



Ferguslie Park Housing Association

Estate Management Policy

Date Approved by the
Management Board

June 2023

Date of Next Review

June 2026

INTRODUCTION

Scottish Social Housing Charter Outcome 6: Estate management, anti-social behaviour, neighbour nuisance and tenancy disputes

Social landlords, working in partnership with other agencies, help to ensure as far as reasonably possible that:

- *tenants and other customers live in well-maintained neighbourhoods where they feel safe.*

This **outcome** covers a range of actions that social landlords can take on their own and in partnership with others. It covers action to enforce tenancy conditions on estate management and neighbour nuisance, to resolve neighbour disputes, and to arrange or provide tenancy support where this is needed. It also covers the role of landlords in working with others to tackle anti-social behaviour.

The Estate Management policy sets out a framework for how Ferguslie Park Housing Association (FPHA) will deal with the management of its Estate.

Estate management is the implementation of the duties and responsibilities of both landlord and tenants to achieve good quality housing and environmental conditions for current and future residents.

The main tool for managing tenancies is the Tenancy Agreement. This clearly defines the main duties and responsibilities of both the landlord and the tenant. It also acts as a reminder to both parties of their legal rights and obligations. The Estate Management Policy addresses all aspects of the Tenancy Agreement however certain housing management functions, although interactive with estate management, require specific policies of their own and are not dealt with in this policy statement.

We believe that our tenants should be able to live in a pleasant environment that is attractive, well maintained, and a safe and secure place to live. We recognise that through delivering an effective estate management service we will be positively contributing towards our tenant's satisfaction of their home and this will assist towards the sustainability of our community.

LEGISLATIVE FRAMEWORK

The Estate Management Policy will comply with The Housing (Scotland) Act 2014 & Housing (Scotland) Acts 2001 & 2010 as they specify the Scottish Secure Tenancy conditions which provide the framework for the contractual tenancy agreement and the rights and responsibilities of the landlord and the tenant.

In addition to the above Housing (Scotland) Acts, the Association is required to act in accordance with the law.

The following pieces of legislation & good practice inform what actions we can take:

- The Housing (Scotland) Act 2001
- The Housing (Scotland) Act 2010
- The Housing (Scotland) Act 2014

- Anti-social Behaviour etc. (Scotland) Act 2004
- Data Protection Act 2018
- General Data Protection Regulation (GDPR) 2018
- Equality Act 2010
- Scottish Social Housing Charter

AIMS

The Policy aims to:

- Ensure that all parties fully understand their responsibilities as identified in the Tenancy Agreement
- Maintain the standards of the properties and surroundings within our ownership
- Provide a safe and pleasant environment for our residents
- Ensure that all parties fully implement their obligations as identified in the Tenancy Agreement
- Promote multi-agency working and co-ordination with local services provided by Renfrewshire Council
- Develop and encourage participation by residents in the estate management of the areas within Ferguslie Park Housing Association stock
- Ensure that effective action is taken against any tenant failing to accept their responsibilities in line with the agreed policy and procedures.
- Minimise future estate management problems and thereby improve the physical and social environment.

ASSOCIATION RESPONSIBILITIES

The Housing Services staff team are primarily responsible for the implementation of the Estate Management Policy, the Association may employ contractors to maintain landscaped and common areas.

The Housing Services team are responsible for:

- Ensuring that we provide the estate management services for which we are responsible for as a landlord
- Carrying out regular inspections and action identified issues
- Ensure that tenants are fully aware of their responsibilities as stated within the Tenancy Agreement.
- Make available clear information on request relating to the Tenancy Agreement and the services provided by the Association
- Liaise with other agencies responsible for the delivery of other related services to our tenants
- Encourage tenant involvement in the provision of estate management services
- Action void/abandoned property issues in line with other relevant Association Policy

BREACHES OF TENANCY

The Housing Services staff team will respond to breaches of the Tenancy Agreement within the limits of resources and costs of remedies. The response to a breach of tenancy issue will be proportionate to the seriousness of the reported problem.

Housing Services staff will decide if legal action will be taken with the tenant informed they can use the Associations complaints procedure if they are dissatisfied with our decision.

PARTNERSHIP WORKING

Where reported issues are not primarily of a housing nature, other agencies will be involved in order to resolve the issues reported.

We continue to work in partnership with various other agencies in order to manage our estate.

Renfrewshire Council are our principal partner and provide the following services:

- Street Lighting
- Roads enquiries
- Dog Warden
- Abandoned cars
- Street Sweeping
- Pest Control (out with our properties)

TENANT PARTICIPATION

We will seek to involve residents in issues involving the management of their estates.

We will:

- Consider tenant and resident views when making decisions regarding the nature and type of services delivered
- Offer joint visits/estate walkabouts with residents
- Seek feedback from residents who have reported issues and the investigation and actions are now complete

BULK REFUSE/ITEMS OF FURNITURE

All residents are responsible for the disposal of items of bulk refuse/items of furniture by arranging for uplift by contacting our staff team or completing the relevant form on our tenant portal 'My Home'.

