
Meeting: Executive
Date: 15 September 2009
Subject: Empty Homes in Central Bedfordshire – Use of Empty Dwelling Management Orders
Report of: Councillor Rita Drinkwater - Portfolio Holder for Housing
Summary: The report proposes the use of enforcement powers available to the council in respect of problematic long term empty private sector homes in the district. In particular the report recommends the forming of a partnership with Pathmeads Housing Association, which will enable the council to use Pathmeads expertise to manage any properties that could be subject to Empty Dwelling Management Orders.

Advising Officer: Julie Ogley, Director of Social Care, Health and Housing
Contact Officer: Nick Costin, Head of Private Sector Housing
Public/Exempt: Public
Wards Affected: All
Function of: Executive
Key Decision Yes
Reason for urgency/ exemption from call-in (if appropriate) An Executive decision is urgent because complaints relating to the properties cited in the report highlight issues of concern that are detrimental to public health

RECOMMENDATIONS:

1. **That the Executive agree to extend the Empty Homes Policy and Protocol (amended for Central Bedfordshire Council), previously adopted by South Bedfordshire District Council, to apply to all of the Central Bedfordshire Council area; and that in particular:-**
 - a. **the Executive approves the general use of Empty Dwelling Management Orders (EDMOs) where the homes blight neighbourhoods and meet the selection criteria set out at Appendix B, page 3 of the submitted report;**
 - b. **the Executive approves the use of selection criteria set out in Appendix B of the report to identify properties in the area suitable for Empty Dwellings Management Orders or where appropriate, Compulsory Purchase;**

	<p>c. the Executive delegates authority to the Portfolio Holder for Housing to approve Empty Dwelling Management Orders, in respect of four empty home cases previously identified to South Bedfordshire District Council Executive in 2008 in order to develop a reliable process for the use of EDMOs;</p> <p>2. That the Executive (subject to agreement to recommendations above) delegates authority to the Portfolio Holder for Housing to sign the Pathmeads Framework Agreement, to provide management services for the Council in respect of 4 named empty home cases which are intended to be brought back into occupation through the use of EDMO's, and that the Officers additionally further test the market in respect of social housing providers to carry out this future role.</p> <p>3. That the lessons learned from progressing these initial Empty Dwelling Management Orders will be incorporated within Central Bedfordshire Council's Empty Homes Strategy, to be presented to Executive in the summer of 2010.</p>
<p><i>Reason for Recommendations:</i></p>	<p><i>So that the Council's Housing Service is able to effectively implement Empty Dwelling Management Orders and bring back into use identified long term empty homes in Central Bedfordshire. A decision is required to allow us to formally enter a partnership with Pathmeads Housing Association to provide these functions. The recommendations above were agreed by Overview and Scrutiny Committee on 13th August 2009.</i></p>

Background - Introduction to Empty Homes in Central Bedfordshire

1. The number of empty homes in Central Bedfordshire has been growing in recent years. As at 1st April 2009 there were 2,620 total empty homes in the area. This compares to 2,421 in 2008 and 1,947 in 2007. In fact there has been a steady increase since 2005 (1,791). Of the 2,620 (at 1st April 09) 1,467 had been empty for more than 6 months. This is the highest number since records from 2003. Worryingly, 477 have been empty for more than 2 years. A graph showing the trend in long terms empty homes is included as appendix A.
2. This Council and its legacy Councils regularly received complaints of longer term empty homes from concerned neighbours, primarily due to the deteriorating condition of the properties and effect on the immediate residential environment. Poor condition properties can attract "fly tipping", unauthorised entry, risk of fire, and fear of crime in general.

3. The demand for affordable housing in the area continues to be high. In light of the current economic situation, there is continued uncertainty in the housing market and the demand for affordable housing is likely to remain high and potentially increase if there is an increase in job losses in the community. In these circumstances, the Council has a responsibility to examine all options for increasing housing supply, in particular the wasted resource of empty homes.

