

CLYDESDALE HOUSING ASSOCIATION LIMITED

Registered as a Charity with the Inland Revenue SC034228

ESTATE MANAGEMENT POLICY

SECTION	CONTENTS	PAGE
1	INTRODUCTION	4
2	BACKGROUND	4
3	POLICY OBJECTIVES	4
4	POLICY OUTCOMES	5
5	CUSTOMER FOCUS & SERVICE COMMITMENT	5
6	VULNERABLE TENANTS	6
7	TENANT CONSULTATION & PARTICIPATION	6
8	SERVICE STANDARDS, INDICATORS & TARGETS	7
9	PERFORMANCE MONITORING	8
10	SUPERVISION & MANAGEMENT OF COMMON AREAS	8 - 11
	10.1 Estate Visits & inspections	8
	10.2 Gardens	9
	10.3 Common Areas	9
	10.4 Common Landscaped Areas	9
	10.5 Vandalism	9
	10.6 Play Areas	10
	10.7 Environment Issues	10
	1 General	10
	2 Noise	10
	3 Stray Animals / Fouling	10
	4 Street Cleaning / Refuse Collection	10
	5 Building Structure / Fabric Maintenance	11
	6 Garden Sheds	11
	8 Parking Areas	11
11	ANTISOCIAL BEHAVIOUR	11 – 14
	11.1 Definition	11
	11.2 Scope of Policy	12
	11.3 Approach	13
12	TENANCY MANAGEMENT	14 – 19
	12.1 Complaints and Disputes	14
	12.2 Pets	16
	12.3 Successions	16
	12.4 Assignations, Subletting & Exchanges	16
	12.5 Abandoned Tenancies	18
	12.6 CCTV Security	18
	12.7 Business Use	19

	12.8 Illegal Use	19
13	EQUAL OPPORTUNITIES	19
14	SERVICE DELIVERY	20

1.0 INTRODUCTION

1.1 Clydesdale Housing Association Limited was established in 1986 and is registered with the Scottish Housing Regulator (SHR), an executive agency responsible for the regulation and monitoring of Housing Associations in Scotland on behalf of the Scottish Government. In addition the Association is registered with the Inland Revenue as a Scottish charity and is a non profit distributing organisation.

1.2 In compliance with SHR Activity Standard AS 1.10 and recognised good practice, the Association is required to have in place policies and procedures governing the management of existing and future developments in order to protect the investment made and ensure tenants have peaceful enjoyment of their home and surrounding environment.

2. BACKGROUND

2.1 As at October 2008 the Association had 689 rented dwellings under management, had an interest in a further 22 shared ownership dwellings and provided factoring services to over 200 private owners in 25 developments widely distributed throughout the area of South Lanarkshire, formerly known as Clydesdale District. It is anticipated the overall number of dwellings will fluctuate as a result of right to buy sales and additions through ongoing developments and acquisitions.

2.2 Estate Management is a generic term covering a range of activities and this statement encapsulates the Association's policy on:-

1. Supervision & Management of Common Areas and Open Spaces

Relating to the management and monitoring of the as built physical environment – common, public and landscaped areas etc.

2. Anti Social Behaviour

Included as a separate section in recognition of the fact that anti social behaviour is not restricted to tenants or tenancy issues, but can also involve unacceptable behaviour in common or public areas perpetrated by persons other than tenants.

3. Tenancy Management

Governing all aspects of how tenants' use and occupy their homes in terms of the conditions of let.

3. POLICY OBJECTIVES

3.1 The objectives of the Estate Management Policy are to:

1. Underpin the Association's overall aim of creating balanced and sustainable communities
2. Protect the investment made to maintain the quality and amenity of

the physical environment for the benefit of current and future tenants and the wider community.

- 3.2 These policy objectives will be achieved through a positive, proactive and responsive approach to estate and tenancy management.

4. POLICY OUTCOMES

- 4.1 The expected outcomes of this policy are that:

1. Estates are maintained in a clean, tidy and safe condition, affording attractive environments in which current and prospective tenants wish to live and raise their families.
2. Tenant disputes and / or incidents of anti social behaviour are dealt with responsively and proactively with an acceptable solution being achieved as quickly as possible.
3. Opportunities are created for tenants to engage with the Association and contribute to and influence the maintenance of their homes and management of the estates within which they live.
4. Feedback obtained through tenant satisfaction surveys, focus groups and tenant meetings etc is received positively and used to influence practices and procedures.

