

CLYDESDALE HOUSING ASSOCIATION LIMITED

Policy: **Abandoned Tenancies Policy**

Date: **26th August 2026**

Lead Officer: **Housing Manager**

Review Date: **August 2029**

Regulatory Standards: **Standard 2**

The RSL is open about and accountable for what it does.

It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. And its primary focus is the sustainable achievement of these priorities.

Standard 3

The RSL manages its resources to ensure its financial well-being and economic effectiveness.

Standard 2

The RSL is open about and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. And its primary focus is the sustainable achievement of these priorities.

Guidance

2.1. The RSL gives tenants, service users and other stakeholders information that meets their needs about the RSL, its services, its performance and its future plans.

2.2. The governing body recognises it is accountable to its tenants, and has a wider public accountability to the taxpayer as a recipient of public funds, and actively manages its accountabilities. It is open about what it does, publishes information about its activities and, wherever possible, agrees to requests for information about the work of the governing body and the RSL.

2.3. The RSL seeks out the needs, priorities, views and aspirations of tenants, service users and stakeholders. The governing body takes account of this information in its strategies, plans and decisions.

2.4. The RSL is open, co-operative, and engages effectively with all its regulators and funders, notifying them of anything that may affect its ability to fulfil its obligations. It informs the Scottish Housing Regulator about any significant events such as a major issue, event or change as set out and required in our notifiable events guidance.

Standard 3

The RSL manages its resources to ensure its financial well-being and economic effectiveness.

Guidance

3.1. The RSL has effective financial and treasury management controls and procedures, to achieve the right balance between costs and outcomes. The RSL ensures security of assets, the proper use of public and private funds, and access to sufficient liquidity at all times.

3.2. The governing body fully understands the implications of the treasury management strategy it adopts, ensures this is in the best interests of the RSL and that it understands the associated risks. Where the RSL makes use of financial derivatives it applies the guidance at 3.13.

3.3. The RSL has a robust business planning and control framework and effective systems to monitor and accurately report delivery of its plans. Risks to the delivery of financial plans are identified and managed effectively. The RSL considers sufficiently the financial implications of risks to the delivery of plans.

3.4. The RSL bases its financial forecasts on appropriate and reasonable assumptions and information.

3.5. The RSL monitors, reports on and complies with any covenants it has agreed with funders. The governing body assesses the risks of these not being complied with and takes appropriate action to mitigate and manage them.

3.6. The governing body sets the employee remuneration levels at a level to be sufficient to ensure the appropriate quality of staff to run the organisation successfully but avoid paying more than is necessary for this purpose.

3.7. The RSL provides accurate and timely statutory and regulatory financial returns to the Scottish Housing Regulator.

The Scottish Social Housing Charter

1. Equalities

- The landlord supports the right to adequate housing
- every tenant and other customer has their individual needs and rights recognised, is treated fairly and with respect, and receives fair access to housing and housing services.

6. Estate Management, Anti-Social Behaviour, Neighbour Nuisance And Tenancy Disputes

- tenants and other customers live in well-maintained neighbourhoods where they feel safe.

11. Tenancy Sustainment

- tenants get the information they need on how to obtain support to remain in their home; and ensure suitable support is available, including services provided directly by the landlord and by other organisations.

Clydesdale Housing Association will provide this policy on request at no cost, in large print, in Braille, in audio or other non-written format, and in a variety of languages.



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1. Policy Statement

1.1 Clydesdale Housing Association is committed to making effective use of its housing stock while safeguarding the rights of tenants.

An abandoned tenancy happens when a tenant moves out and stops living in the property without telling the landlord or officially ending their rental agreement.

The Association recognises that properties may occasionally appear to have been abandoned. Where there is evidence that a tenant is no longer occupying their home and does not intend to return, the Association will investigate fully and take appropriate action in accordance with the Housing (Scotland) Act 2001.

The Association will ensure that any action taken in relation to suspected abandoned tenancies is lawful, proportionate, evidence-based and sensitive to the needs of vulnerable tenants.

2. Policy Aims

2.1 The aims of this policy are to:

- Ensure compliance with the Housing (Scotland) Act 2001 and associated legislation.
- Protect the tenancy rights of Scottish Secure Tenants.
- Prevent housing stock from remaining unoccupied unnecessarily.
- Ensure all suspected abandonment cases are investigated thoroughly and fairly.
- Minimise the risk of unlawful repossession.
- Ensure vulnerable tenants are identified and supported wherever possible.
- Maintain comprehensive records and audit trails throughout the abandonment process.
- Ensure abandoned property is managed appropriately and in accordance with statutory requirements.
- Return abandoned properties to productive use as quickly as possible.

