



Temporary Decant (temporary re-housing) Policy

1 Introduction

- 1.1 This policy covers situations where one or more tenants of Medway Council are required to move out of their home on a temporary basis. This policy applies to Council Housing tenants only and does not apply to leaseholders or commercial tenants.
- 1.2 This policy is intended for ad-hoc or one-off situations; for large scale regeneration projects, project specific policies will apply.
- 1.3 It is recognised that this policy may affect Medway Council performance on voids (empty properties), especially if void properties have to be 'held' to facilitate a temporary decant. Every effort will be made to limit this.
- 1.4 A temporary decant will only be considered as a last resort, when it is deemed impossible or unreasonable for a tenant to remain in occupation for the duration of the works, and with the recommendation of the Contracts Manager.

2 Purpose

- 2.1 The purpose of this Temporary Decant policy is to
 - Act quickly once a decant has been deemed necessary
 - Minimise disruption to the tenant
 - Balance the requirements of the tenant with the nature of a temporary move
 - Ensure residents are compensated fairly
 - Support tenants throughout the process
 - Provide clear, accurate and up to date information
 - Provide good value for money

3 Scope

- 3.1 This policy does not cover emergency situations such as fire or flood where the immediate provision of temporary accommodation may be required, but can be applied if longer term temporary rehousing is required following the emergency.
- 3.2 The policy is intended to cover situations where the tenant is required to vacate their home temporarily, but for periods longer than 2 weeks. For periods shorter than this, alternative options will be explored such as bed and breakfast staying with family or friends etc.

4 Legislation and Guidance

4.1 External

- Housing Act 1985
- Housing Act 1988
- Equality Act 2010
- Land Compensation Act 1973

4.2 Internal

- Allocations policy

5 The Policy

5.1 Consultation and Information

5.1.1 The Council will ensure that the tenant is kept informed throughout the decant process. The tenant's Housing Officer will be the first point of contact and will provide information which includes the following:-

- Why the decant is necessary, what will happen and when
- An estimation of the duration of the decant period; and
- Any compensation the tenant may be entitled to and/or any other support the council can offer

5.1.2 Affected tenants will be consulted in detail on their requirements, in particular where a tenant has special needs that need to be taken into consideration.

5.1.3 Where more than one tenant is affected in a block, street or estate, information will be provided simultaneously wherever possible.

5.1.4 The Housing Officer will act as main point of contact for the tenant throughout the process and will provide up to date information, and assistance where required.

5.2 Disturbance Expenses and Payments

5.2.1 Disturbance payments cover 'reasonable expenses' involved in moving. There is no minimum or maximum amount in law for disturbance payments. Examples of expenses include:

- Removal costs
- Temporary storage of possessions and furniture
- Redirection of post
- Disconnection and reconnection of appliances and utilities
- Replacing (or re-sizing) flooring, carpets and curtains
- Redecoration
- Installation of disability adaptations

5.2.2 This list is not exhaustive and any reasonable expense will be considered, and where agreed, met by Medway Council. The length of time in the alternative accommodation should be taken in to account, e.g. it may be reasonable to provide rugs instead of replacement carpet if the move is for a few months only.

- 5.2.3 Removals both to the temporary accommodation and back to the original property will be arranged and paid for by Medway Council.
- 5.2.4 Expenses will be reimbursed promptly – subject to necessary proofs, receipts etc. – to ensure tenants are not out of pocket for any longer than necessary.
- 5.2.5 Claims for reimbursement must be made within 28 calendar days of the expenditure being incurred.
- 5.2.6 Temporary decant moves are not subject to Statutory Home-Loss provisions or payments.
- 5.2.7 Disturbance payments will not be off-set against rent arrears or any other debt to Medway Council

5.3 Decant made necessary by tenant damage/mis-use

- 5.3.1 Where a temporary decant is made necessary due to tenant damage or mis-use of their home, any decant costs incurred by Medway Council will be re-chargeable to the tenant and included in the final re-chargeable works total.
- 5.3.2 It may be necessary for the Council to cover some of the decant costs (such as removals or re-connections) initially, to enable the decant to take place, and these will be re-charged back to the tenant.

5.4 Tenancy Status

- 5.4.1 Tenants will be required to sign a Temporary Rehousing Agreement. This has the effect of continuing the tenancy at the original property, and ensuring the tenant is not granted any tenancy at the temporary decant property.
- 5.4.2 Tenants will have the right to return to their original home once the works are complete. There may be occasion where this is not possible (e.g. if once works have started further works are identified rendering the property unsuitable). In these circumstances, options will be explored with the tenant.
- 5.4.3 In some cases, on completion of the works to the original property, the tenant may request to remain in the decant property on a permanent basis. Such requests will be considered by the Head of Housing Management as a Management Move and will be discretionary. If a permanent move is authorised, no further costs in relation to the decant will be payable.

5.5 Type of property offered

- 5.5.1 Suitable properties will always be identified from within Medway Council's own stock wherever possible.
- 5.5.2 If a decant is urgent and no suitable property can be identified from within the Council's own stock, other options may be considered as a last resort, including private rented accommodation.

5.5.3 Properties offered for a temporary decant will generally be on a 'like for like' basis with the tenants main home. Depending on the urgency of the decant, and the availability of suitable properties, tenants may be required to move to a property that whilst not suitable in the long-term, would be suitable on a short term basis. This may relate to size, location or type of property.

5.5.4 Tenants that are currently under-occupying will generally be offered a property that meets the households current needs (i.e. smaller), but will retain the right to return to their original home once the works are complete.

5.6 Refusal to Move

5.6.1 If a tenant refuses to move to the temporary accommodation offered, they will be deemed to be refusing access for the works to take place, and 'no access' procedures will be followed.

6 Role, Responsibilities and Authority

6.1 The Assistant Director of Physical and Cultural Regeneration will retain the overall responsibility for the implementation of this policy.

6.2 The Head of Housing Management is responsible for the operational delivery of this policy and the associated procedures and has the responsibility for ensuring that this policy complies with Regulatory and Legislative requirements and in meeting the Council's Business Plan and budget.

6.3 All staff involved in tenancy management activities are responsible for implementing this policy.

7 Monitoring, Review and Evaluation

7.1 Senior management will monitor the effectiveness of this policy.

7.2 This policy will be reviewed every two years, or in line with legislative or regulatory changes.

Policy Version Control Sheet
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