



DECANT POLICY

Policy Control

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| Department | Housing Management |
| Author | Tracy O'Connor |
| Owner | Carl Tring-Willis |
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Contents

- 1.0 INTRODUCTION**
- 2.0 LINKS TO OTHER POLICIES**
- 3.0 KEY FEATURES OF THE POLICY**
- 4.0 TEMPORARY DECANTS**
- 5.0 PERMANENT DECANTS**

1.0 INTRODUCTION

- 1.1 The Decant Policy outlines when it may be necessary for Derby Homes to provide a permanent or temporary move for a tenant from their current home to another property.
- 1.2 A decant property could be required for several reasons; this could be in response to maintenance or repairs which cannot be completed around the tenant, or to address an emergency where a property has become uninhabitable.
- 1.3 Derby Homes may consider other temporary housing solutions if the issue is likely to be resolved within a short time.
- 1.4 When other housing solutions are considered in an emergency such as a fire or flood, we will charge for temporary accommodation and expect those eligible to do so to claim housing benefit to cover this charge even if the tenant gets universal credit for other housing costs such as their permanent home. However, where severe hardship can be demonstrated we will have discretion to consider each case individually and if any discretion is applied this will need to be authorised by relevant responsible Head of Service.

2.0 LINKS TO OTHER POLICIES

- 2.1 The Decant Policy links to:
 - Rechargeable Repairs Policy
 - Crowding and Space Hazards Policy
 - Allocations Policy
 - Discretionary Allocations Policy
 - Damp Mould and Condensation Policy
 - Welfare Adaptations Policy
- 2.2 The “Regulatory Framework for Social Housing in England” sets out that Registered Providers shall “offer tenancies or terms of occupation which are compatible with the purpose of the accommodation, the needs of individual

households, the sustainability of the community, and the efficient use of their housing stock.”

- 2.3 This policy ensures that tenants are offered suitable alternative accommodation where they are unable to remain in their home. The needs of the household will be considered alongside the availability of Derby Homes housing stock.

3.0 KEY FEATURES OF THE POLICY

- 3.1 Derby Homes will support tenants who need to be temporarily or permanently decanted by working with them to identify a suitable decant property, in emergency situations we may need to look at other housing solutions particularly if a suitable decant is not available.
- 3-2 A decision to grant a decant needs to be authorised by the Social Housing Options Manager.
- 3.3 If a decant is required, a suitable decant property will be based on the tenant/s family makeup, medical needs, and the location of their current home. Consideration will be given where the need to access schools or workplaces exists, but it may not always be possible to accommodate these considerations dependent on the availability of housing stock. There will be no betterment in terms of a decant property. It should be the same size that the family are currently in. Where that is not achievable initially, we would look to move the family to the same size property as soon as possible or record reasons why it has not been possible. A decant cannot be used to resolve issues such as overcrowding.
- 3.4 Derby Homes will arrange and pay for the removal and/or reasonable storage of furniture and personal items, disconnection of white goods and reconnection at the decant address, if possible, and removal and refitting of carpets if it is necessary and reasonable to do so. The return move will also be arranged and paid for by Derby Homes. During the decant period Derby Homes will also take over payment for energy and water costs at the original property. However, the tenant will need to pay for energy and water costs at the decant address, and any other service costs which they require.
- 3.5 Derby Homes may seek to recover any associated costs for repairing any damage to any part of the property caused by the wilful or negligent or careless action by the tenant, or anyone living with or visiting the property. Additionally, if criminal damage has been caused, legal action may be taken.
- 3.6 During the decant period Derby Homes will keep the customer informed on the progress of works at their property.

4.0 TEMPORARY DECANTS

4.1 **Temporary decants** will be considered where a tenant is required to move out of their home for a period so that works can be completed. The intention is that the tenant would return to their home as soon as practicable once any works have been completed.

4.2 Examples of where a temporary decant may be required could include:

- An emergency that has had a significant impact on the condition of the property (for example, fire or flood).
- Major repair works which cannot be completed whilst the tenant remains in the property (for example, asbestos removal, damp proofing work, timber treatments, severe damp, mould, and condensation, or where an existing medical condition would be made worse by remaining in the property).
- Major improvement or adaptation works required at a property would mean it was uninhabitable during the works, for example, internal conversion works or an extension, but not usually kitchen, bathroom, or heating upgrades, unless an existing medical condition would be made worse by remaining in the property.

4.3 When a tenant is decanted on a temporary basis their tenancy remains at the original property and there is no change to their rights and conditions under the tenancy agreement.

5.0 PERMANENT DECANTS

5.1 **Permanent decants** will be considered where a tenant is unable to remain in their current home and there is no intention that they will return.

5.2 Examples of where a permanent decant may be required would include the demolition of a property.

5.3 Under Section 29 of the Land Compensation Act 1973, all tenants who are being permanently decanted, for example if their home is due to be demolished and they are not able to return, will qualify for a home loss payment provided they have lived at the property for at least 12 months prior to decant. If a tenant is temporarily decanted and then a decision is taken that the original property will be demolished and they cannot return, they may also qualify for a home loss payment.

5.4 All payments will be offset against any outstanding debts owed to Derby Homes, for example, rent arrears or rechargeable repairs.

5.5 A tenant who is moved to a decant property on a temporary basis may, in exceptional circumstances, request to stay in the decant property on a

permanent basis, rather than moving back when any work has been completed. Exceptional circumstances might include:

- Exceptional length of time spent in decant property.
- Having had to change school arrangements for children because of exceptional length of time spent in decant property.

5.6 Requests to stay in a decant on a permanent basis will be considered on a case-by-case basis, and any such request would need to be approved through the Discretionary Allocation Policy and would only be considered if the decant property was suitable for the tenant and/or their family.

6.0 PETS

6.1 Pets may not be allowed in some temporary accommodation so tenants will need to pay for kennels or cattery if there is no other option. However, where severe hardship can be demonstrated we will have discretion to consider each case individually and if any discretion is applied this will need to be authorised by relevant responsible Head of Service.