- 4.2 In addition to the service standards detailed in Section 8, a range of performance indicators and targets will be established against which the effectiveness of this policy in achieving the required outcomes can be measured. Service standards, performance indicators and targets will be reviewed and revised annually.

5. CUSTOMER FOCUS AND SERVICE COMMITMENT

- 5.1 The Association is committed to making the optimum use of available resources for providing current and future tenants, customers and service users with the most effective and efficient services.

- 5.2 A Customer Focus Charter has been developed, copies of which are available on request free of charge.

- 5.3 In the implementation of this policy, the Association will use a variety of methods to engage with tenants individually and collectively to obtain their views on:

- service provision and delivery
- responsiveness to reported disputes
- effectiveness of dispute resolution
- quality of property and estate

- 5.4 The feedback obtained from the above together with analyses of estate inspection findings, will be used to inform future development design and layout and to review service standards to ensure they continue to be relevant and meaningful.

5.5 All reports received in respect of neighbour disputes or incidents of anti social behaviour will be recorded and acknowledged, and within the constraints of tenant confidentiality, the complainant will be kept informed of progress and final outcome.

5.6 Procedures reflecting established and developing good practice will be developed and maintained for all aspects of this policy.

6. **VULNERABLE TENANTS**

6.1 For the purposes of this policy, '*vulnerable tenants*' includes tenants who:

- are elderly, including those with mental or physical infirmity;
- are physically disabled;
- have learning disabilities
- are single parent households
- are young single (16 – 20 years)
- have other '*special needs*' requiring housing support services.

The above list is for illustration and is not exhaustive.

6.2 The Association is committed to sustaining tenants in their homes. In line with that commitment, where management difficulties are experienced in any case involving a vulnerable tenant, the Association will liaise with Social Works, Health Board, South Lanarkshire Council and other relevant agencies and organisations in order to secure joint assessments, implementation of adequate care plans and where necessary the provision of specialist services to meet their specific needs to support and sustain them in their own home within the community for as long as possible.

6.3 The special needs or vulnerabilities of tenants identified in the course of a home visit or meeting, subject to the tenant's agreement, will be referred to the appropriate agency for advice and assistance where and when necessary.

6.4 Any special needs will be recorded on a tenant's file and relevant staff made aware of these as and when necessary. Such details will be maintained in a strictly confidential manner on a 'need to know' basis.

7. **TENANT CONSULTATION AND PARTICIPATION**

7.1 The Association is committed to tenant participation and consultation and regards this as an essential requirement in the fostering and promotion of good tenant / landlord relationships.

7.2 Consistent with this commitment and in accordance with the approved '*Tenant Participation Policy*', the Association will seek to engage with and encourage tenants to take an active interest in the management issues and participate in the decisions affecting their estate and surrounding areas through:

- information leaflets
- tenants handbook

- website publications
- focus groups
- open days
- meeting with tenant organisations
- roadshows
- satisfaction surveys
- annual tenant conference

7.3 Through one or more of the methods listed at 7.2 above, tenants will be consulted prior to any proposed significant changes in the Association's policies and procedures, service developments and / or the undertaking of any major repairs, improvements or landscaping works.

8. SERVICE STANDARDS, INDICATORS & TARGETS

8.1 The following standards have been adopted for the delivery of services under this policy:

- 1.** Written / verbally reported disputes - generally acknowledged within 3 working days of receipt and investigated within the priority response timescale (see below)
- 2.** Approval requests
e.g. subletting, assignation
lodgers etc - generally acknowledged within 3 working days of receipt;
- approval or refusal issued within a maximum 1 month of receipt or approval deemed granted
- 3.** Estate inspections - all estates inspected at least twice per year.
'Hotspot' areas more frequently as required
subject to resource availability
- 4.** Dispute investigation - as per prioritisation criteria below
- 5.** Satisfaction survey's - per complainant at resolution stage.

