

KNOWES HOUSING ASSOCIATION LTD	
Policy Name	Lock-Ups
Policy Category	Housing Management
Policy Number	HM20
Date to Housing Services Sub-Committee	January 2023
Previous Review	January 2020
Next Review Date	January 2026
Links to other Policies	Allocations Policy, Abandonment Policy, Rent Policy
Consultation	Internal

1. AIMS & OBJECTIVES

- 1.1 This policy has been designed to ensure the efficient and equitable letting of lock-ups by Knowes Housing Association, making best use of the available stock.
- 1.2 This policy sets out the measures Knowes shall employ to prevent or recover arrears fairly and to avoid, wherever possible, action to recover possession of the lock-up from the tenant. It also sets out the procedures for abandoning lock-ups.

2. LEGAL AND REGULATORY FRAMEWORK

- 2.1 This policy complies with the relevant statutory and regulatory requirements. The following legislation is relevant to this policy.
 - Schedule 7 Housing (Scotland) Act 2001 has been repealed; however, Knowes Housing Association will continue to act within the spirit of Schedule 7, and will therefore not allocate a lock-up to a member or relative of the Management Committee, Officer or Employee of the Association except in accordance with CSGN 2003/02.

- Sheriff Courts (Scotland) Act 1907, Section 38 governs the removing of the property let to tenants for less than a year and requires 28 days notice to be given prior to the removal.
- GDPR 2018
- Disability Discrimination Act (1995); Race Relations Act (1976 as amended) Sex Discrimination Act (1975)

3. RISK MANAGEMENT

- 3.1 By having a written detailed policy to deal with lock-ups the Association is able to ensure that a uniform and professional approach is adopted throughout the organisation and the service delivered is compliant with law, best practice and internal policy.
- 3.2 The risk of not having this Policy in place would result in poor record keeping, insufficient tenancy information and a poor reputation.

4. APPLYING FOR AND ALLOCATING A LOCK-UP

- 4.1 Knowes Housing Association have a number of lock-ups in Faifley Road and Swallow Road and are available to let to Faifley residents aged 16 or over. Each applicant must apply to Knowes Housing Association on the standard application form and when allocated a lock up the Association will ask for proof of identification and address.
- 4.2 Knowes Housing Association shall maintain a waiting list for lock-ups and this will be prioritised by date of application only.

5 LETS TO KNOWES COMMITTEE MEMBERS AND STAFF

- 5.1 Schedule 7 Housing (Scotland) Act 2001 has been repealed, however, Knowes Housing Association will continue to act within the spirit of Schedule 7, and will therefore not allocate a lock-up to a member or relative of the Management Committee, Officer or Employee of the Association except in accordance with CSGN 2003/02.

6 TENANCY AGREEMENT AND CONDITIONS OF USE

- 6.1 Applicants who are allocated a lock-up shall sign a Knowes lock-up tenancy agreement.

6.2 A summary of the Conditions of Use are as follows –

- The lock up shall not be used to store dangerous, volatile or flammable substances or liquids such as petrol, diesel or bottled gas;
- The lock up shall not be used for illegal or immoral purposes, such as stolen goods;
- The lock up shall not be used for any business or commercial purpose or to store any items in connection with a business;
- The tenant shall not do anything, or allow anything to be done in the lock up or vicinity which could reasonably cause nuisance or annoyance to other people, or which amounts to harassment of other people;
- The tenant shall not make any structural alterations to the lock up without the written consent of Knowes Housing Association;
- Officers or other persons authorised by Knowes Housing Association shall be entitled to enter the lock up at all reasonable times for the purpose of inspecting it and for executing any works.
- The tenancy rights which are commonly associated with Scottish Secure Tenancies do not apply to lock up tenancies, for example – assignation, succession, right to buy, compensation for improvements etc.

7. RENTS

7.1 Tenants shall pay rent monthly in advance for the lock up.

7.2 Knowes Housing Association uses the following criteria for determining the rents payable by each tenant –

- Knowes Housing Association tenants pay the monthly rent but not VAT; and
- Non – Tenants pay the monthly rent plus VAT.

7.3 Knowes Housing Association will increase the rents for lock ups annually in accordance with the Associations Rent Policy.

8. RENT ARREARS

8.1 Knowes Housing Association shall manage their lock-up accounts effectively and seek to prevent or minimise arrears on tenants accounts.

- 8.2 Where arrears accrue on an account, the Allocations Officer will issue letters to the tenant as per the Lock up Procedure.

9. ABANDONMENT

- 9.1 The Association will endeavour to contact tenants who have failed to give 28 days notice or otherwise appear to have abandoned their lock up, to encourage them to either pay outstanding rent or submit a termination notice.
- 9.2 If the Association is unable to contact the tenant and is satisfied the tenant has abandoned the lock up, the Association shall repossess the lock up using the same process as an abandonment of a general SST – 28 days notice and then recovery. All letters/notices will go to the address held for the tenant.

10. DEATH OF A TENANT

- 10.1 Succession rights do not apply to lock ups. Where a resident who rents a lock up dies, the lock-up tenancy shall end and revert to the Association for re-letting. However where there is a joint tenancy, the surviving tenant will be allowed to continue to rent the garage if they wish, if not the tenancy shall end. It should be noted that there may be exceptional cases where a tenancy can be transferred to a spouse, following the death of a tenant, and this will be at the Housing Manager's discretion.

11. APPEALS

- 11.1 Anyone who feels aggrieved by their treatment under this Policy can ask for a copy of the Association's Complaints Policy, which is available at the Association's office. You also have a right to complain to the Public Services Ombudsman. The Complaints Policy details the way in which you can complain and the timescales for responding.

12. POLICY REPORTING

- 12.1 Lock-up arrears, along with other rent arrears are reported on a monthly basis to the Housing Management Sub Committee, and details of the year end performance is included in the Annual Rent Management Report.

13. EQUALITIES COMMITMENT

- 13.1 Knowes Housing Association Ltd is committed to tackling discrimination on the grounds of sex or marital status, racial grounds,

or grounds of disability, age, sexual orientation, language, social origin, or of other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions.

- 13.2 Knowes' seek to embrace diversity, promote equal opportunities for all and eliminate any unlawful discrimination in all areas of our work.