Local Government and Communities Committee

Note of informal empty homes discussion on 22 May 2019

Introduction

1. This note provides an anonymised summary of the issues discussed during the private informal discussion about empty homes, which took place on Wednesday 22 May in Committee Room 4.

Background

2. The Committee agreed to do a short and-focussed inquiry into empty homes. As part of this work, it agreed to hold an informal discussion with people who were themselves empty home owners. The meeting was held in private to help create a safe environment for people to share their stories. The Committee is very grateful to all those who came along to share their experience.

Discussion

3. The Committee heard from a variety of people during the session, including empty home owners, a professional property developer who renovers old empty properties and rents them out, an empty homes officer working for a local authority, a town centre regeneration officer working for a local authority and a person working for a not-for-profit in a local community where there are a number of empty homes.

4. Much of the discussion centred on local authorities’ ability to increase council tax by up to 100 per cent on properties empty for 12 months or more, and the impact that this had on people. The Committee heard strong views that some councils were not using this discretion flexibly, and were applying this surcharge even where there were good reasons why a property was unoccupied, such as where people were making improvements to render it habitable. Instead, many felt that some local authorities were applying a blanket approach and not taking into account individuals’ circumstances.

5. For example, the Committee heard from an individual who had purchased a dilapidated property to renovate and ultimately make their family home. They were initially given a discount on their council tax. However, earlier this year, the individual was served 8 weeks’ notice that the council tax would be increased by 100 per cent, leading to a £300 extra payment per month. They told the Committee that this was leaving them in increasingly crippling debt, which has impacted on their ability to complete renovations, caused stress and affected family relationships.

6. The individual also said that the Council had not sent someone out to look at the property before or after the surcharge was applied to see for themselves that repairs were being done and whether the property was in a liveable state.

7. Another attendee told the Committee that problems with their home had started when a wall bordering their property fell down and the property was considered
unsafe. This took place shortly after trees behind their property had been cut down and they had to move out of the property. They had initially been granted a Council Tax exemption, but then the 100 per cent surcharge was imposed, even although in their view the property was uninhabitable. The person has been in this situation for many years, and is now many thousands of pounds in arrears of council tax. The stress of this had contributed to marital difficulties.

8. A number of competing factors were preventing that person from making the house habitable again and adding to mounting debt, including the council tax arrears, the insurance company not providing adequate funds to cover repairs, and an inability to sell the property. There was not even currently any way for the property to be repossessed as it was owned under a joint mortgage, and their estranged partner continued to pay part of the mortgage. Attempts to access legal aid were unsuccessful. The person had considered insolvency, but whilst that would help wipe previous debts clear, council tax arrears would immediately begin to accrue again, as the underlying issue would be no closer to being resolved. They did not see suing the organisation that had felled the trees as a realistic option or one they could afford. The individual praised the one to one help they had received over a long period from their council’s empty homes officer: the EHO had provided not only practical help but also emotional and social support.

9. One individual had held onto a property they had previously used when they visited their elderly parent, who lived some distance away. After their parents had passed away, they no longer made use of the flat. The person was now at an age when they did not feel able to take on lodgers. At the same time, they did not want to sell it at this time as the local property market was depressed and had been for some time. The property had now been empty for 5-6 years, and was becoming more poorly maintained. However, the council had recently begun to impose the surcharge, leading to the cost almost doubling. The individual did not consider this a fair imposition.

10. Another individual had bought a dilapidated house off the website Gumtree. Their aim had been to renovate it to make it habitable and they had known this would take time. However, it turned out to be an even more long-term project than they had realised. They took had recently been hit with the 100 per cent council tax surcharge. They told the Committee they may now have to sell the property. They also said that the council had not offered to come round to inspect the property. The individual’s view was that, if they had done, they would have seen that there was no kitchen or bathroom and that the property should be considered liable to council tax.

11. Another attendee was a landlord, who had been in the business for many years. They highlighted differences in approach to empty homes between from the 80s and the present day. In the past, there had been less of the stick and more of the carrot: more grant money was available to renovate properties. Now the approach is to double council tax if renovation work is not carried out timeously. The landlord said that tenements raised particular concerns. It was very often difficult to get all the inhabitants of a tenement block to pay their share of common repairs. They said that the Tenements (Scotland) Act did not provide an adequate remedy. They suggested that a way forward might be to require all tenements to have a factor
but also recognised that this could not be a perfect solution, as not all factors provide a satisfactory service.

12. There was a general discussion about the work of EHOs or other professionals dedicated to helping bring empty homes back into circulation. The Committee were informed about the benefits they can bring not only to individuals with an empty home, but also to solicitors and other bodies, such as community regeneration organisations. The consensus was that there is no “one size fits all” approach, but that communities generally benefit from having a dedicated officer at the local council. With their knowledge of the system and network of contacts, they can get word out to the correct organisation or individual which can provide the necessary support.

13. The Committee heard from a housing professional working for a not-for-profit community organisation. Their role included identifying empty properties in their small economically struggling community. A local consultation had identified the issue as a major concern, affecting the local pride of the community. There was a demand for affordable housing in the area but also a large number of empty homes. The organisation had been able to bring some of the worst properties back into use as part of a coordinated effort and community consultation. The main point this individual wished to make was that it took concentrated and focussed joint effort, and perseverance, to bring a very small number of properties back into circulation.

14. Finally, the Committee heard from a Council official from a local authority without a dedicated homes officer, working mainly in town centre regeneration. They spoke of the significant amount of work being done in their local area within their team, with respect to bringing empty homes back into use, providing a holistic approach to regenerating the town centre and empty homes. Whilst not having an empty homes officer, they had a dedicated role in assisting with empty homes. They said that a large part of the work was sign-posting, i.e. making sure people knew the right people to get support from, tailored to their requirements.