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Policy:	Policy on Recovery of Other Owners' Costs
Legal Requirements:	There are no legal requirements applicable to this policy.
Regulatory Standards:	<p>The Scottish Housing Regulator has set out Regulatory Standards for all Registered Social Landlords (RSLs) to ensure that RSLs deliver good outcomes and services for its tenants and service users through good governance and financial management.</p> <p>This policy evidences that the following Regulatory Standards are being met:</p> <p>Standard 1. The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users.</p> <p>Standard 2. The RSL is open about and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. And its primary focus is the sustainable achievement of these priorities.</p> <p>Standard 4. The governing body bases its decisions on good quality information and advice and identifies and mitigates risks to the organisation's purpose.</p> <p>Standard 5. The RSL conducts its affairs with honesty and integrity.</p>
Equality and Diversity:	<p>The Association is committed to Equal Opportunities and will endeavour to ensure that all services are carried out in an undiscriminating manner in line with the Association's Equality and Diversity Policy.</p> <p>In particular, the Association will not discriminate on the grounds of age, disability, marriage and civil partnership, pregnancy and maternity, race, religion or belief, gender, gender reassignment or sexual orientation.</p>
Complaints:	Although the Association is committed to providing high levels of service, we accept that there may be occasions where customers may not be satisfied with the service they have received. The Association values all complaints and uses this information to improve the services that it provides. The Association's Complaints Policy describes our complaints handling procedure and how to make a complaint.
General Data Protection Regulation (GDPR):	The Association will treat all customers' personal data in line with its obligations under the current data protection regulations and our Privacy Policy. Information regarding how data will be used and the basis for processing data is provided in the Association's Fair Processing Notice.
Policy Author:	Lesley Bryce
Policy Review:	In order to ensure that any change in circumstances is accommodated this policy will be subject to review every two years in the month of May.
Policy Approval:	This policy was last reviewed / approved by the Management Committee of Yoker Housing Association Limited at its meeting held on Thursday the 27th of May 2021.



Statement of Policy Aims and Principles

5 Yoker Housing Association ("the Association")'s development programme can involve the co-ordination of improvement work to the premises of owner-occupiers and commercial owners. Improvement work to these premises is funded in part by way of Glasgow City Council improvement grant, with the balance being paid by the individual owner.

This policy details the procedures to be adopted to recover the balance of costs not funded by improvement grant.

10 Policy Details

Cost Planning Stage

15 A key element in the process of the successful recovery of other owners' costs is detailed consultation with the owner at the cost planning stage of the contract. Each owner should be presented with the estimated cost of the work as soon as this is available. The Association should then assist the owner in making a grant application to Glasgow City Council, for an assessment of the likely level of grant. The Association can then inform the owner of the likely balance due by them of the cost of the improvement work. At this stage, the owner should be encouraged to consider how he will fund this balance – for example, by increasing his existing mortgage or by applying for a home loan from Glasgow City Council. The owner should be encouraged to approach his existing lender at this stage.

Tender Stage

25 Once actual tender costs are available, the Association must seek written confirmation of the grant level from Glasgow City Council. The owner occupier grants must be mandated to the Housing Association. This is covered in the owner-occupier Minute of Agreement.

Minute of Agreement

30 Each owner must sign the Association's legally binding Minute of Agreement prior to the improvement work commencing on site. This minimises the risk to the Association on the non-recovery of costs.

35 The Minute of Agreement confirms the sum, which represents the proprietor's maximum contribution to the cost of the work. The Minute of Agreement states that an estimated final account will be sent to the proprietor within twenty-eight days of practical completion of the works. The proprietor must pay to the Association the sum detailed in the estimated final account. Such payment must be made within twenty-eight days of the proprietor being issued with the estimated final account. There may be a reduction on the interest element of the final account if interim payments have been made prior to practical completion of the works.

Standard Security

40 In the event of the proprietor failing to secure improvement grant and/or loan finance to cover the maximum contribution, the Minute of Agreement allows for the Association to take a Standard Security over the owner's property, the legal cost of which must be met by the owner.

Consent to Registration

45 By signing the Minute of Agreement, the owner consents to the registration of the Agreement, and of any certificate of the amount due to the Association, for execution. The effect of registration for execution gives the Association remedies against the proprietor quicker than other court procedures allow.



Court Proceedings

If the proprietor fails to comply with the terms of the Minute of Agreement, as outlined above, then the Association will commence court proceedings upon the approval of the Management Committee.

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Payment Arrangements

In exceptional circumstances, the Management Committee may agree to accept payment of costs over a fixed period in accordance with the Financial Conduct Authority Rules and Regulations. In this event, payments would be made by standing order or direct debit. The proprietor would require to grant a postponed Standard Security over his property prior to entering into such an arrangement.

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Communication with Finance Department

To ensure that the Finance Department is kept appraised of the situation regarding final accounts, the Development Section must ensure that copies of all final accounts are passed to Finance. Regular monthly meetings should be held between the Development and Finance Sections to ensure careful monitoring of the recovery of costs.

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