Addressing higher priority Empty Homes

4. In August 2008, a report on the use of enforcement action, in particular Empty Dwelling Management Order's (EDMOs) was presented to South Bedfordshire District Council's Executive. The report recommended the use of EDMO's in general, together with a policy of how long term vacant homes would be prioritised for such action. South Bedfordshire District Council Executive approved the use of EDMO's and Compulsory Purchase Orders; approved the criteria for selecting/prioritising properties for such action; and approved enforcement action on 5 identified long term vacant properties that had been prioritised using the criteria in the proposed policy. In one case, the owner recently died, preventing immediate EDMO action from progressing.
5. Empty Dwelling Management Orders (EDMOs) are a power contained within the Housing Act 2004, which enable local authorities to "compulsorily lease" long term empty dwellings. The local authority does not gain ownership the property, but obtains management rights for up to a maximum of 7 years where the EDMO is applied for and approved. This power is intended to be used where other options and attempts to bring the property back into use have not been successful, primarily where the owner has not co-operated or worked with the Council. Any costs associated with bringing the property back into use are recoverable through the rent obtained during the lifetime of the EDMO. Any surplus is returned to the owner, who is presented with annual financial reports.
6. The report presented to South Bedfordshire District Council's (SBDC) Executive Committee in August 08 also included a reviewed and updated empty homes policy protocol, to reflect the provisions with the Housing Act 2004 and associated Government guidance. This policy and protocol, which was agreed by Executive in August 08 is attached as appendix B. This policy was not applicable to Mid Bedfordshire District Council. The proposal within this report is that this document be amended (and updated where necessary) to provide a working policy for all of Central Bedfordshire. This policy is not a proposed Empty Homes strategy (which will be presented in the summer of 2010) but forms a basis for a consistent approach by Council Officers when responding to complaints about longer term empty homes. The amended policy and protocol will be an integral part of the Empty Homes strategy.

Progression of Empty Dwelling Management Orders

7. Since the SBDC Executive approval of the use of EDMOs, 5 properties (two are adjoining and considered as one case in Appendix D) have been identified for EDMO action and the owners have been formally notified by Notice that the Council intends to take such action. The cases are being compiled in readiness for application to the Residential Property Tribunal (RPT) for the first stage of the process, an Interim EDMO (which provides a “last chance” for the owner to co-operate with the council).
8. However, before the cases can be taken to the RPT it is prudent for the Council to be able to demonstrate the proposed future management arrangements for the properties should the Interim EDMO not be successful, leading to the council making a Final EDMO. This is where the Council actually gains management of the property.
9. Management (and other) costs should be covered by the rent obtained during the lifetime of the EDMO. Consequently there should be no overall, lifetime cost to the Council in respect of a property subject to an EDMO. There are, however, revenue and resource implications, which are examined below.

Management Options for properties

10. There are essentially three options in terms of management of properties subject to EDMO's. The options are: to manage the property and tenants ourselves (but on a private sector basis); pay a private Letting Agent to manage; or work with a suitable Housing Association with experience in such management. In respect of the last option, work has been undertaken by the Herts, Beds and Bucks Empty Homes Forum (a group made up of Council Officers dealing with empty homes) to create a partnership and framework agreement with Pathmeads Housing Association to manage any properties subject to EDMOs and other forms of Management Orders.
11. The management options were presented in an Evaluation Report to this Council's Procurement Team for consideration of a waiver to a full tendering process. This Evaluation report is attached as appendix C and the waiver was agreed by Procurement Team on 19th June 09. The Evaluation report recommends the option of forming a partnership agreement with Pathmeads for the reasons given below.
12. The benefits of forming the Pathmeads agreement include:
 - (a) Pathmeads have the experience of managing short term and private leasing schemes.
 - (b) Pathmeads are willing to provide initial capital funding of up to £20,000 to make each property habitable.
 - (c) Pathmeads option is most cost effective in terms of impacts upon council staff resources.
 - (d) Pathmeads will provide the annual financial statement to the owner on behalf of the Council.

- (e) Pathmeads can offer tenancy support to help sustain the tenancy.
 - (f) Pathmeads will also provide management service where the Council has to undertake a Management Order in respect of a House In Multiple Occupation (Housing Act 2004) where the conditions warrant such action, and in any future Private Sector Leasing scheme, where we work in partnership with private landlords.
13. Pathmeads is a part of the Genesis Housing Group and specialises in the management and maintenance of property under contract from Local Authorities, other organisations, and private landlords. Pathmeads currently manages over 22,500 properties across London and is expanding its operations out from this base.
 14. To date, only a small number of EDMO's have been approved nationally and the Government Office for East of England is following the progress of Central Bedfordshire Council in undertaking these EDMOs.
 15. The lessons learned from progressing EDMOs on the 4 cases that were in the former South Bedfordshire area, will be reviewed and incorporated in the Central Bedfordshire Council's Empty Homes Strategy, which is to be presented to Overview and Scrutiny Committee and then Executive in the summer of 2010.

