

**Housing Services**  
**Rechargeable Repairs Policy**  
**January 2016**

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Section/Directorate: Housing Services

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Approved by:  
Date Approved:

Date of Equality  
Impact Assessment:

Policy Review Date:

SIA Review Date:

Issue Number:

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## 1. Scope of Policy

This policy describes the activities and responsibilities involved in carrying out repairs in circumstances where:

- The repair is the responsibility of the tenant.
- The damage to the property is due to wilful damage, neglect, misuse or abuse by the tenant, their family or visitors to the property.
- The repair is required when moving out of a house to bring it up to an acceptable standard.

## 2. Legal Framework

This policy refers to the following sections of the Tenancy Agreement.

Section 3.2b of the New Tenancy Agreement states that the tenant is responsible for: *“Carry out all repairs of your home which you are responsible for. The repairs which we are responsible for are set out in condition 6”*

Section 3.2c of the New Tenancy Agreement states that the tenant is responsible for: *“Repair any damage to the home caused by the carelessness or neglect of you or anyone who lives with or visits you”*.

Section 9 of Tenants handbook, “Maintaining your home”, page 37 states that: *“If we carry out a repair that you are responsible for, we will charge you for the cost of the works. You will be required to complete a rechargeable works form and we may require you to make your payment before the works are carried out. If repairs are needed because of your wilful damage or negligence and may cause a danger if not fixed, we will do whatever repairs are necessary to ‘make safe’ and charge you for the cost of the work.*

## 3. Objectives and Principles of the Policy

The overall aim of the Rechargeable Repairs Policy is to contribute to the efficient and effective maintenance of Basildon Borough Council stock and to ensure that expenditure is managed effectively.

The specific objectives of the rechargeable Repair Policy are:

- To give clear guidance on the circumstances which will be recharged.
- To give clear guidance on the circumstances where discretion will be exercised.
- To outline the process of recharging for repairs.
- To outline the basis for calculating the recharge.
- To inform tenants of payment arrangements.
- To inform tenants of the Basildon Borough Council will take if payment is not made.
- To monitor the performance of rechargeable repairs in order to seek continuous improvement.

The principles underlining the Rechargeable Repair Policy are:

- Basildon Borough Council is committed to delivering a repair service that is fair, equitable and transparent.
- Basildon Borough Council is committed to ensuring that existing housing is maintained and preserved to acceptable standards.
- The policy should be supported by detailed procedures and agreed practices applied uniformly across the service.
- Trained staff must be provided to ensure that staff are equipped to carry out the roles expected of them.
- Communication with tenants and service users should be in “plain language” and it should be made clear in all circumstances who the officer to contact is in the case of queries.

#### **4. Circumstances for Recharging**

Generally, Basildon Borough Council is responsible for repairing and maintaining the structure and property and any fixtures and fittings originally provided. Tenants are informed of their repair responsibilities when they sign the Tenancy Agreement and these responsibilities are also outlined in the Tenants Handbook.

Tenants will be recharged:

- Wilful damage – e.g. replace smashed door, lock changes for persistent abusers.
- Neglect – e.g. clear blocked sink, drain or bath.
- Misuse – e.g. replace toilet.
- Abuse – e.g. replace smashed glass.

Tenants will be responsible for work that may be required when moving out of their home in order to bring it up to an acceptable standard for a new tenant as defined by Basildon Borough Council Void Management Procedure.

#### **5. Discretionary Circumstances**

Each case must be assessed and discretion may be exercised, depending on circumstances affecting the individual case. In considering when discretion should be exercised and a recharge waived in part or in full, account should be taken of:

- Age
- Health
- Disability
- Evidence of previous rechargeable repairs.

Where the damage is the result of vandalism, provided that it has been reported to the police (and a crime reference number has been obtained, where appropriate) and Basildon Borough Council, as soon as possible, a recharge will not be made.

If someone caused the damage, in the course of a violent incident, towards the tenant or a member of the tenant’s family and the incident has been reported to the police (and a crime reference number has been obtained, where appropriate) and Basildon Borough Council, as soon as possible, a recharge will not be made.

## **6. Responsive repairs**

When a tenant reports a repair a member of the housing service will assess the repair and identify:-

- The urgency of the repair – the type of repair will determine the timescale by which the repair must be completed.
- Responsibility of the repair.
- Where information is incomplete or where a technical decision has to be made the repair request will be passed to an officer to determine whether an inspection is required.

In the case of emergency repairs that are rechargeable, due to the limited timescale involved, Basildon Borough Council will complete the repair and the tenant will be recharged.

Once it has been established that the repair is the responsibility of the tenant, it is considered good practise to advise the tenant of the cost of the repair as soon as possible. Charges for rechargeable repairs are based on current repair costs, including materials and labour from the agreed Basildon Borough Council schedule of rates. However, in the case of emergency repairs, an additional fixed call out charge will be made. A list of charges will be provided for tenants indicating values and types of rechargeable repairs. This list will be reviewed annually. If the repair does not fall into the, “emergency repair” category, the tenant will have the opportunity of completing the repair themselves within 28 working days. It should be explained to the tenant that on completion, the repair must meet Basildon Borough Council standard.

## **7. Void Repairs**

When a tenant gives notice to terminate their tenancy, arrangements will be made for a pre-termination inspection. This inspection will identify any aspects of disrepair, which are the responsibility of the tenant. The tenant will then have the opportunity to rectify any repairs for which they are responsible prior to the end of the tenancy. If any such defects are not remedied prior to the end of the tenancy, or if the work is not of a satisfactory standard, a recharge may then be raised for the cost of the works.

## **8. Recharge Payments**

Basildon Borough Council will raise an invoice for payment as soon as possible after the repair is completed. Basildon Borough Council recognises that in some circumstances, repayment of charges in full would cause excessive financial problems for the tenant. With this in mind, Basildon Borough Council will recommend to the Finance section a reasonable and affordable payment of debt, by instalment, based on their knowledge of the individual tenant’s financial circumstances. The Finance section will, after consideration of Basildon Borough Council recommendations, advise the tenant of the repayments to be made.

In the event that a tenant fails to settle an invoice or defaults on any agreed instalment arrangement, recovery will be sought in accordance with Basildon Borough Council debt management policy.

## **9. Appeals Process**

Current and former tenants have a right to appeal initially to a Basildon Borough Council senior manager and thereafter using Basildon Borough Council complaints procedure.

## **10. Monitoring**

In order to comply with its service commitments, it is important that Basildon Borough Council should monitor the effects of rechargeable repair procedures, Areas to be monitored are as follows:-

- Number of rechargeable repairs carried out as a void repair
- Number of rechargeable repairs carried out as a response repair
- Cost of rechargeable repairs
- Income received from rechargeable repairs/recovery rate.
- Numbers of disputes and outcomes including, Monitoring by age, disability, ethnicity and gender etc.

If you have any further queries about the Rechargeable Repairs Policy, please feel free to call us on 01268 533333.