8.2 All complaints received, written or verbal, will be categorised as '*routine*' (RR) or '*antisocial behaviour*' (AB) and prioritised and investigated on their relative seriousness as follows:

- Health and safety 1 working day
- Tenancy led issues 5 working days
- Non tenancy issues 10 working days

8.3 To ensure they continue to be challenging and achievable, the above standards will be reviewed and revised on an annual basis, as will targets established for resolving disputes under each of the above complaint categories.

8.4 In every case where approval to assign, sublet or exchange a dwelling is refused, the tenants' concerned will be informed of their right to appeal the decision.

8.5 The above standards will be reviewed and revised in the light of feedback from customer satisfaction surveys etc as will performance indicators and targets which where appropriate will also be used to measure peer group performance.

9 PERFORMANCE MONITORING

9.1 Reports will be compiled and periodically presented to Management Committee demonstrating performance against a range of indicators and targets together with any other information which may be useful in demonstrating the outcomes of this policy.

10. SUPERVISION & MANAGEMENT OF COMMON AREAS AND OPEN SPACES

10.1 ESTATE VISITS and INSPECTIONS

1. All estates / developments under Association management will be inspected on a programmed basis at least twice a year. Where necessary resources will be targeted to ensure more frequent inspections of those estates where there is high incidence of management difficulties arising from reported tenant disputes, vandalism or anti social behaviour.
2. In recognition of the dispersed nature of the housing stock, full advantage will be taken of opportunities to minimise duplication and optimise resources presented by the presence of staff on site for other reasons. It is acknowledged that on such occasions other priorities will not always allow a full estate inspection to be undertaken, but any obvious defects or other matters requiring attention will be recorded and details passed to the relevant Officer for attention and follow-on action.
3. The purpose of estate inspection visits are to ensure:
 1. The amenity of the as built environment is being maintained and safeguarded.
 2. That all common and public areas within the state are safe, clean and tidy for the benefit of the Association's tenants.
 3. That tenants and Association contractors are fulfilling their respective contractual obligations in the proper upkeep and maintenance of those areas for which they are responsible.
4. Area Housing Officers will compile and maintain Estate Inspection Logs

for the purposes of recording inspections findings and the tracking of remedial and follow on action required and taken.

5. Fabric and other defects identified in the course of an estate inspection will be formally reported to the Technical Services Manager immediately.
6. Identified incidents of flytipping on land outwith the Association's ownership and responsibility will be reported to the appropriate department of South Lanarkshire Council.
7. The Housing Manager will maintain a register of programmed or ad hoc estate inspections, their findings and action taken, and will periodically submit a report to the Management Committee.

10.2 GARDENS

- 1 Programmed or adhoc inspections will identify tenants who are failing to properly maintain the garden area attached to their home.
- 2 In cases where the neglect is attributable to infirmity, frailty or poor health, practical advice and assistance will be provided where necessary which will include liaison with immediate family members, relevant welfare and support services, and consideration of the possibility of the tenant concerned transferring to more suitable accommodation. In such circumstances where appropriate or in other cases as an alternative to enforcement of the tenancy conditions, arrangements may be made for basic garden maintenance operations to be undertaken on a tenants behalf on a rechargeable basis.

10.3 COMMON AREAS

- 1 Where common areas are not properly cleaned and maintained as a result of the neglect of the tenants or the occupiers of associated dwellings, the Area Housing Officer will consult with all residents in the building or who have a right to use the areas in question on what is required to be done, when, the frequency and by whom, following which a rota for close / stair cleaning or the use of drying areas etc will be established.

10.4 COMMON LANDSCAPED AREAS

- 1 The Technical Services Manager will arrange for common landscaped areas to be routinely inspected to ensure they are properly maintained and are litter free in accordance with the Association's agreed specification.
- 2 Failings, particularly in respect of poor quality workmanship by contractor(s), identified in the routine course of estate inspections will be notified immediately to the Technical Services Manager.

10.5 VANDALISM etc

- 1 Damage to, or the defacing of Association property due to wilful acts of vandalism, neglect, waste or abuse will be thoroughly investigated and

attempts made to identify the perpetrator(s) who will be reported to the Police, and consideration given to the practicalities of seeking recovery of the costs of reinstatement having regard to the costs of legal action and likelihood of success.