Conclusion and Next Steps

16. For the reasons given above, Council Officers are working to harmonize the approach when dealing with cases of empty homes throughout Central Bedfordshire. The policy and protocol adopted by the former South Bedfordshire District Council provides a logical policy tool to use until the whole strategy for dealing with empty homes can be reviewed and presented in the summer of 2010. This will be amended to include references to Central Bedfordshire Council rather than South Beds District Council.
17. The use of EDMOs provides particular benefits to the Council, particularly in terms of reduced costs and risks from ownership in comparison to Compulsory Purchase orders. The five previously identified properties that might be suitable for EDMOs will provide good pilot studies for the effectiveness of this relatively new enforcement power as a tool throughout Central Bedfordshire, as well as providing useful information to the Government Offices in this region.
18. In conclusion, the Pathmeads management option appears to offer the Council most benefits in managing private sector properties, whether subject to enforcement action or as part of a future voluntary Leasing Scheme with private sector landlords

CORPORATE IMPLICATIONS

Council Priorities:

Bringing long term empty properties back into use supports the Council priority "Creating Safer Communities". Most long term empty homes attract unwanted attention leading to refuse accumulations, unauthorised entry, property damage or potential squatting, adversely affecting the immediate community living near the properties concerned.

Financial:

The Pathmeads option includes an offer by Pathmeads of a contribution of up to £20,000 capital funding to go towards the renovation costs needed to make each property habitable. This will save the equivalent amount from the Council's own capital programme (the capital budget for 2009/10 is £200K towards Empty Homes action)

Legal:

The Housing Act 2004 contains the provisions relating to the use of Empty Dwelling Management Orders. The proposals within this report comply with the legislation and accompanying Government Guidance issued in July 2006. The proposals will not be implemented until after the expiry of the "call in" period.

Risk Management:

The risks associated with the management options are included in the Evaluation Report at appendix B. The risks of not proceeding with Empty Dwelling Management Orders for the 4 priority dwellings identified will include severe dissatisfaction from the neighbouring residents of these properties, who have been given previous reassurance from South Bedfordshire Council that this action, approved by Executive in August 2008, would progress.

All potential risks associated with developing a new partnership will aim to be minimised through examining the work undertaken to date between Pathmeads and those local authorities in Bedfordshire, Hertfordshire and Buckinghamshire, who have signed and progressed agreements.

Staffing (including Trades Unions):

The Pathmeads option will have least implications on staff resources.

Equalities/Human Rights:

The proposal broadly supports Equality and Human Rights legislation by helping to increase the availability of housing stock.

Community Safety:

The Pathmeads framework proposal includes standards of management to be provided to prevent likelihood of crime or disorder in relation to tenants. The agreement specifically refers to responsibility for dealing with noise nuisance, harassment, neighbour disputes.

The properties concerned are often a source of criminal or unsociable behaviour when they are empty, including the dumping of refuse, attempts to break in and cause damage, thefts etc. Consequently, the proposals of this report will progress action to bring these properties back into occupation and consequently improve community safety.

Sustainability:

The proposals aim to progress the return of empty properties back into use. This has been shown to be a more sustainable approach to meeting housing need than new build housing, even where remedial works are required. It will also enhance the immediate residential environment and good management will help ensure that the initial improvements are maintained by Pathmeads.

Any improvements required will normally include energy efficiency works, resulting in a more affordable home for prospective tenants.

Appendices:

Appendix A – Graph showing trend in longer term empty homes in Central Bedfordshire

Appendix B – Empty Homes Policy and protocol 2008

Appendix C – Evaluation of options for Management of Empty Dwellings under Housing Act 2004 – Empty Dwelling Management Orders (EDMO's)

Appendix D – Case Study Properties.

Background Papers (open to public inspection):

