Date of approval:</b> <b>Date of next review:</b>	Head of Operations 2 November 2023 November 2026
<b>Legislation/Regulatory/ Governance/Guidance:</b>	Landlord and Tenants Act 1985 Housing Act 1988 Housing Act 1996 Equality Act 2010 Human Rights Act 1998		
<b>Related policies/ documents:</b>	LHC Repairs and maintenance policy LHC Void management policy LHC Guides for Tenants LHC Current arrears recovery policy LHC Former tenant arrears policy		

### 1. Policy statement

This policy outlines the way that Loddon Homes and Berry Brook Homes (the Local Housing Companies (the LHCs)), will manage repairs when they are the tenant's (or former tenant's) responsibility and therefore rechargeable to them. The LHCs have delegated responsibility to Wokingham Borough Council (WBC) to inform the companies of any works that may be rechargeable to tenants (or former tenants). The LHC will take responsibility for debt recovery within its tenant base working in partnership with the Housing Officer and debt recovery team at WBC.

### 2. Scope

- 2.1 This policy applies to all LHC tenants and former tenants. Tenants are informed of their repair responsibilities when they sign their tenancy agreement, and these responsibilities are also outlined in our tenant guides.
- 2.2 Rechargeable repairs are those which:
- Are necessary due to neglect, carelessness or misuse, deliberate action or accidental damage by the tenant or any other person knowingly allowed into the property, or damage caused by a pet.
  - Are considered to be beyond normal wear and tear.
  - Are necessary to rectify unauthorised alterations carried out by the tenant.
  - Are necessary to rectify authorised works that have not been carried out to an acceptable standard.

### 3. Policy aim

The overall aim of this policy is to ensure a consistent approach to rechargeable repairs and to recovering costs. It sets out how tenants (or former tenants) are charged for damage to an LHC property that is their responsibility, and:

- Give guidance on the circumstances where repairs will be recharged.
- Give guidance on the circumstances where discretion will be exercised because we recognise that in some circumstances raising a recharge will not benefit the responsible tenant or the LHCs and, in these cases, a flexible approach will be taken.
- Inform tenants of action the LHCs will take if payment is not made.

#### **4. Circumstances when repairs will be recharged, and where discretion will be exercised**

- 4.1 We recognise that most LHC tenants keep their homes in good condition, but where damage is caused deliberately, through neglect or by accident by the tenant or other household members, visitors, contractors or pets, any repairs needed will be at the tenant's (or former tenant's) cost. This includes the removal of any fixtures and fittings that have been provided by the LHC, for example internal doors or banister rails.
- 4.2 When tenants carry out DIY, alterations or home improvements, all work must be of a good standard. Landlord permission must be sought if the intended works are more than everyday things such as decorating or putting up shelves, for example, replacing a kitchen or bathroom, or installing decking or a patio. If any works are unsatisfactory, tenants must repair the damage or provide replacement as appropriate. If the LHCs have to carry out remedial works, the tenant (or former tenant) will be recharged for the total cost of the work plus any administration costs.
- 4.3 When moving out of a property, tenants will be responsible for any works needed to bring it back to an acceptable and re-lettable standard. The property will be inspected on behalf of the LHC before the tenant moves out, and they will be provided with a list of works that are needed. If the tenant does not carry out these works or they are not to a high enough standard, the LHC will arrange for them to be done and the tenant will be recharged.
- 4.4 In most circumstances, any drainage blockage will be considered to be tenant responsibility.
- 4.5 If a tenant wishes to have identified works carried out themselves, they may do so by applying for landlord's permission, but the works must be completed to an acceptable standard. The LHC reserves the right to undertake any work itself and may recharge the tenant (or former tenant) for the full cost.
- 4.6 If the police need to force entry into a LHC home to detect or prevent crime and evidence of a crime is identified, the cost of any repairs is considered to be the tenant's responsibility. If there is no evidence of a crime, there will not be a recharge.
- 4.7 Where damage is the result of vandalism, as long as it has been reported to the police and a crime reference number provided, a recharge will not be made.
- 4.8 Each case will be treated on an individual basis. The LHCs will take account of the tenant's (or former tenant's) age, health and any disability when considering whether discretion should be exercised and a recharge waived in part or in full.

#### **5. Payment arrangements**

- 5.1 When a repair has been identified as rechargeable, the tenant (or former tenant) will be notified in writing, except in cases where emergency repairs are necessary.
- 5.2 In cases where a tenant (or former tenant) is experiencing financial hardship and is unable to pay the recharge in full, the LHC may agree an affordable repayment plan.

**6. If payment is not made**

If a tenant (or former tenant) fails to pay the rechargeable repairs costs or fails to keep to an agreed instalment arrangement, steps may be taken to legally recover the money owed.

**7. Equality & Diversity**

The LHCs recognise the needs of a diverse population and always acts within the scope of their own Equality and Diversity policy, the Human Rights Act 1998, and Equalities Act 2010. The LHCs work closely with partners to ensure a clear understanding of their resident community with clear, regularly updated service user profiles. The LHCs will record, analyse and monitor information on ethnicity, vulnerability and disability.

**8. Review**

This policy will be reviewed on a three-yearly basis, or more frequently in response to changes in legislation, regulatory guidance, good practice or changes in other relevant LHC policies.

**DOCUMENT CONTROL**

Issue date	Approval date	Planned review date	Actual review date
26 November 2023			