

# Customer Relocation Policy

## 2021 – 2024

### Document control

<b>Policy approval</b>	EDT OFR, June 2021
<b>Replacing/Updating</b>	N/A, New Policy
<b>New review date</b>	April 2024
<b>Responsible Executive Director</b>	Executive Director – Customer Insight
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<b>Version</b>	2

<b>Version</b>	<b>Date of review</b>	<b>Details of review</b>
1	May 2021	<ul style="list-style-type: none"> <li>• New policy implemented to document our approach to relocating customers, and the instances this would be applicable. As well as supporting legislative compliance.</li> <li>• Policy reviewed by Anthony Collins Solicitors.</li> </ul>
2	Dec 2022	<ul style="list-style-type: none"> <li>• Policy revised to reflect new 'prescribed amounts' for home loss payments</li> </ul>

## 1. Introduction

We aim to maintain and improve our homes to a high standard, and to develop high quality housing. To achieve this aim, we constantly strive to make the best use of our properties. On occasions this can include relocating customers to allow for major refurbishment, demolition or emergency works to take place.

This policy covers relocations of both tenants and leaseholders.

## 2. Scope

The implementation and scope of the policy applies and is applicable to:

Livv Housing Group	X
Livv Homes	X
Livv Maintenance	
First Ark Social Investment (Operating as Livv Investment)	
All entities	

## 3. Compliance

The policy is in place in order to support:

Regulatory Compliance	
Legislative Compliance, in particular the Land Compensation Act 1973	X
Best Practice	X

Under the Land Compensation Act 1973:

- Customers may be entitled to a Home Loss payment where a permanent relocation is required because of any improvement (including any alteration or enlargement) to the property or of redevelopment (including any change of use) on the land. The amount payable is determined by the relevant Regulations in force, which at the time of updating this policy is the Home Loss Payment (Prescribed Amount) (England) Regulations 2022: these provide for a payment of £7,800. This will be paid as a flat rate as set by the Government and will only be paid where the customer has been living in the property for a minimum of one year as their only or main home. In the case of a joint tenancy, one payment shall be made to be split between both customers.
- A spouse or civil partner of a customer may have the right to claim the home loss payment if they have satisfied the occupation conditions and have home rights to live in the substantive property.
- Customers who are displaced because of the carrying out of any improvement to the dwelling or redevelopment on the land by Livv, may also be eligible for a disturbance payment for the reasonable costs of moving from the property. They must be in lawful possession of the property.

- Where a property is owned by the customer and it is due to be demolished, we will pay the owners the market value of their home plus a home loss payment where the conditions under the Act are met, primarily that they have occupied the property for the past year as their only or main home. Homeowners receive a home loss payment of 10% of the market value of their home, between the minimum and the maximum rate as set by the Government. Home Loss Payment (Prescribed Amount) (England) Regulations 2022 provide for a minimum payment of £7,800 and a maximum payment of £78,000.

#### **4. Policy Statement**

There will be occasions where we may need to ask our customers to move. Sometimes this will be temporary, however, in many cases, we may need to move customers on a permanent basis ie to make way for regeneration. In all cases, we will aim to:

- Move customers only where it is necessary
- Minimise disruption to customers through support and effective communication, by providing clear information and keeping them informed throughout the process.
- Undertake repair and improvement work within publicised timescales
- Ensure customers' needs are considered regarding alternative accommodation.
- Engage and involve customers in regeneration plans.

Where a permanent move is necessary, we will comply with the Land Compensation Act 1973 and ensure compensatory payments are made available to customers. This means customers will receive a home loss payment and/or disturbance payment where the conditions set out in the legislation is met.

A temporary move is one where there is the intention for the customer to move back into their substantive property, once the works are complete.

#### **Our Approach to Relocation**

The first option will always be to agree a voluntary move with customers. However, where customers are unwilling to move, and it is impossible to complete the planned works with customers remaining in the property we will work with them to find an alternative home with Livv Housing Group.

#### **Consultation**

Communication is key to a successful relocation process. We will consult with customers and ensure that they:

- Understand why relocation is necessary
- Are aware of the estimated duration of the process
- Are notified of what standard they can expect for their home

- Are informed of the support we can provide and the compensation they are entitled to
- Know how to appeal a decision or complain about the level of service they receive

Consultation is a key strand of our Customer Engagement Strategy. For regeneration projects this may include letters, customer meetings, home visits, drop-in sessions and social media posts. At all times we will ensure that those customers likely to be impacted by any proposed changes are given the opportunity to be consulted.

### **Regeneration**

Where relocation is part of a Local Authority agreed regeneration programme, customers will receive priority under the Sub Regional Property Pool Plus policy (PP+) and will be awarded Band A (Regeneration) priority status.

If a customer is moving permanently to another one of our homes. In line with our Tenancy Policy, we will ensure this move does not result in a loss in security, of tenure to the customer. This will not apply where a customer chooses to move to a non-social rented property eg property at market rent or affordable rent.