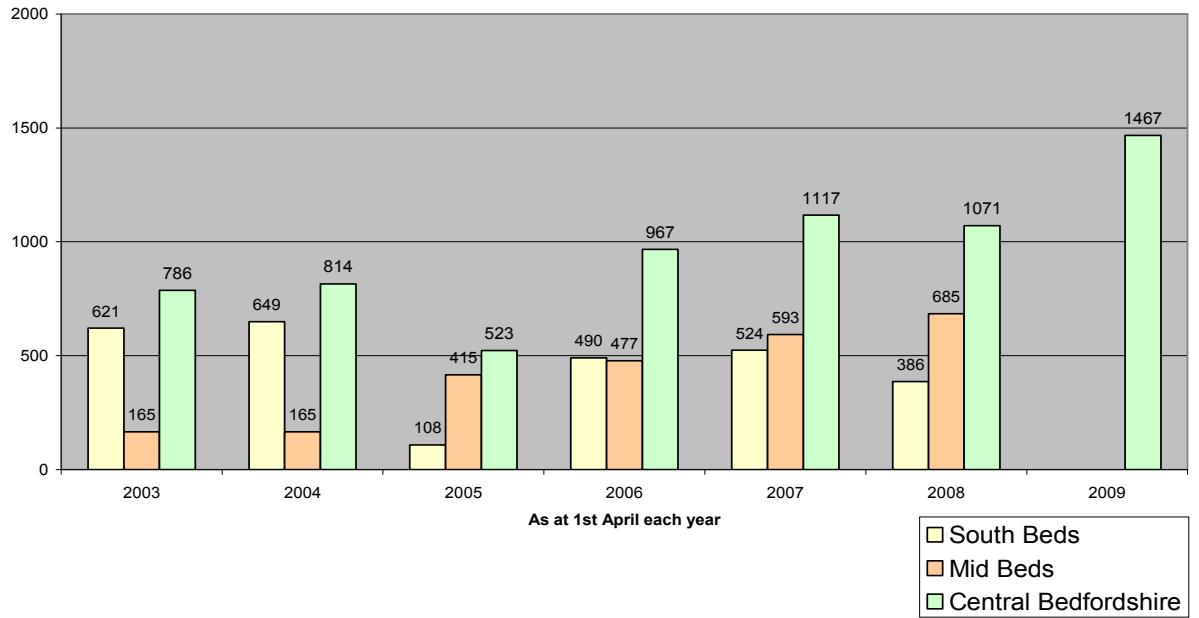
Report to Overview and Scrutiny Committee 13th August 2009

Report to South Bedfordshire District Council Executive Committee, 19th August 2008
“Empty Homes in the Private Sector”.

Location of papers: Dunstable Offices

Appendix A

Total Long Term Empty Homes 2003 - 2009



South Bedfordshire District Council

Housing Standards Empty Homes Policy and Protocol 2008

This document sets out the Council's policy and general protocols for dealing with long term empty homes within the private sector housing stock.

A long-term empty property is defined as one that has been vacant for 6 months or more.

The document provides a structure for partnership working and the use of various enforcement powers aimed at returning long term empty properties back into use that satisfy the criteria of any relevant national indicators.

The general benefits of bringing an empty property back into use are:

- Older buildings can be brought up to modern standards, improving housing stock and retaining property that is of architectural and community value.
- Existing buildings are fully used, promoting sustainable development.
- Increased supply for housing is available to people on the Housing Register, therefore, reducing the levels of housing need.
- Reducing crime and disorder and the fear of crime through improvements to buildings and its impact on the environment.
- Enhances the vitality of the town centres by bringing town centre homes back into use, such as accommodation over shops.
- Contributes to strong, balanced housing markets and community sustainability.

Background

Empty homes occur for a variety of reasons. Some are empty for short periods whilst they are being sold or let and tend to come back into use relatively quickly. Others may be empty for significant periods of time and are not likely to come back into use until the underlying reason for the vacancy is addressed, for example, if ownership is unresolved, the property has been abandoned, or it is subject to inheritance holding etc.

A property that is left for extended periods of time may begin to impact on its surroundings and deny housing opportunities to others. Long term empty homes may also exacerbate problems of anti-social behaviour, accumulations of refuse, rodents and reduce income for Council Tax, thus reducing market values in an area and adversely affecting the local community.

South Bedfordshire as with many other Authorities has pockets of mixed residential, commercial, light and heavy industrial processes and cottage industries. As a consequence, zoning in terms of town planning may be indistinct and not clearly defined. Empty dwellings are usually considered to be of a domestic nature. Redundant buildings of a non-domestic nature can blight an area with substantially the same effect as a domestic dwelling in poor condition. Therefore, as a part of the policy, high profile blight of non residential classification should be considered where appropriate and action taken.

Identifying Empty Properties

Housing Standards can obtain a list of empty properties from Council Tax. The “empty property list” is continually changing as people’s circumstances change and requires updating and monitoring on a regular basis. It must also be remembered that Empty Properties are usually empty for a host of genuine reasons some of which follow: *prior to sale, after sale and prior to occupation; upon the death of a sole owner; in between tenants; whilst being renovated; after a “disaster” such as flooding or fire and also as a second home.* To keep our database up to date Housing Standards will carry out a regular review.

It is also important to determine area demand when considering options to address empty property issues. A range of information and a clear identification of needs and forecasts of possible future trends underpin this policy. The range and sources of information include; Housing Needs and Demand Study, the 2001 Census and other market data provided by Housing Association partners, Letting Agents and colleagues within the Council.

Housing Standards may eventually establish a steering group consisting of colleagues from other departments within the Council and external partner agencies to provide a single steering and overview group to better co-ordinate effort and avoid duplication.