- 2 Where an identified perpetrator is a tenant, or member of a tenant's household, the tenant shall be issued with a written warning as to his or her, or the household member's future conduct; and intimating that they (the tenant(s)) will be held liable for repayment of the reinstatement costs. Repeated offences will be deemed a breach of the tenancy conditions and acted upon accordingly.

10.6 **PLAY AREAS**

- 1 Where provided and in Association ownership, play areas generally, their surfaces and installed equipment in particular, will be inspected to ensure they are safe to use and continue to meet recognised safety standards. Defects will be reported to the Technical Services Manager

10.7 **ENVIRONMENT ISSUES**

1 **General**

- 1.1 Any incidents of the following nature reported by residents or identified in the course of an estate inspection will be thoroughly investigated and action taken as necessary in conjunction with the relevant agencies, e.g. South Lanarkshire Council Public Protection Services, the police, water board etc:

- vermin and pest infestation;
- abandoned / untaxed / unroadworthy vehicles;
- permanent or long term parking of caravans / untaxed / unroadworthy vehicles; either on the street or within curtilage;
- spillage of oil or other chemical pollutants within recognised water courses / public drains etc;
- flytipping and / or unauthorised dumping etc;
- blocked drains and/or burst mains etc

2. **Noise**

- 2.1 Reports of excessive noise will be investigated and where substantiated action taken as appropriate.

3. **Stray Animals / Animal Fouling**

- 3.1 Problems / nuisances arising from stray animals within a development will be reported to the RSPCA.
- 3.2 Approval to keep a pet will be withdrawn where a tenant fails to exercise proper control over their pet and/or properly dispose of its faeces etc. Private owners who similarly fail to exercise proper control will be reported to the Police or Public Protection Services.

4. **Street Cleaning / Refuse Collection**

- 4.1 The Association will liaise with South Lanarkshire Council Cleansing services on any issues relating to the cleanliness of adopted areas within Association developments for which the Council is responsible.

4.2 For unadopted areas which are the Association's responsibility to upkeep and maintain, arrangements, where practicable and economic, may be made for this function to be undertaken on an agency basis, on a specification and frequency to be determined. The cost of such work will be recovered through the service charge.

4.3 Similarly, the Association will liaise with the Council and tenants on any difficulties arising from the improper disposal or removal of domestic refuse.

5. Building Structure / Fabric Maintenance

5.1 Details of any structural or fabric defects affecting property owned or factored by the Association identified in the course of a programmed or adhoc site inspection will be recorded and passed to the Technical Services Manager

5.2 Where an identified defect relates to non common areas in a shared or outright ownership property details will be communicated to the relevant owner who will be reminded of his / her obligation to maintain the property. Where a sharing or outright owner fails to co-operate in undertaking the necessary repairs, the relevant lending agency (where known) will be informed, and / or the matter brought to the attention of Public Protection Services. In exceptional circumstances, the Association may instruct a contractor to carry out the required work on a rechargeable basis where permitted to do so under the relevant Exclusive Occupancy Agreement or Deed of Conditions, providing such activity does not conflict with its charitable status.

6. Garden Sheds

6.1 Subject to prior approval, tenants who have a garden area assigned to their home for their exclusive use may be allowed to erect a garden shed for the storage of gardening tools etc. Approval will not be unreasonably withheld, but may be subject to a specification and conditions determined by the Technical Services Manager.

7. Parking Areas

7.1 On curtilage parking areas are provided to facilitate the off street parking of private cars used by tenants in their normal day to day activities. They are not intended for the long term off street parking / storage of vehicles that are only used periodically e.g. caravans, mobile homes and trailers etc. When on site Housing Officers will be alert to the presence of such vehicles and where identified will require the tenant to make other arrangements.

7.2 Housing Officers must be alert to the presence within an estate of abandoned vehicles of any description or which are in a state of disrepair and not road worthy, or vehicle components e.g. wheels, tyres, body panels, engine blocks etc especially within gardens and curtilages and unadopted parking areas within the Association control and take appropriate steps to have them removed.

