



# Abandoned Tenancies Policy

V.1 – April 2026

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<b>Copy to Fire Safes</b>	Yes		No	✓

<b>SSHC Reference</b>	Standard 1 – Equalities Standard 2 – Communication Standard 6 – Estate Management, Anti-Social Behaviour, Neighbour Nuisance and Tenancy Disputes Standard 11 – Tenancy Sustainment
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### Related Documents

- Scottish Secure Tenancy Agreement
- Complaints Policy
- Equality & Diversity Policy
- Health & Safety Policy
- Void Policy
- Repairs and Maintenance Policy
- Estate Management Policy

## **Translation Statement**

If you have any difficulties reading this information or need further help understanding our processes, please contact us. We can make this document available in a variety of formats. All you need to do is let us know what you need, and we will try to assist.

## **Compliance**

This policy has been drafted to ensure that it complies with current legislation and industry good practice.

## **Equality & Diversity**

Fyne Homes is committed to providing services which embrace diversity, and which promote equality of opportunity. As an employer we are also committed to equality and diversity within our workforce. Our goal is to ensure that these commitments, reinforced by our Values, are embedded in our day-to-day working practices.

## **Openness & Confidentiality**

Fyne Homes believes that its members, tenants and other interested parties should have access to information on how it conducts itself. This means that unless information requested is considered commercially sensitive or personally confidential it will be made available on request.

## **General Data Protection Regulations**

Fyne Homes recognises that the General Data Protection Regulations are an important piece of legislation to protect the rights of individuals in respect to any personal information that we may keep about them, whether on computer or in manual systems. We will treat your personal data in line with our obligations under the current data protection regulations and our own Data Protection Policy. Information regarding how your data will be used and the basis for processing your data is provided in our Transparency Statements

## **1 Introduction**

- 1.1 The Abandoned Tenancy Policy outlines the approach Fyne Homes will follow when we have reasonable grounds to believe that a tenant has abandoned their property.
- 1.2 Where we have reasonable grounds to believe that a tenancy is unoccupied and that the tenant does not intend to live in the property, Fyne Homes may take possession of the house in line with the Housing (Scotland) Act 2001 and the terms of the Tenancy Agreement.

## **2 Aim**

- 2.1 The purpose of this policy is to ensure that abandoned properties are identified, repossessed, and re-let as quickly as possible in order to minimise rental loss and reduce the impact of empty properties on our resources.

2.2 Where it is believed that a joint tenant has abandoned the tenancy, the Association has a legal responsibility to carry out appropriate investigations and, where justified, formally end the departing joint tenant's interest in the tenancy in accordance with legislation.

2.3 To achieve this, we aim to:

- Quickly identify properties that are unoccupied or where the tenant does not intend to use the property as their only or principal home.
- Determine where there is a potential abandonment as early as possible.
- Protect tenants' rights by conducting thorough and proportionate investigations into occupancy before recovering a property or ending a joint tenant's interest in the tenancy.
- Manage any belongings left in an abandoned property in accordance with legislation and good practice.
- Minimise the length of time that a property remains unoccupied.
- Reduce repair costs and the risk of vandalism.
- Ensure the effective management and maintenance of the Association's assets.
- Comply with relevant legislation relating to abandonment of tenancy, including the Housing (Scotland) Act 2001.

2.4 These aims will be achieved by following the Association's Abandonment Procedure, which sets out the steps for investigation, verification, communication with tenants, and lawful recovery of properties. The procedure also details the process for formally ending the tenancy interest of a joint tenant who is believed to have abandoned the property.

### **3 Links to vision and strategic priorities**

3.1 This policy aims to fulfil the needs of our Strategic Priorities, in particular:

- Ensuring value for money
- Investing in our properties
- Minimise void properties
- Ensuring Regulatory compliance

3.2 These priorities will be achieved through the consistent application of the Abandonment Policy and its supporting procedures.

### **4 Legal Framework**

4.1 This policy acts in accordance with:

- Housing (Scotland) Act 2001, 2014
- Scottish Secure Tenancy (Abandoned Property) Order 2002
- Scottish Social Housing Charter
- Data Protection Act 2018 and the UK General Data Protection Regulation

### **5 Managing and Reporting**

**5.1 Management of Void Properties:** The Housing Services Director has the responsibility for overseeing the implementation of the Abandoned Tenancy Policy. Team Leaders are responsible for ensuring implementation and management of the operational procedures. Specific tasks within the process are delegated to appropriate staff.

**5.2 Reporting:** Fyne Homes will monitor performance using both statutory and local performance indicators.

- **Statutory Performance Indicators – Scottish Social Housing Charter:**
- Number of abandoned homes during the reporting year.
- **Local Performance Indicators:**
- Number of abandoned homes during the reporting year, broken down by area.

## **6 Reviewing Process**

6.1 This policy will be reviewed in line with the respective current Fyne Homes' policies, and/or where a change in legislation arises.

6.2 If there is a procedural delay in the policy revision, then the relative legislation in force at the time will prevail.

<b>Version number</b>	<b>Revision Date</b>	<b>Part of doc revised</b>	<b>Reason for revision</b>	<b>Approved by</b>