



THE ROYAL BOROUGH OF
KINGSTON
UPON THAMES

Rehousing Policy

Landlord Services
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1. Introduction

This policy covers circumstances when it is necessary for the Council's secure and introductory tenants to vacate their permanent home temporarily (or in exceptional circumstances, permanently) to enable refurbishment or repair works to be carried out.

The policy gives examples of the circumstances whereby rehousing may be necessary and the financial compensation that will be made available.

This policy **does not** apply to:

- Permanent rehousing due to redevelopment/regeneration. Moves from **regeneration estates, such as the Cambridge Road Estate**¹ are covered by separate policies and procedures.
- Tenants of another landlord. The provision of alternative accommodation falls to the tenant's landlord. Leaseholders with tenants in their property are expected to make an insurance claim on the landlord insurance.
- Households living in temporary or emergency accommodation under the Council's homelessness powers or duties. These will be dealt with by the Housing Register & Rehousing Team in Community Housing.
- Management Transfer requests - where a move is required due to a very serious risk of harm either physically and/or mentally from an external source. These are considered Management Moves, and are dealt with under the **Allocations Policy/Management Transfer Procedures**

2. Policy Implementation

- 2.1 We provide residents with clear information and keep them informed throughout the rehousing process, either face to face, by phone or in writing.
- 2.2 As far as is reasonably possible, residents' needs are considered regarding alternative accommodation, and your Housing Officer will visit to carry out a **Decant Housing Needs Assessment** early in the process.
- 2.3 We comply with the Land Compensation Act 1973 when making home loss and disturbance payments.
- 2.4 Changes to this policy and its associated procedure will be communicated to the Landlord Services team. All team members will be required to read this policy, and to confirm that they have read and understood it.

¹

https://www.cambridgeroadestate.com/assets/pdf/RBK_Tenants_Decant_Policy_30_04_2018_FINAL_VERSION_FOR_PUBLICATION.pdf

3. Responsibility and Decisions

- 3.1 Rehousing is usually recommended by the Asset Team but approval will need to be provided by the Head of Landlord Services. Rehousing decisions must be recorded on the Housing Management System.
- 3.2 Rehousing spend must be approved by the relevant budget holder and all spend must be recorded and monitored against budget by the relevant budget holder.
- 3.3 Housing Officers are responsible for supporting you during the process.

4. What is Rehousing?

- 4.1 Rehousing is when it is necessary for residents to vacate their permanent home temporarily or permanently to enable refurbishment or repair works to be carried out.
- 4.2 The carrying out of works or repair may cause some unavoidable interference with a resident's enjoyment of their home. Some repairs can be very disruptive which means it isn't possible to do the work around you. The Council will take measures through the rehousing process to minimise the disruption.
- 4.3 Sometimes, if your home has been damaged by an incident such as a fire or flood, you may first need to move to short-term accommodation while we assess the damage or find longer-term accommodation. As a result, you may need to be temporarily relocated to alternative accommodations during the repair period. We will make every effort to minimise any disruption.

5. Circumstances when Rehousing may happen

- 5.1 The circumstances in which it might be necessary to require you to vacate your permanent home include:
 - The Housing Asset Team requires your home to undergo major structural repairs, refurbishments or improvements, which would be impossible to carry out if you remained in occupation. Your home may need to be handed over to a contractor and become a designated construction site for health and safety reasons.
 - Work that involves turning off your water or electricity for a significant period of time.
 - The property has been damaged or made structurally unsound to fire or flood and Property Services have confirmed that it is not safe or fit for you to occupy until repairs have been carried out.
 - Major works are required as a result of an Environmental Health Order having been served which would be impossible to carry out if you remained in occupation in circumstances such as hoarding
- 5.2 You will be advised as early as possible of the need to vacate your permanent home. Sometimes you will need to vacate your home immediately.

6. Consulting with Residents

- 6.1 If rehousing is necessary, the Council has a legal obligation under Section 105 of the Housing Act 1985 to consult with tenants when they are substantially affected. For planned rehousing, consultation must be at a time when proposals are still at an early stage and the Council will consult with all affected persons.
- 6.2 The Council acknowledges that moving home is a stressful experience, especially where the resident may feel their options are limited. This Rehousing Policy ensures that moves are carried out appropriately and efficiently with the minimum stress and difficulty.
- 6.3 Every tenant identified as requiring to be rehoused will be visited by the Housing Officer at the start of the process to discuss:
- What the proposed project is and why it is being undertaken.
 - When the work will be done.
 - The rehousing policy and process.
 - What choices there are and how these can be made.
 - What we will do to help tenants prepare for any work and support whilst this work is being carried out.
 - Whether there are any requirements for aids and adaptations to support the move.
 - Any specific support that the tenant requires for the move.
 - Named contact officer for the duration of the programme.
 - Assessment of any support needs
 - The Housing Officer will refer the resident to Housing Floating Support to assist throughout the process.

All communication and consultation will be carried out by the Housing Officer who will be the main point of contact for residents.

