

## Decants Policy - Tenants

### 1 Our approach to Decants

- 1.1 We aim to maintain and improve our homes to a high standard, and to develop high quality housing. Sometimes we may need to decant (move) residents to another property because we have to carry out repairs which cannot be completed with residents staying at the property. We may also decant because redevelopment or demolition is necessary due to the property condition.
- 1.2 We know that decants can be disruptive and difficult for residents. We will ensure that:
- Residents are consulted about decants.
  - We provide residents with clear information and keep them informed throughout the decant process.
  - Residents' needs are considered regarding alternative accommodation.
  - We comply with the Land Compensation Act 1973 when making home loss and disturbance payments.

### 2 What you can expect from our service

- 2.1 We will carry out a 'decant assessment' with you before your move, to identify your housing needs and any support you may require.
- 2.2 We will make home-loss payments if you are eligible within 4 weeks of your move to your new home.
- 2.3 We will make disturbance payments to you within 4 weeks of receiving your completed compensation claim for eligible expenses.

### 3 What will happen if we need to decant

#### 3.1 Consultation

- 3.1.1 If we plan on decanting you away from your current home, we will consult with you first. If we are redeveloping and agree you can return to the property afterwards, we will ask for your views on how it should look and what amenities should be available.

#### 3.2 The right to return

- 3.2.1 You have no automatic right to return to the property you are decanted from. However, we are committed to keeping communities together where possible. Whether you can return depends on a number of factors, including if the property will be the same size after redevelopment, and the views of the Local Authority.

### 3.3 Moving homes

3.3.1 We will meet with you to assess your needs and the best way forward.

#### 3.3.2 Temporary moves

- If the decant is due to repairs needed, you will usually return to your home once the repairs are complete (unless the works are scheduled to take longer than 6 months - see permanent moves below).
- If you stay with family / friends while we carry out the repairs you will be entitled to receive compensation (see 'Compensation entitlement' below).
- If you cannot stay with family / friends, we will make you a direct offer of accommodation, or make hotel / B&B arrangements for you. If you choose to make your own hotel / B&B arrangements, the cost of the accommodation must be reasonable and agreed with us in advance.

#### 3.3.3 Emergency decants

- If you have to move due to an emergency (for example in the event of a fire or flooding) we will support you in making an application to the Local Authority's Homeless Person's Unit for temporary accommodation while we carry out repairs.
- If we are able to make an insurance claim due to the nature of the repair and the Local Authority will not house you, we will make arrangements for temporary accommodation for you while repairs are carried out.

#### 3.3.4 Permanent moves: tenants

- If your move is permanent, you can bid for a new property using Locata Choice Based Lettings. You will usually be assigned priority band A. If the property is being decanted in phases over a long period, you may be assigned band B status until nearer the time when you need to move. We can help if you need support with bidding.
- In some circumstances we may make a direct offer of accommodation.
- When you move we will continue to charge you the same rent at your new property unless you move to a property with more or fewer rooms.

#### 3.3.5 Permanent moves: leaseholders

- We will buy out your stake in the property at market value and pay you compensation (see 'compensation entitlement' below) so you can buy or rent on the open market.

### 3.4 Compensation entitlement

#### 3.4.1 Home-loss

- If your move is permanent you may be entitled to a 'home-loss' payment. Payments are made in accordance with the Land Compensation Act 1973. If you are a tenant you will receive £8,100 if you have been a resident at the property (as your only or main residence) for no less than 1 year.
- If you are a leaseholder with at least 3 years of your lease unexpired you will receive 10% of your share of your property (up to £81,000).

### 3.4.2 Discretionary compensation (decant)

- If you are a tenant, and we decant you less than a year into your tenancy, you will receive discretionary compensation. The compensation is based on how long you have been at the property: for example, if you have lived at the property for half a year, you will receive a payment equal to half the home loss payment (£4,050).
- If you have rent arrears we will use the payment to settle your arrears first and pass on the remaining amount to you.

### 3.4.3 Disturbance payments

- We will also compensate you for costs sustained moving from one property to another. We will match your spending within the guidelines set out in our separate Disturbance Payment Guide.
- If you use our contractors they will invoice us directly. If you buy services or items from suppliers we do not work with, you will need to pay for the item and submit a compensation claim. Once we receive your claim we will compensate you within 4 working weeks if your claim is within our guidelines.
- If you make payments we are unable to cover, we will let you know within 10 working days of your claim.
- We will not usually consider payments for items such as carpets and other fixed furnishings for temporary decants.

### 3.4.4 Other payments (decant due to repairs)

- If you have been temporarily decanted to a property with fewer bedrooms (and you were not under-occupying) or you lose access to another room or to a garden you can apply for compensation in line with our Compensation Policy.
- If you stay at a hotel/B&B you are entitled to food allowance. If you stay with friends or family you are eligible for some allowances. The payments are set out in our Compensation Policy.

## 4 What will happen if I refuse to decant?

4.1 We want to work with you as much as possible when a decant is needed. However, if you refuse to move when a decant is necessary, we will take legal action to require you to move.

4.2 If you are a tenant we will always ensure we make at least one reasonable offer of accommodation before going to court. We will try to make an offer as near to your criteria as possible, however the options available depend on the properties we have available at the time.

## 5 How to contact us about Decants

If you would like more information about decants, please look on our website or call 0208 354 5500.

## 6 Revision history

Date of revision	Author	Revision detail
11/04/2024	DV, Head of Income, Allocations	3.4.1 Home Loss payment amounts updated

	and Home Ownership	
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Policy Owner: Head of Income, Allocations and Home Ownership Title: Decant Policy. Approval date: 01.10.2022