

Mid Devon District Council

Hoarding Policy

Policy Number: HSG v2

October 2019

Version Control Sheet

Title: Hoarding Policy

Purpose: This policy statement outlines Mid Devon District Council's (MDDC), Housing Service approach to identifying and dealing with issues of hoarding in Council properties.

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Review Frequency: **Every 10 years or sooner if required and in accordance with changes in good practice and legislation**

Next review date: October 2029

Consultation **This document was sent out for consultation to the following:**

Cabinet Member

Staff

Tenants Together

Leadership Team

Homes Policy Development Group

Document History

This document obtained the following approvals.

Title	Date	Version Approved
Cabinet Member	3 September	
Tenants Together	8 August 2019	
Leadership Team	17 September	
Homes PDG	1 October	
Cabinet	17 October	
Full Council		

1. Introduction

This policy statement outlines Mid Devon District Council's (MDDC), Housing Service approach to identifying and dealing with issues of hoarding and clutter in Council properties.

It recognises that hoarding is often described as when someone is unable to dispose of excess or unused things to the point where their belongings are clogging up their living space.

Whilst people who clutter are often seen as people who let possessions pile up, hoarding is now recognised as a mental health disorder. Preventative measures must be put in place to reduce public health and safety risks to the tenant and others as well as to reduce neglect and wilful damage to the property. Where necessary, the Housing Service will take enforcement action regarding any breaches of the tenancy agreement, taking the vulnerability of the tenant into account.

2. Scope

This policy sets out how the Housing Service will respond to dealing with issues that arise when properties are cluttered or are being used to hoard amounts of possessions including animals.

This policy covers the following points and should be read in conjunction with the related documents as stated below:

- Tenancy management
- Health and Safety Issues
- Tenancy home checks
- Animal hoarding
- Partnership working
- Tenancy enforcement

3. Related Documents

- a. Anti-social Behaviour Policy
- b. Decant Policy
- c. Recharge Policy
- d. Tenancy Agreement
- e. Vulnerability Policy
- f. Pets and Animals Policy

4. Tenancy Management

- 4.1 The Building and Housing Services have operational staff who visit tenants and their households at home. Staff are required to identify any issues that arise when properties are cluttered or are being used to hoard amounts of possessions or animals and report them to the relevant Neighbourhood Officer.

In extreme cases, piles of clutter can become a public health and safety risk and can result in trips, slips and falls. If the home is difficult to clean, living conditions can be unhygienic and can lead to rodent or insect infestations, blocked drains and other problems that may also affect neighbouring properties. Staff will identify any risks to the tenant, their household, visitors or neighbouring properties and to take appropriate action in accordance with the severity of the risk.

4.2 Issues with hoarding/clutter can generate complaints of anti-social behaviour and these will be dealt with in line with the Housing Services, Anti-social Behaviour Policy and Procedures. Complaints may include those relating to untidy gardens, unpleasant odours from the property or infestation of vermin.

4.3 Housing staff are aware that there will be times where a property will be cluttered and messy. This may be due to a whole host of reasons, including being a lifestyle choice or lack of education. Hoarding issues are thought to be more related to mental health issues. Concerns should be directed back to the Neighbourhood Officer when discovered.

4.4 The Housing Service is likely to become aware of hoarding/clutter issues:

- During routine planned maintenance works scheduled for the property (gas services or property upgrades)
- When complaints of anti-social behaviour are received; for example, those concerning the presence of vermin or clutter in outside spaces
- When reports of welfare concerns from family members or neighbours are received

4.5 It is common that once any issues of hoarding have come to the landlord's attention, the situation is likely to present breaches of the tenancy agreement. Neighbourhood Officers will raise awareness of any breaches with the tenant and will take appropriate action.

4.6 When an issue has been identified the Neighbourhood Officer will regularly visit the property and will put together an action plan to work with the tenant to reduce the hoarding issues and to address any public health and safety concerns. We understand that it may be a slow process to reduce rubbish and clutter from the property. However, action must take place at a pace that reflects the risk posed.

4.7 Tenants are responsible for the behaviour of members of their household and are required to comply with the terms and conditions of the tenancy agreement.

5. Health & Safety

- 5.1** Hoarders can accumulate volumes of rubbish or clutter leading to unsafe and unhygienic conditions to the property which can pose a significant public health and safety risk.
- 5.2** It is generally not seen as good practice to completely clear the rubbish or clutter away from the property. This is due to the fact that it is unlikely to solve the problem. In addition, the clutter may often build up again. The Housing Service will work with the tenant to resolve the issue but will not offer extra storage space as this is only a quick fix, costly and does not address the problem. As a landlord we have a legal responsibility to ensure that our properties are safe to live in. If there is a detrimental health or safety risk, then any rubbish or clutter will be cleared to comply with legislative requirements.

6. Tenancy Home Checks

- 6.1** Neighbourhood Officers will carry out tenancy home checks on all properties. During these visits they will identify if there is an issue with hoarding at the property or if access routes for emergency services are blocked. When such issues have been identified, the Officer will work with the tenant and involve relevant agencies to address the problem.

7. Animal Hoarding

- 7.1** Animal hoarding is more uncommon. It is considered a problem if the owner:
- Is not able to provide basic needs for the animals, such as food, shelter and veterinary care
 - Is allowing their animals to live in poor conditions – for example, overcrowding or severe lack of hygiene
 - Is not aware that the animals are having a negative effect on their personal health or the health of family members
- 7.2** The person hoarding will often not understand they are neglecting the animals and putting their own health and that of others at risk. They often have an emotional attachment to their pets, making it extremely difficult to give up any animals during treatment.
- 7.3** Where cases of animal hoarding have been identified, the Housing Service will involve partner agencies, as appropriate, for further advice and assistance to ensure that any welfare concerns are addressed.

8. Partnership working

- 8.1** It is recognised that it may be necessary to involve a range of agencies to play a part in trying to reduce hoarding issues and ultimately to improve the quality of life for the tenant and their household.
- 8.2** The Housing Service will work with a range of agencies; including social services, community mental health teams, the Fire Service, Public Health professionals and family members.

9. Tenancy enforcement

There are a variety of tools and powers that can be used to address tenancy breaches. However, it is understood that there are no “one-size fits all” solutions. The Housing Service will liaise with experienced practitioners to achieve the best result in a given case taking into account our duty to equality and the fostering of relationships. Tenancy enforcement can include legal action to recover the property or a legal injunction to the tenant to comply with the tenancy conditions. Normally a graded approach will be taken before such enforcement action is taken but occasionally it may be necessary to proceed directly to urgent tenancy enforcement action particularly where the hoarding is causing substantial health and safety risks including risks of fire.

- 9.1** Where there is a problem with gaining access to the property to fulfil our legal obligations or where it has been identified that there is a health and safety risk which could have a detrimental effect on others, we will take the necessary legal steps to obtain an injunction. Any costs incurred in doing this will be recharged to the tenant.
- 9.2** The tenant will also be recharged for any damage to the property caused by neglect or wilful damage. This will be dealt with in line with the Housing Services Recharge Policy.

10. Equality and Diversity

- 10.1** The Housing Service will tailor its services to meet the diverse needs of individuals. The aim will be to foster good relations with people when providing services to eliminate discrimination and to promote opportunity of equality. All action taken by us will be in accordance with the requirements of current legislation.

11. Review

This Policy has been written in line with good practice and current relevant legislation. This policy will be reviewed and revised to reflect any legislative requirements and/or other guidance or good practice. The next scheduled review of this policy is due in October 2029 and every 10 years thereafter.