

<b>Policy title:</b>	Tenant Private Works		
<b>Scope:</b>	Aspire Housing		
<b>Policy owner &amp; job title:</b>	Head of Asset Management		
<b>Approver:</b>	Executive Director - Property		
<b>Date:</b>	October 2019	<b>Review Due Date:</b>	June 2020

## Policy summary:

- This policy covers all works and alterations, and potential works and alterations, which Assured Tenants in accommodation owned by Aspire Housing may wish to undertake in the future or have undertaken in the past.
- This policy Aspire ensures compliance with Aspire's obligations under the Housing Act 1988 as amended by the Housing Act 1996.

**Associated Policies & Procedures:** Rechargeable Repairs Policy, Adaptations Policy, Tenant Private Works Procedure.

## 1. POLICY STATEMENT

### Background

Through the Housing Act 1985, secure tenants were given the right to improve their homes and to receive compensation in certain circumstances when they vacated their homes. This was amended by the Leasehold Reform, Housing and Urban Development Act 1993. No similar right was ever granted by Statute to Assured Tenants.

Housing Associations, and subsequently Registered Providers, often gave a contractual entitlement within Tenancy Agreements to tenants to allow them to improve their homes and receive compensation when they left the property. This was to demonstrate that tenants would not be unfairly disadvantaged when considering a Secure Tenancy compared to an Assured Tenancy.

Aspire Housing has now removed this contractual right from its Tenancy Agreements for all new Tenants. The contractual right remains in place for all existing customers where expressly permitted in the Tenancy Agreement.

Aspire Housing is responsible for providing accommodation which meets the following criteria:

- free of health and safety hazards
- in a reasonable state of repair
- reasonably modern kitchens, bathrooms and boilers
- reasonably insulated

In order to achieve these standards Aspire carries out planned and reactive maintenance:

- when the property is void
- as part of the Planned Improvement Programme
- when reactive repairs are reported by customers

### **Considering Applications for Tenant Private Works**

Where a customer has an existing legal or contractual right to improve their home, and/or is entitled to compensation in respect of that improvement, Aspire Housing will consider applications from customers and will have appropriate procedures in place to manage requests to carry out improvements and for the payment of compensation.

In considering applications to make alterations to the property, where the right to improve is granted in the tenancy, it is Aspire Housing's policy not to any permit alterations that:

- involve altering the heating system, electrical services, health and safety measures
- or basic structure of the property
- are out of keeping or inconsistent with the rest of the property
- will be carried out under a planned programme in the future
- make the property more difficult to let in the future
- will be unduly expensive to maintain

Where a customer does not have a legal or contractual right to improve their property, it is Aspire Housing's policy to reject all applications to make changes to its properties irrespective of whether or not the change is considered to be an improvement.

Exceptions to this policy are:

- Where the rejection of the application would place Aspire Housing in breach of the Equality Act

Where a customer is applying to improve their home to help alleviate a disability Aspire Housing will support the customer in line with the terms of its Adaptations Policy.

### **Compensation and Recharges**

Where a customer has a contractual right to receive compensation for any improvements made, Aspire will pay compensation in line with the policy and procedure that was in place at the time the works were approved and carried out. It is a requirement that customers have evidence of Aspire's approval for the work to be carried out and of the cost of the work through paid invoices or receipts.

If any unauthorised work has been carried out to the property, and is discovered either during occupancy or at the end of the tenancy, Aspire reserves the right to recharge to the tenant the full cost of reinstating the property to its original condition.

### **Equality Impact Assessment:**

This policy has been considered against our Equality and Diversity Policy and provisions have been made within the Adaptations Policy and Tenancy Private Works Procedure as required.

## **2. RESPONSIBILITIES OF EMPLOYEE**

All Group employees are required to be aware of the provisions of the policy and to administer Aspire's policy within the associated procedures.

## **3. RESPONSIBILITY OF ASPIRE**

Aspire is required to comply with all relevant legislation and any subsequent legislation or regulations. Aspire is also responsible for creating and managing an administrative process to deal with all applications from its customers to make improvements, all procedures will comply with Aspire's obligations under the Housing Act 1988 as amended by the Housing Act 1996.