The tenancy on the previous property ends automatically when the new tenancy is granted to the same customers (ie if there are joint tenants, the new tenancy is granted to both joint tenants). Customers will be advised of any loss of tenancy rights before allocation.

### **Temporary Relocation**

Where relocation is required outside of a regeneration programme or in exceptional cases, we may directly allocate our own properties.

In exceptional circumstances and where the move is temporary, we may use hotels or other temporary accommodation on a short-term basis. Where customers are placed in hotel accommodation, we may agree to cover the cost of breakfast and evening meal (food only) on a case-by-case basis.

Customers who are moving temporarily will be provided with a 'Relocation Agreement' for the duration of their stay at the temporary property. The original tenancy agreement, at their substantive home, will continue throughout the process. So that when they return, they will be on the same tenancy with the same security as before. Rent will be paid in respect of the substantive property and not the temporary property.

If the customer fails to move back into their substantive property once the works are complete, we will issue possession proceedings to regain possession of the temporary property.

Where possible we will enable customers, who have moved temporarily to return to their original home depending on the type of refurbishment. If a customer does not want to return to their original home and we are happy for them to remain in the temporary home, a new tenancy will be granted at the new address and the tenancy conditions of new property will apply including, but not limited to, rent level.

### **Supporting Our Customers**

We will provide additional support to those customers who need it. In supporting customers to move, we may directly offer reasonable expenses associated with the move. This will be assessed on a case-by-case basis.

### **How we compensate**

A disturbance payment may be paid:

- For permanent relocation, where the statutory conditions for payment are met
- For temporary relocation or permanent relocation where the statutory conditions for disturbance payments are not met, agreed prior with us; and
- In all cases, upon provision of valid receipts.

A customer is not regarded as permanently displaced if:

- There is intention to move the customer back to his/her original home on completion of works; or
- A person has opted to stay in the temporary home rather than move back to their original home.

Where a customer qualifies for any form of compensation from Livv and they are in arrears with their rent, the payment will be paid direct to their rent account. Livv may also set-off any other sums legally due from the customer, from any compensation due. However, this does not apply to disturbance payments when we are paying for costs incurred: those costs must not be off set against any arrears. We reserve the right to make discretionary decisions, not to offset compensation against rent arrears on a case-by-case basis. Such decisions must be approved and justified in writing by the relevant Director before payment is offered.

Eligibility for the preserved Right to Buy should not be affected by either a temporary or permanent relocation. This is because the preserved Right to Buy is based on being a customer of a qualifying landlord, unless any new permanent property falls within one of the exceptions.

If a customer has a Right to Acquire at their current property, we will, where possible, move this customer to a property to which Right to Acquire can be attached.

We will ensure that customers who choose to move to a property, which cannot be bought under Right to Acquire understand the implications of this move.

## 5. **Policy Outcomes**

By having the policy in place, we anticipate the following outcomes:

- Relocate customers only where it is necessary
- Minimise disruption to customers through support and effective communication throughout the relocation process
- Undertake repair and improvement work to homes within publicised timescales
- Ensure home loss and disturbance payments are processed where required
- Ensure customers' needs are considered regarding alternative accommodation

## 6. **Monitoring and Review**

In line with the Group's Policy Framework, this policy is scheduled to be reviewed every 3 years. Unless due to a change in Government legislation or regulatory requirements, then the review period will be brought forward to ensure compliance.

## 7. **Roles and Responsibilities**

The Policy Framework documents the approval routes for all Policies & Strategies, however under this policy the following teams/members of staff have the following responsibilities.

Executive Director's Team (EDT)	<ul style="list-style-type: none"> <li>• First and final approval of the policy</li> </ul>
Executive Director – Customer Insight Executive Director – Property Ownership dependant on Project Lead	<ul style="list-style-type: none"> <li>• Setting the disturbance payment amount</li> </ul>
Head of Customer Relationship Management Business Manager of Assets Ownership dependant on Project Lead	<ul style="list-style-type: none"> <li>• Decide regeneration/refurbishment location(s)</li> <li>• Decide relocation priority/order</li> </ul>
Head of Customer Relationship Management	<ul style="list-style-type: none"> <li>• Oversee relocation programme</li> <li>• Authorise payments</li> </ul>

Customer Relationship Team	<p>Manage the relocation process by:</p> <ul style="list-style-type: none"> <li>• Designating one point of contact throughout the process and ensure that regular updates are provided to customers</li> <li>• Consulting with customers prior to relocation</li> <li>• Processing agreed payments to customers</li> <li>• Ensuring that the Contact Centre and other relevant staff have the latest updates on the process and progress</li> <li>• Providing support to customers requiring additional support</li> <li>• Consulting with the Commissioning Authority on any relocation within independent living stock</li> </ul>
Finance Team	<ul style="list-style-type: none"> <li>• Process home loss and disturbance payments</li> </ul>

**8. Equality & Diversity**

To comply with the Equality Act 2010, an equality analysis (EA) was completed as part of the policy review. On completion of the EA, it was found that the implementation of the policy would support and encourage the aims of the public sector duty. The equality analysis was completed and approved May 2021.