7. Alternative Temporary Accommodation

- 7.1 In an emergency, if you can't stay with friends or relatives for the short term, suitable alternative accommodation will be sought.
- 7.2 In some cases, Bed and Breakfast or hotel accommodation will be used. Any placements longer than 6 weeks should be considered for permanent rehousing and other options such as private rented accommodation considered in the interim whilst another property is identified.
- 7.3 We will use a Hotel or B&B where they are located in Kingston or South-West London. We will usually include breakfast, unless previously agreed that this will not be included. We will include the cost of wifi.
- 7.4. For longer term absences, the Council may choose to rehouse you to another Council property on a temporary basis.

- 7.5 In exceptional circumstances, private rented accommodation may be used.
- 7.6 If it is necessary for the property to be cleared, the Council will arrange for storage of belongings and pay for the removal costs. The Council will make all the arrangements for removals and connection of appliances using our approved contractor (e.g. gas cooker connections, plumbing washing machines) unless you prefer to do so yourself.
- 7.7 While works are underway at the property, for health and safety reasons, you will not be able to return without prior arrangement. We will install a keysafe at your property to allow contractors to gain access to carry out works. We may need to secure the property by changing the locks and boarding windows/doors or adding Sitex security screens to the outside of the property

8. Suitable Temporary Accommodation

- 8.1 The Council will use best efforts to use temporary accommodation within a reasonable travelling distance to work and school, using your own car or public transport. If this is not possible, or puts you at a financial loss, the Council; will consider ways to assist with the additional costs of transport.
- 8.2. The Council will include alternative accommodation for pets where the Council has given permission for a pet to be at the original tenancy address and they cannot be housed in the temporary accommodation. Families may be required to share a room, or children to share a room where they may not do so at home.
- 8.3. There may not be cooking or laundry facilities. In this instance a subsistence payment will be given to cover additional costs. A garden or parking is not a requirement of providing temporary accommodation, unless you or a member of your household has a Blue Badge due to disabilities or health conditions.
- 8.4. If you are a blue badge holder due to disabilities or health conditions and you are moved to a car free development or have a works vehicle, the Council will pay for a parking permit for the CPZ. If you are rehoused temporarily the permit will be paid for for the duration of the work. If you are rehoused permanently, the Council will pay for a permit valid for 12 months, after this time the resident will be responsible for obtaining a permit.

9. Rent and service charges whilst staying in alternative temporary accommodation

- 9.1 You will keep your original tenancy for your main home and will be accommodated by way of Licence until you return to your main home. You will be responsible for ensuring that the rent and any other payments for your main home are paid during the period you are temporarily rehoused. If you fall into arrears, we will take legal action in accordance with our rent arrears recovery process
- 9.2 The Council will pay the rent, service charges, and council tax on your temporary accommodation.
- 9.3 You must pay for your utilities at your temporary accommodation.
- 9.8. The council will cover the cost of electricity or gas at the vacated property

10. Disturbance Payments

- 10.1 Disturbance payments are made to compensate a resident for reasonable expenses in moving from their home. These are expenses that relate strictly to the move, and expenses reasonably incurred as a direct and natural consequence of the displacement.
- 10.2 The Council will meet the costs associated with moving, including;
- Costs of removal and/or storage of belongings where necessary.
 - Disconnection and reconnection of appliances, gas and electricity supply, and telephone.
 - Any additional rent or service charge costs (residents will continue to be liable for rent and service charge for their permanent home).
 - Short-term bed and breakfast or hotel charges in emergency circumstances where accommodation is sourced and provided via RBK
 - Cost of housing pets in kennels or cattery during the decant period. This only applies in circumstances where the tenant was/is keeping the pet(s) in their permanent home with RBK's permission
 - Cost of redirection of mail.
 - In exceptional circumstances floor coverings, curtains/blinds and white goods in the alternative accommodation, but particularly where the provision of these items is a landlord obligation in your tenancy. For example residents residing in hostel accommodation or Housing for Older People (dispersed schemes)
- 10.3 Where residents require reimbursement of expenses, appropriate receipts will need to be produced. Residents should usually gain approval for the expense in advance of incurring the cost by writing/emailing the housing officer.
- 10.4 If any other financial costs are incurred because of the temporary relocation, such costs as are reasonable will also be reimbursed, subject to approval and the submission of receipts. Some examples below;
- Clothing and toiletry essentials if your property is inhabitable due to a flood or fire.
 - Travel expenses to Kingston where residents have been placed outside of the borough (bus & train fares)
 - Increased usage of utilities for the duration of works in your permanent home (proof of utility bills prior to the works and duration to show the difference)
 - Reasonable food costs will be covered depending on the number of household members at the time of Rehousing.
 - Laundrette costs if there is no laundry facilities
- 10.5 The Council cannot cover the following during Rehousing:
- Any contents or belongings damaged following an incident, that should be covered by home content insurance for example spoiled food in fridge, replacement personal items or clothing, cleaning of personal items such as furniture, garden sheds, damaged flooring/carpets, white goods.
 - Where residents do not have contents insurance, a claim can be made against the Council's Insurance provider, Zurich. Residents should be directed to the claim form online <https://www.kingston.gov.uk/finance-budgets/insurance/2> Residents who require assistance can be referred to Advocacy Services. See Appendix 1

- Services that cannot be used whilst decanted, such as subscriptions to Sky, internet, TV licence.