11. **ANTISOCIAL BEHAVIOUR**

11.1 **Definition**

1. For the purposes of this policy the Association will adopt the definition contained within the Antisocial Behaviour etc (Scotland) Act 2004 e.g. a person engages in antisocial behaviour:

“if they act in a manner that causes or is likely to cause alarm or distress; or if they pursue a course of conduct that causes or is likely to cause alarm or distress to at least one person not of the same household as them”

2. Guidance issued by the Scottish Executive indicates that in the above definition ‘conduct’ would include speech; and ‘a course of conduct’ must involve conduct on at least two occasions.
3. On the basis of this definition it is evident antisocial behaviour is not restricted or exclusive to any particular type or level of activity. Indeed antisocial behaviour can be divided into 4 categories:
 - disregard for community / personal well being
 - acts directed at people
 - environmental damage
 - misuse of public spaces(source: JRF – Tackling Antisocial Behaviour in Scotland)
4. Antisocial behaviour can arise from within a wide spectrum of activities - from the every day frictions and disputes that routinely occur from living in close proximity to neighbours, which on their own and as one off incidents are relatively minor, but when persisted with over a period of time cause distress - to the more serious involving harassment, intimidation, verbal or physical abuse or criminal activity; from behaviour directed at the individual to behaviour directed at property or possessions.
5. Antisocial behaviour can be caused by a tenant, a member of a tenant’s household, a visitor or visitors to a tenant’s home, neighbouring private owners or their visitors, or others who simply frequent the area; by adults or young people.

11.2 **Scope of Policy**

1. This policy will be applied in relation to:
 1. Tenants and subtenants, lodgers or other occupiers of Association owned property
 2. Owners, sub tenants and occupiers of neighbouring privately owned dwellings
 3. Other private individuals who perpetrate acts of antisocial behaviour in the vicinity of property owned by the Association.
 - 4.

11.3 Approach to Antisocial Behaviour

1. Whatever the type, level or cause, antisocial behaviour impacts on residents' peaceful enjoyment of their homes and is unacceptable. All reported incidents will be recorded and prioritised in accordance with Section 8.2.
2. Prioritisation of, and responses to reported incidents of antisocial behaviour will be determined by the seriousness of the situation, but generally the process will be one of escalation through which a variety of options will be explored and utilised to resolve the matter, including mediation and *Acceptable Behaviour Contracts* before any application for an antisocial behaviour order (ASBO) is contemplated.
3. For the purposes of this policy, routine complaints received on three consecutive occasions within a 2 month period relating to incidents of a similar nature or activities by the same particular individual causing nuisance or distress to others will be classed and treated as antisocial behaviour.
4. The Association will work in partnership with and co-operate with other agencies, most notably South Lanarkshire Council and Strathclyde Police in the development and implementation of strategies to combat antisocial behaviour at the strategic and local operational levels.
5. In partnership with relevant agencies, the Association will develop and enter into protocols regulating the disclosure and exchange of information relative to the antisocial behaviour of individuals.
6. Through the quarterly newsletter, resident meetings and other suitable means the Association will raise tenant awareness as to the unacceptability of antisocial behaviour, the Associations policy and the available remedies.
7. Whenever and wherever necessary the Association will closely liaise with Strathclyde Police, South Lanarkshire Council's Problem Solving Forum and Antisocial Behaviour Investigation Team (ASIT) and in cases of an extremely serious nature may engage the services of professional witnesses.
8. The Association will actively engage with appropriate departments of South Lanarkshire Council and other bodies and services to secure sustainable solutions to issues of antisocial behaviour
9. Where an Acceptable Behaviour Contract is being considered for a young person aged 12 – 15 years, the Association will consult with Social Works on the individual case.
10. Applications for ASBO's, particularly in respect of 12 – 15 year olds will only be initiated as a last resort after all other options have been pursued and exhausted. In such cases the Association will consult with the Chief Constable, South Lanarkshire Council and the Principal

Reporter to the Children's Panel.