3. Scope

3.1 This policy applies to:

- All Scottish Secure Tenancies managed by Clydesdale Housing Association.

- Cases where a property is believed to have been abandoned by all tenants.
- Cases involving abandonment by a joint tenant.
- All employees responsible for tenancy management and housing services.

This policy does not apply to:

- Standard tenancy terminations.
- Court actions for recovery of possession.
- Cases involving succession, assignation or subletting unless abandonment concerns are also identified.

4. Legislative and Regulatory Framework

4.1 The Association will operate this policy in accordance with:

- Housing (Scotland) Act 2001, Sections 17-21.
- Scottish Secure Tenancies (Abandoned Property) Order 2002.
- Equality Act 2010.
- Human Rights Act 1998.
- Data Protection Act 2018 and UK GDPR.
- Scottish Housing Regulator Regulatory Framework.

The Association will have regard to any subsequent legislative or regulatory changes affecting tenancy management.

5. Principles

When dealing with suspected abandonment, the Association will:

5.1 Fairness

Ensure tenants are given every reasonable opportunity to confirm their occupancy or intention to occupy the property.

5.2 Evidence-Based Decision Making

Base decisions on reasonable enquiries and clear evidence rather than assumptions or unverified reports.

5.3 Safeguarding and Vulnerability

Take account of circumstances which may explain a tenant's absence, including:

- Hospitalisation
- Mental ill-health
- Domestic abuse
- Imprisonment
- Care arrangements
- Caring responsibilities
- Other vulnerabilities including learning difficulties or neurodiverse conditions

This list is not exhaustive and highlights an importance of building good rapport with tenants and communities so that challenges with communication are limited and any reasonable adjustments are in place and being adhered to.

5.4 Equality and Human Rights

Ensure no individual is disadvantaged by reason of age, disability, race, religion or belief, sex, sexual orientation, gender reassignment, marriage or civil partnership, or pregnancy and maternity.

5.5 Transparency

Maintain clear records throughout the abandonment process and ensure decisions can be justified and evidenced

6. Abandoned Property

6.1 Where property is found within a dwelling following repossession, the Association will:

- Act in accordance with the Scottish Secure Tenancies (Abandoned Property) Order 2002.
- Maintain an inventory of property found.
- Assess whether items require storage or may be disposed of.
- Retain records of storage, disposal and any associated costs.
- Maintain an Abandoned Property Register as required by legislation.

7. Roles and Responsibilities

7.1 The Housing Manager (or Management Team member) is responsible for:

- Overseeing the implementation of the policy.
- Authorising abandonment actions where required.
- Monitoring compliance with procedures.
- Reporting significant issues to senior management.

7.2 The Housing Officers are responsible for:

- Investigating suspected abandonment cases.
- Carrying out reasonable enquiries.
- Assessing vulnerability and support needs.
- Maintaining accurate records.
- Following the Association's Abandoned Tenancy Procedure.

8. Procedure

8.1 The operational process for managing suspected abandoned tenancies is detailed within the Association's procedure which will be reviewed in line with this policy:

Abandoned Tenancies Procedure (August 2026)

This procedure provides guidance on:

- Identification of suspected abandonment.
- Enquiries and evidence gathering.
- Vulnerability assessments.
- Service of statutory notices.
- Repossession processes.
- Management of abandoned property.
- Register requirements.
- Joint tenant abandonment cases.
- Void handover arrangements.

All staff must follow the Procedure when dealing with suspected abandoned tenancies

9. Monitoring and Performance

9.1 The Association will monitor:

- Number of abandonment investigations undertaken.
- Number of properties repossessed through abandonment procedures.
- Timescales taken to resolve cases.
- Complaints relating to abandonment decisions.
- Legal challenges arising from abandonment actions.
- Compliance with this policy and associated procedure.

10. Equality and Diversity

10.1 The Association is committed to promoting equality and eliminating discrimination.

10.2 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 of opportunity. In particular the observance of equal opportunity requirements as specified in the Housing (Scotland) Act 2001 and the Equality Act 2010.

10.3 We do not discriminate against applicants in any way either directly, indirectly or by association because of their age, disability, gender identify (reassignment), marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

10.4 An Equality Impact Assessment (EIA) has been undertaken in relation to this policy.

11. Review

11.1 This policy will be reviewed every three years or sooner where:

- Legislative changes occur.
- Regulatory requirements change.
- Good practice guidance is updated.
- Monitoring identifies a need for review.