11. Returning Home

- 11.1 You will be given as much notice as possible when your permanent home is again available for occupation. If you are staying in bed and breakfast accommodation you will normally be expected to move back immediately. The Council will be responsible for arrangements for the removal and associated costs as detailed above.
- 11.2 You will not normally be able to remain in the temporary accommodation when your permanent home becomes available for occupation.
- 11.3 If you decided that you do not wish to return to your permanent property after notification of the need to rehouse you. You can apply to the Housing Register to be rehoused permanently. Refer to the [Allocations Policy 2024](#) (section 4.14 page 20)
- 11.4 On occasions when it is necessary to ask you to vacate your home on a permanent basis, because your home is to be demolished or substantially altered, additional Home Loss payments are payable.
- 11.5 Payments are based upon the statutory Home Loss Payment as defined in the Land Compensation Act 1973. This payment is per household and will be equally split between the legal tenants. This is in addition to the relocation costs summarised above. Any Home Loss payments will be offset against monies owed to the Council, such as rent arrears.

12. Legal Matters

- 12.1 Home Loss Payments are set out in the Land Compensation Act 1973 and the prescribed amount is regulated.
- 12.2 The Housing Act 1988 sets out matters that are to be taken into account when determining whether alternative accommodation is suitable or not in relation to a permanent move.
- 12.3 For temporary decants, a direct offer of alternative accommodation will be made, allowing, where possible, for consideration of your needs.
- 12.4 Our tenancy agreements lay out the landlord and occupants' responsibilities towards repairs. If you do not allow access for the Council or its managing agents to carry out repairs or refuse to leave the property temporarily to allow major repairs to take place, then the Council will take legal action in the form of an injunction to require you to move.
- 12.5. We will always ensure we make at least 1 reasonable offer of accommodation before going to court. We will try to make an offer as near to your housing needs as possible, however the options available depend on the properties or hotels available at the time.

13. Leaseholders

- 13.1 The Council does not have an obligation to rehouse or provide disturbance payments to Leaseholders.
- 13.2 If major or urgent works are required, then consultation under s20 of the Landlord and Tenant Act 1985 will be required. Leaseholders will be notified of their options and advice provided.

14. Monitoring

- 14.1 We will monitor the latest Home Loss Payments regulation. The amount of Home Loss payments change periodically and the website <http://www.legislation.gov.uk> should be used to verify statutory amounts payable.
- 14.2. When a rehousing is covered by our insurers, we will work with our Loss Adjuster to ensure that offers of alternative accommodation and rehousing costs are in line with our insurance policy.
- 14.3 Offers of accommodation, disturbance payments, subsistence payments or Home Loss payments outside of the scope of this policy will constitute a breach of policy, unless they have been previously agreed with our loss adjuster or the Council's Executive.

15. Equality, Diversity and Inclusion

- 15.1 This policy aims to show that all tenants' and owners' differing needs and preferences are taken into account. Central to this is the personal visit by the Housing Officer to carry out a needs assessment at the beginning of the process, which allows the Council to:
- Identify those who may need more support
 - Ensure tenants are kept informed in the way most appropriate to them.
 - Make suitable rehousing offers, with full consideration made of adaptations required.
- 15.2 Where it is necessary to rehouse a resident, we will consider the needs of each individual and household – having particular regard to their protected characteristics – and where required, a Support Plan will be agreed for the rehousing process. This will include details of any additional assistance that the Council has agreed to provide.
- 15.3 If a disabled or vulnerable tenant is unable to move to temporary decant accommodation because we have been unable to find accommodation that meets their ability or other needs, we may work with them to assist them to vacate the rooms we need to work in while they remain in the property.
- 15.4 Where tenants or members of their household with high care needs outside of that which the Council can provide and who require supported accommodation have to be

decanted, the housing team will liaise with adult social care or children's services to identify suitable alternative accommodation.

16. Appeals & Complaints

- 16.1 An appeal against any aspect of this policy or decision made under it will be treated as a complaint and dealt with in accordance with the Council's complaints policy and procedure

Appendix 1:

Throughout the rehousing process you can appoint a family member or a friend to advocate on your behalf. If this is not possible, your Housing Officer can refer you to an external advocacy services such as:

- Kingston Housing Floating Support
- Citizens Advice Bureau (CAB)
- Kingston Advocacy Service
- Migrant Advocacy Service (MAG)
- Refugee Action Kingston (KAG)
- Kingston Carers Network (voice for young carers)
- Grace Advocacy Service

This list is not exhaustive and other agencies and organisations who can support are listed under the connected Kingston website www.connectedkingston.uk