11. In all cases where an application for ASBO is contemplated in respect of persons aged 16 years or over, the Association in accordance with its statutory duties will consult with the Chief Constable and notify South Lanarkshire Council.
12. Where an application for an ASBO is being made, the perpetrator(s) and victim(s) will be informed accordingly.
13. Where an ASBO is granted in respect of a tenant or member of a tenant's household, and the antisocial behaviour is tenancy related, the tenant's tenancy may be converted to a short Scottish secure tenancy (sSST) in accordance with the approved policy on sSST's. In such cases the Association will engage with Social Works and other services to secure the support necessary to sustain the tenant in the tenancy and allow it to revert to a Scottish secure tenancy.
14. In circumstances where appropriate to do so, the residents directly affected by antisocial behaviour necessitating an ASBO application will be informed if and when it has been granted and of its implications.
15. Residents who are victims of antisocial behaviour will be informed of and encouraged to take advantage of the counselling services provided by South Lanarkshire Council's Victim Support.
16. The Association will take immediate steps to reinstate property damaged or vandalised as a result of anti social behaviour.

12. TENANCY MANAGEMENT

12.1 Complaints and Disputes

1. If allowed to go unchecked, small disputes can often and very quickly escalate into more serious problems, necessitating a greater input of staff time and action that is disproportionate to the original problem. Equally, antisocial behaviour can adversely affect tenant enjoyment of their homes and render estates unpopular, leading to high turnover and void rates ultimately impacting on long term viability. It is recognised therefore that all reported incidents and disputes must be properly assessed and allocated time and resources commensurate with their seriousness.
2. The Association is committed to sustaining tenants in their home and to that end will explore all measures for securing acceptable resolutions to neighbour disputes and complaints, and where necessary and appropriate will enlist the support and assistance of other agencies and utilise all available legal remedies for enforcing compliance with the conditions of let or resolving issues of anti social behaviour.
3. Where a tenant or a member of a tenant's household becomes subject to an Antisocial Behaviour Order, consideration will be given to converting their tenancy to a short Scottish secure tenancy (sSST) in

accordance with the approved sSST Policy and associated procedures. In such cases the Association will engage with Social Works and other services to secure the support necessary to sustain the tenancy and allow it to revert to a Scottish secure tenancy.

4. The Housing Manager will maintain a register of reported disputes or incidents of antisocial behaviour received, investigations made, actions taken and outcomes. All complaint reports received whether formal (written) or informal (verbal) and regardless of their source, nature or seriousness will be recorded in the register.
5. In the management and investigation of reported incidents or disputes the right of residents to confidentiality will be respected at all times. This right may be overridden where there is a clear suggestion or evidence of criminal activity, particularly where children are involved, in which case a decision will be made by the Depute Chief Executive and Housing Manager as to whether or not liaison with the police or social services is appropriate in the circumstances.
6. All reports received will be categorized as '*routine*' (RR) or '*antisocial behaviour*' (AB) and prioritised and responded to within the appropriate target timescales detailed in Sections 8.2 e.g.
 - Health & safety 1 working day
 - Tenancy led issues 5 working days
 - Non tenancy led issues 10 working days
7. It is recognised however that dispute investigation and resolution may take longer and will be governed by resource availability and other factors e.g. verification / corroboration.
8. To minimise the possibility of malicious or false allegations which could expose the Association to claims of discrimination or harassment, complainants are to be encouraged to provide details in writing. However the absence of written details or identity of the complainant (anonymous) is not to preclude a proactive approach to further investigation, including contact with neighbouring residents to establish the veracity of the report(s) received, and wherever possible to obtain corroboration, although such contacts should not be used to solicit complaint reports.
9. Where a dispute arises from irreconcilable differences due to the personalities or incompatible lifestyles of the parties involved, consideration will be given to the provision of alternative housing for one or both parties through a management transfer in accordance with the Association's core Allocation Policy.
10. Where reported disputes are exclusively between private owners, the Association will take action only in so far as is consistent with its powers and authority as either a Factor for the property, or as an owner and landlord with adjoining property in terms of the Antisocial Behaviour etc

12.2 Pets

1. Except where the tenancy agreement otherwise specifically allows, tenants are required to obtain prior written permission for the keeping of pets. Such permission will not be unreasonably withheld but may be subject to conditions deemed appropriate having regard to the circumstances in individual cases.
2. As a minimum, it will be a condition of every approval granted to keep a pet that:
 1. The animal is kept under proper control at all times.
 2. Will not be allowed to cause a nuisance or annoyance to other residents.
 3. The animal will not be allowed to foul in the garden of other tenants / residents, or in common landscaped areas.
 4. That 'poop scoops' will be used for the proper disposal of faeces.
3. Failure to comply with the approval conditions will result in the withdrawal of permission to keep the animal.
4. Private owners who fail to exercise control over their pet in accordance with above standard, are to be formally reported to the police as causing a public nuisance.

