



Disrepair policy

1. Purpose and scope

1.1 Purpose The policy and procedure is designed to take a proactive, Selwood Housing Group (SHG) approach to identifying and delivering repairs to our homes and communal areas to ensure they are maintained to a satisfactory condition.

1.2 Scope The disrepair policy applies to all our homes and common parts. The policy and procedure will involve all teams across Selwood Housing Society who provide a direct maintenance related service to our customers as well as staff who visit our homes and neighbourhoods for other purposes.

2. Underpinning principles

- We will invest in and manage our property assets in line with our agreed asset management strategy in order to try to prevent disrepair.
- We will operate a programme of stock condition surveys to explore the state and condition of our properties and deploy resources to repair or prevent disrepair.
- We will operate planned programmes to ensure components are replaced to reduce the potential for disrepair issues.
- Implement a procedure which utilises opportunities to communicate with our customers about repairs they may wish to report and identify obvious repairs when we visit our homes.
- Future proof the Selwood Housing Group against solicitors making unnecessary claims for disrepair.
- To comply with the Home Standard of the Regulator of Social Housing.
- To ensure we meet our landlord requirements and in doing so mitigate the risk of legal action.
- Take steps to minimise the opportunities when claims of disrepair can be made as part of other legal proceedings.
- To ensure we are compliant with the Pre- Action Protocol for Housing Disrepair Cases when a claim is received.
- Where liability for disrepair exists ensure repairs are carried out as a priority and customers are awarded a fair payment of compensation.



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- Where liability for disrepair exists take appropriate steps to prevent litigation and protect the reputation of the SHG.
- promote good pre-litigation practice, including the early exchange of information and to give guidance about the instruction of experts.

3. Policy details

3.1 Disrepair Context

The Landlord and Tenant Act 1985 defines disrepair:

'Disrepair is when something that was previously in repair, or good repair is no longer so'.

Section 11 implies covenants into tenancy agreements which places obligations onto landlords to:

- Keep in repair the structure and exterior
- Keep in repair and proper working order the installations for gas, electricity and sanitation
- Keep in repair and proper working order installations for heating and hot water
- Includes common parts

The level of repairing obligations will be set out in the tenancy agreement and may well require the landlord to go over and above the standard detailed in the legislation if words such as 'good' rather than 'satisfactory' standard of repairs is used. Our agreements contain a mixture of terminology 'good repair' and keep in 'proper repair'.

The Regulator of Social Housing expects Registered Providers to meet the 'Homes Standard' 2015:

Repairs and Maintenance

Registered providers shall:

(a) Provide a cost-effective repairs and maintenance service to homes and communal areas that responds to the needs of, and offers choices to,



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tenants, and has the objective of completing repairs and improvements first time

(b) Meet all applicable statutory requirements that provide for the health and safety of the occupants in their homes

3.2 Organisational Approach

We have an accessible process for our customers to report repairs to us and it is a tenancy obligation to do so. However, it is also important we take opportunities to check there are no outstanding repairs when we are visiting and communicating with our customers for a variety of reasons.

This will future proof the SHG from unnecessary disrepair claims or will minimise the potential claims for compensation and damages which can be backdated as far as 6 years. We will put in place arrangements at key stages during the life of a tenancy:

- Ensure our void standard addresses the most common causes of disrepair claims such as 'damp, mould and ventilation'
- Make sure our customers know how to report repairs when they move into our homes through the sign-up process
- Check for outstanding repairs when opportunities arise during the period of the tenancy.
- Check for outstanding repairs before we take possession action for breaches of tenancy such as rent arrears
- Keep our records up to date for repairs reported and completed
- Keep our records up to date for non-access and ensure processes are followed
- Neighbourhood inspections

3.3 Response to Disrepair Claims

When a claim for disrepair is made either under the Pre-Action Protocol for Disrepair Claims or as part of other legal proceedings for tenancy breaches, we will instruct our nominated solicitors to act on our behalf. We will continue to communicate with our customer regarding access for inspections and repairs unless it is deemed appropriate to do so via solicitors.



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4. Signposting

4.1 Legislation

- Defective Premises Act 1972
- Landlord and Tenant Act 1985
- Environmental Protection Act 1990
- Housing Act 2004
- Pre- Action Protocol for House DTLR – Good practice guidance
- The Secure Tenants of Local Housing Authorities (Right to Repair) Regulations 1994
- Homes (fit for Human Habitation) Act 2018

4.2 Policies

- Asset Management Strategy
- Empty Property Policy
- Repairs offer
- Neighbourhood Management Policy
- Neighbourhood Management Procedure

