

Local Authority Housing - Charging for repairs Policy

Summary

This policy outlines circumstances when a repair is chargeable and how we identify and manage any decision to charge for building maintenance work carried out by us.

Effective date

1 October 2024

Review

We will review this Policy every 3 years or when there has been an update to legislative, regulatory, best practice or operational changes.

Version

Version 1.2

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1. Scope

This policy covers all council Housing Revenue Account (HRA) dwellings, including leasehold and shared ownership properties including the common parts of blocks of flats and sheltered schemes.

The policy includes repairs to the dwelling that are the responsibility of the resident while they are in occupation or those that become apparent at the end of a tenancy, including exchanges (dilapidation charges).

Any reference in this policy to, 'we', 'our' or 'us' refers to Portsmouth City Council, Local Authority Housing.

Any reference in this policy to 'tenant', 'customer' or 'resident' refers to Portsmouth City Council, Local Authority Housing secure tenant, leaseholder or shared owner, depending on the lease.

2. Purpose

The purpose of the policy is to:

- Outline circumstances when a repair is chargeable and how we identify and manage any decision to charge for building maintenance work carried out by us.
- Ensuring we meet our statutory and legislative obligations.

3. Repairs responsibility criteria

The responsibility for a repair is either with us or the resident and is further described in the relevant tenancy agreement or lease.

- For a tenanted property, we have full repair responsibility with the exception of internal decoration, private garden maintenance, household appliances and consumables, such as light bulbs, in line with our scope of service.
- For a leasehold property, we have full repair responsibility for the structure of the dwelling which includes property entrance doors and windows.
- Further, the council is responsible when the repair is as a result of the item coming to the natural end of its life.

4. Chargeable repair circumstances

Any decision to charge for a repair must be considered within the context of our scope of service. In particular, the proportionality of charging for a repair given the specific circumstances of the tenant and the likely cost of collecting the charge must be considered.

However, the following circumstances may result in a charge being raised for the tenant, leaseholder or shared owner:

- unauthorised changes or alterations undertaken without permission to the dwelling or alterations not undertaken to a reasonable standard.
- deliberate damage, misuse or neglect of the dwelling, including its services, fixtures and fittings.
- a repair outside the council's scope of service but deemed necessary to protect or minimise the risk to its dwelling.
- a repair undertaken on behalf and requested by the tenant.
- the cost of clearing empty properties including roof space and gardens.

5. Identification of a chargeable repair

Usually, identification of a chargeable repair will only be apparent once an operative or member of the building maintenance team attend the repair or void or mutual exchange and diagnose the cause first-hand.

When a resident reports a repair, we may also identify repairs that are rechargeable, or the resident will acknowledge that a repair is as a direct result of their family or a visitor's action.

6. Charging

If charging for a repair is deemed proportionate, then we will seek advice from the relevant area housing management or leasehold service team about its implementation.

We will liaise with the relevant building repairs manager to ensure that any charge is accountable and proportionate. The repair charge will include:

- cost of labour, materials and plant to undertake the repair
- the service provider's profit and overhead
- council's management cost at 12½ %
- VAT as appropriate

We will endeavour to provide an estimate in advance of work being undertaken but this may be impractical where the repair is to prevent damage or for health and safety reasons.

If the resident refuses to accept responsibility for repayment, the work will not be issued unless further damage would result if left in its present state or there are security or health and safety implications.

7. Your responsibility

Identify and report any repairs that are required to your home and if chargeable repairs are identified, then to make timely payments as agreed with housing management.

We are only responsible for undertaking any necessary repairs to the building, you are strongly advised to take out a comprehensive contents policy to insure your private possessions and belongings.

8. Your voice

We provide tenants a wide range of meaningful opportunities to influence and scrutinise the Landlord Strategies, policies and services, to include participation in regular resident meetings and give feedback on services and policies.

If you would like to be included in future resident engagement focus groups and would like to know how to get involved, please contact us for more information:

You can contact our team by:

- Email: housing.engagement@portsmouthcc.gov.uk
- Phone: 02392 834835
- Website: visit the [Resident engagement and community resources on our website](#)

9. What have we done to make sure this Policy is fair?

We completed an Integrated Impact Assessment (IIA) to consider the positive and negative impacts this Policy may have on people with protected characteristics under the [Equality Act 2010](#). This Policy should have direct and positive equality and diversity impacts.

10. Regulation and legislation

We recognise the variety of legislation, and we will continue to monitor relevant legal guidance. The list below reflects some of the existing legal framework and relevant publications:

- [Housing Act 1985](#)
- [Landlord and Tenant Act 1985](#)
- [Equality Act 2010](#)
- [Social Housing \(Regulation\) Act 2023](#)

11. Related documents

This policy should be read in conjunction with:

- Local Authority Housing Landlord Policies, Strategies and Reports - [Housing policies, strategies and privacy notices](#)
- Tenancy Agreement / Leasehold Agreement
- Asset Management Strategy

12. How to feedback

If you have any questions around the policy or would like to know more about its application, please contact the relevant service in the first instance.

You can get this policy in large print, braille, audio or in another language by contacting your Housing Office. More information is available [translation, interpreting and audio information](#).

Compliments:

To help us provide the best service we can. We would like to hear customer views on the services that they use. If the customer is pleased with a member of staff or service, please let us know.

- Telephone: 02392 606383
- Email address: HNBLandlordComplaints@portsmouthcc.gov.uk

Complaints:

If a customer is unhappy, they can refer to our LAH (Local Authority Housing) Landlord Complaints Policy.

- Online complaint form at [Make a housing complaint](#)
- Telephone: 02392 606383
- Email address: HNBLandlordComplaints@portsmouthcc.gov.uk
- [Landlord Complaints Policy](#)

Housing Ombudsman Service

If a customer is unhappy, they can contact the Housing Ombudsman Service for advice and guidance at any time.

- Online complaint form on [the Housing Ombudsman Service website](#)
- Telephone 0300 111 3000
- [Housing Ombudsman's Complaint Handling Code](#)