12.3 Tenancy Successions

1. Applications to succeed to a Scottish secure tenancy on the death of a tenant will be processed in accordance with the provisions of the Housing (Scotland) Act 2001.
2. In the absence of a '*qualifying person*' as defined by the Act, an application from a non qualifying person who was normally resident with the tenant at the time of death will be considered on its merits having regard to the particular circumstances in individual cases.
3. In all cases where the dwelling occupied is of a type specifically designed or substantially adapted for special needs, first level succession by anyone other than a spouse, recognised partner or joint tenant, or second level succession by any party will not apply unless the proposed successor or any member of their household has special needs requiring accommodation of the kind provided by the dwelling.

12.4 Assignations, Subletting and Mutual Exchanges etc

1. The Association recognises the right of secure tenants to assign, sublet, or exchange their tenancy or to take in a lodger or lodgers. Requests to assign, sublet, exchange or take in lodgers must be in writing and tenants must provide any additional information required to allow proper consideration of their request. Approval will not be unreasonably

withheld, but may be granted subject to certain conditions.

2. In all cases, approval will not be granted where:
 1. The dwelling is of a type specifically designed or substantially adapted for special needs and neither the applicant nor any member of their household has special needs requiring accommodation of the type provided by the dwelling;
 2. The granting of approval would result in a dwelling being overcrowded;
 3. There are arrears of rent and no acceptable arrangements for payment have been presented, accepted or maintained;
 4. The tenancy is subject to a notice of proceedings or an ongoing action for repossession;
 5. In the case of a subletting, the tenant is not occupying, or does not intend to return to occupy the dwelling as their principal or only home.
3. Approved subletting periods will normally be for periods not exceeding of 6 months, but at the discretion of the Housing Manager, may be extended for a further 6 months, subject to the proviso that no sublet will be permitted to exceed a maximum period of 12 months.
4. Under no circumstances will approval to sublet, assign or to take in lodgers be granted where it would necessitate a dwelling having to be licensed with South Lanarkshire Council as a House in Multiple Occupation (HMO).
5. Requests to exchange dwellings will only be considered and approved where:
 1. The parties involved occupy their respective dwellings under a Scottish secure tenancy. Such requests will be dealt with in accordance with the Association's core Allocation Policy and will not be unreasonably refused, but will be subject to conditions regarding periods of occupancy and property condition.
 2. The tenants can demonstrate they:
 - have conducted their respective tenancy in a satisfactory manner;
 - are up to-date with rent payments or where they are in arrears have made and are maintaining an acceptable payment arrangement and have done so for at least 3 months;
 - have the appropriate family circumstances suited to the size and type of dwelling which they propose to occupy.
 3. Acceptable landlord references are forthcoming on behalf of external applicants who will also be required to complete the

appropriate application form.

6. Where permission to assign, sublet, exchange or take in lodgers is refused, the tenant(s) will be informed of or the reasons and of their statutory right to appeal the decision through the court in addition to utilizing the Association's internal Complaints and Appeals procedure.
7. All requests will be acknowledged within 3 working days and processed in accordance with relevant procedures, and formally responded to within the statutory timescale of 1 month from date of receipt.
8. Where permission to assign, sublet, exchange or take in lodgers is granted to a tenant who is in receipt of housing benefit, the change in circumstances will be communicated to the South Lanarkshire Council in order to minimise the Association's exposure to possible housing benefit overpayment claims.
9. The Housing Manager will maintain a register of approved assignments, sublets and mutual exchanges.

12.5 **Abandoned Tenancies**

1. On receipt of information from any source suggesting a tenancy has been abandoned, appropriate action to ascertain the tenant's whereabouts and if necessary to recover possession of the dwelling will be initiated immediately in accordance with the Abandoned Tenancies Procedures in order to minimise accrual of rent arrears and subsequent rent loss.
2. In the course of their normal day to day duties and when on site for undertaking estate inspections or other business, Area Housing Officers will be alert to indicators of possible abandonment e.g.
 - non payment of rent
 - failure to respond to correspondence
 - curtains / windows never opened
 - accumulation of mail behind front door
 - overgrown gardens etc
3. In all cases, action to repossess an abandoned dwelling will be strictly in accordance with statutory requirements and established procedures.
4. The Housing Manager will maintain a register of repossessed abandoned dwellings, and a record of abandoned property and its disposal in compliance of the provisions of the *Scottish Statutory Instrument No 313 – The Scottish Secure Tenancies (Abandoned Property) Order 2002*.