The Association will arrange for the removal of items, or if they pose a health and safety risk to residents, as soon as reasonably possible. If the uplift is out with the normal service provided by the Association, the cost of the removal will be recharged to the resident responsible where they can be identified.

CLOSE CLEANING

Ferguslie Park HA currently provides a weekly close cleaning service. However, section 2.9 of the Scottish Secure Tenancy Agreement (SST) states tenants are responsible for keeping the common areas clean and tidy.

Section 2.13 of the SST states '*No property belonging to you, or anyone residing with you or*

anyone visiting you, including bicycles, motorcycles or prams, should be stored in any of the common parts except in areas set aside for storage. You must not do anything which causes inconvenience or danger to anyone using the common parts.'

The common area is not to be used as a storage facility for tenants, any items found in the common close will be removed and disposed of by the Association. If the tenant responsible is identified, then the costs of removal will be recharged.

VANDALISM AND GRAFFITI

We will treat report of vandalism and graffiti as serious and take necessary measures to prevent and vandalism or graffiti from becoming a more serious issue. If the perpetrators can be identified then this will be reported to Police Scotland if appropriate and/or action taken against the tenancy using the ASB Policy.

KEEPING OF PETS

Tenants may keep a domestic pet in line with their Tenancy Agreement subject to the following conditions:

- Keeping your pet is not prohibited by the Dangerous Dogs Act 1991, or by any other law,
- You ensure that your pet does not cause a nuisance to your neighbours or others within the community
- The dog is not left alone for periods of time if it is likely to bark
- The pet does not cause deterioration to the property or the common areas
- The pet is not permitted to foul in any part of the property including the common areas, you are responsible for cleaning up dog faeces and/or urine.
- The Association is entitled to require removal of the pet if it is causing nuisance and/or damage.

A domestic pet means a dog, a cat, a bird, fish or a rodent (such as a hamster or gerbil). If you wish to keep more than one domestic pet or another type of animal, you must get our prior written permission.

Tenants will be notified of any breaches of the conditions and allowed to rectify them within agreed timescales. Tenants who persistently breach the conditions stated above will be required to remove the pet from the premises.

Staff will raise any concerns they have about the welfare of pets with the Housing Manager and report their concerns to any external agency as required such as SSPCA, Police Scotland. Where anti-social behaviour relating to the keeping of pets is a concern, action may be required in some circumstances by following the Associations Anti-Social Behaviour Policy and procedures.

COMMUNAL GARDEN AREAS

Tenants within the close are responsible for the communal garden areas (unless specific areas sectioned off) and the communal bin store areas.

Ferguslie Park HA will cut any grass areas within communal gardens; however, tenants must ensure the area is free from dog fouling and other obstructions that will stop the contractor carrying out their duties.

The tenants must not remove, destroy or chop down any bushes, hedges or trees without the permission of the Association.

Gardens will be inspected by the Housing Services staff during wider estate management inspections/joint walkabouts.

If the standard of the communal garden area is poor or damage/nuisance is to another property, action will be taken to ensure the area is property maintained. Any remedial works or works of maintenance will be recharged in full.

PRIVATE GARDEN AREAS

The tenant will be responsible for the upkeep of areas allocated to their property for their exclusive use. The tenant must not remove, destroy or chop down any bushes, hedges or trees without the permission of the Association.

Gardens will be inspected by the Housing Services staff during wider estate management inspections/joint walkabouts.

If the standard of the private garden area is poor or damage/nuisance is to another property, action will be taken to ensure the area is property maintained. Any remedial works or works of maintenance will be recharged in full.

POLICY IMPLEMENTATION

The Board delegates the implementation of the Estate Management Policy to the Housing Manager who will ensure that procedures are adhered to and that effective monitoring is undertaken.

Housing Services staff will be responsible for conducting estate management visits, investigations, interviews, keeping records and reporting on all estate management issues to the Housing Manager.

Where there are breaches of the Tenancy Agreement by the Association, tenants may use the Association's Complaints Procedure to obtain redress. This includes access to the Scottish Public Services Ombudsman if required and does not preclude the tenant from obtaining advice about their rights in law from a Solicitor or Citizens Advice Bureau.

Where there are breaches of the Tenancy Agreement by the tenant, depending on the severity of the breach, the Association will generally make all reasonable attempts to provide advice and assistance to tenants to enable them to meet their obligations. No legal action will be taken until tenants have been given advice and a warning of possible legal action, and all alternative methods of resolving the problem have been considered. This does not preclude the Association from taking legal action immediately if the breach endangers the condition of the property or the well-being of other residents.

The authority to decide to take legal action against any tenant is delegated to the Head of Operations, to be implemented by the Housing Manager.

POLICY REVIEW

The Association will review all aspects of the Estate Management Policy and Procedures every 3 years to ensure an effective and efficient estate management service is being maintained.