12.6 **CCTV Security**

1. The Association recognizes and acknowledges the increasing incidence of residents seeking to enhance their own personal safety and security of their home by the installation of CCTV.

2. Tenants wishing to enhance the security of their home by the installation of CCTV cameras must obtain prior written approval. Approval will not be unreasonably withheld, but may be granted subject to certain conditions following consultation with the local Community Police Officer.
3. As a generality, approval will not be granted where the proposed siting of CCTV cameras will intrude on the privacy of other residents, or allows monitoring of public areas. On the guidance of the local Community Police, an exception may be made where monitoring of a public area is essential to address a problem of extreme antisocial behaviour or harassment.
4. A standard condition of approval will be that the tenant must comply with Data Protection and other relevant legislation in terms of public notices etc.

12.7 **Business Use**

1. Residential properties are not intended nor designed for commercial based activities, and tenants wishing to pursue a business enterprise would normally be expected to secure appropriate premises. This policy recognizes however that some tenants are self employed and use their home as an office base, or for some other non intrusive cottage industry type activity. Therefore in certain circumstances, the Association is willing to allow a tenant to use their home for business purposes.
2. Tenants wishing to undertake business activities from their home must obtain prior written approval. Approval will not be unreasonably withheld, but will be subject to conditions determined by the Housing Manager having regard to the location of the property and nature of the business activity, but always subject to the undernoted as a minimum the activity will not:
 - constitute a change of use in terms of current planning regulations;
 - cause nuisance or annoyance;
 - be a source of disruption to the local community;
 - require the engagement of employee operatives working in or from the dwelling.

12.8 **Illegal Activities**

1. A 'zero tolerance' approach will be taken in respect of any tenant who is convicted of illegal or immoral purposes such as for example the distribution of controlled drugs or prostitution, and the evidence confirms the activity was conducted in or from within the tenant's home. Such activities will be deemed to be '*antisocial behaviour*' and proceedings for possession vigorously pursued.

13. **EQUAL OPPORTUNITIES**

- 13.1 Clydesdale Housing Association operates under the overarching duty of a Registered Social Landlord to provide housing accommodation and related services in a manner which encourages equality and diversity, and in particular the observance of equal opportunity requirements as specified in

the Housing (Scotland) Act 2001.

13.2 No person or group of persons occupying, or applying for an Association tenancy will be treated less favourably than other persons or group of persons because of their sex, marital status, family circumstances, race, ethnic or national origins, disability, age, religion, political orientation or sexual orientation.

13.3 Consistent with the aims and objectives of the policies on Equal Opportunities and Racial Harassment, all reasonable and practicable steps will be taken to ensure all Association tenants, current and future, have full enjoyment of their home free from any form of discrimination and harassment. Discrimination or harassment by an Association tenant on the grounds of race, sex, sexual orientation, religion or ethnic background is unacceptable and all complaints relating to such activity will be thoroughly investigated and where corroborated, action taken as appropriate.

14. SERVICE DELIVERY

14.1 The Housing Manager will ensure that staff responsible for implementing this policy are provided with adequate instruction, guidance and training on:

- aims and objectives
- legal requirements and processes
- recording and monitoring requirements
- operational standards
- performance monitoring arrangements.

14.2 The Housing Manager will be responsible for developing, implementing and adapting as necessary, practices and procedures essential to the effective implementation of this policy and the attainment of its aims and objectives.

14.3 The Housing Manager is authorised to undertake all actions deemed necessary and which are consistent with the stated aims and objectives, up to the point of eviction, at which time a report will be submitted to Management Committee and approval obtained prior to proceeding to instruct a tenants' eviction.

Approved by the Committee of Management on:	
Signed:	Signed:
Secretary/Chairperson	Staff Member