Options Available to Help Bring Empty Properties Back into use

Through partnership working and negotiation with owners of vacant and underused properties, landlords, lending organisations and housing associations, Housing Standards intend to increase the availability and choice of housing in the district by bringing empty properties back into use where it is practical to do so.

Housing Standards firstly provide advice on the options available to help the owners of empty properties to bring them back into use.

These include:

- Open market sale.
- Empty property grants will be available via the Housing Renewal Assistance Policy and also grants to landlords to improve existing properties either in full or part of completion costs. The Council will retain an interest in lieu of grant aid equating to a 5 or 10 year nomination rights agreement. This arrangement will be a legal requirement as a pre-condition to grant aid.
- Private sector leasing via a private sector managing agent or Housing Association Partner.
- Temporary social housing via a leasing arrangement with a Housing Association Partner – temporary social housing is where social housing grant is allocated by the Housing Corporation to a Housing Association partner to cover the capital costs of bringing properties into temporary use i.e. more than two years, but less than thirty years.

- Free of charge advisory visits to assess condition, the extent of the works required for elimination of significant hazards, and the possibilities for extension, alteration change of use and/or adaptation depending on future use of the property. How to choose building professionals, contractors and project management, also advice on statutory permissions concerning planning and building control. Advice also given on Landlord's duties and Tenancy matters.

Enforcement Criteria

Prior to taking enforcement action as detailed below, Housing Standards will have due regard to the following:

1. The property **MUST** be residential.
Action will **not** be taken by Housing Standards against non-residential properties, Where possible, however, non-residential properties will be referred to Development Control.
2. The property must have been empty for a minimum of 6 months
Proactive action will not be considered for houses empty for less than 6 months and a priority system for action will be used based upon length of time empty, general condition and the effect on the immediate neighbourhood – coupled with the attitude of the owner / responsible person towards re-use.
3. Has the owner responded to attempts to broker re-use?
At any time in the enforcement procedure, should the owner seriously broker for re-use; any enforcement procedure being either considered or in progress will be held in abeyance until such time that it is apparent that the owner has either completed the re-use or abandoned the attempt.
4. Impact on the neighbourhood
Is there a recorded history of statutory action regarding refuse removal in default, nuisance, Anti Social Behaviour being drawn to the property (or other criminal uses) or the condition of the property having a direct detrimental effect on the neighbouring properties.
5. Has the property been registered with the Land Registry
Some choices of enforcement are made more time consuming if the property is not registered.
6. Urgency of necessary works
If the work required to the property is of an urgent nature (see item 4) The enforcement choices should be weighted in favour of quickest action, as Compulsory Purchase would be unsuitable for immediate action, as the average time for CPO completion is 18 months it is MUCH longer if the owner is resistant and appeals each attempt at action. A CPO may eventually finish its journey at a public hearing convened by Secretary of State.

Enforcement Options

- **Empty Dwelling Management Orders (EDMOs)** – Introduced by the Housing Act 2004. Where informal action does not bring success, Landlord Services may use EDMOs. The process is fairly involved as sufficient evidence must be gathered to demonstrate to the Residential Property Tribunal (RPT) (if the owner refuses to agree to the renovation and re-occupation of the property) that the Council has done all in its power to persuade, cajole, advise, warn and assist the owner to bring the property back into use. In actual fact, this action may vary enormously dependant on the owners' attitude, level of comprehension and financial ability. The Owner is formally notified of the Council's intent to seek authority from the RPT for an Interim EDMO and given 14 days to respond positively.

If no response is received to the notification of intent and the proposals, the Council submits an application to the RPT for the power to serve an Interim EDMO – which has a maximum validity of 12 months. During those 12 months the Council seeks to get the property re-occupied, but if it becomes obvious that the landlord is still recalcitrant, a Final EDMO may be issued at any time during that period, with a maximum validity of 7 YEARS.

When the Final EDMO is served, the Council may begin renovating the property as though they are carrying out work in default, culminating in arranging for the property to be rented, managed and kept in a decent condition, insured and (when a market rent is charged) to recoup the renovation costs from the rental income. Any rental income after debts and continuing management costs have been repaid would then be paid to the property owner.

- **Enforced Sale** – Landlord Services can force the sale of an empty property where abatement notices have been served but the owner has not carried out the work. Where the owner is clearly in default of the notice the work is carried out at the cost of the Council. An enforced sale can only be pursued if the cost of the works is comparable to the market value of the property.
- **Prohibition Order** - Served under Housing Act 2004 if the property is so defective due to significant category 1 Hazards as defined by part 1 Housing, Health and Safety Rating System (HHSRS). This action may be “fine tuned” to suit the future use of the property or land or area. It may be suspended for a period.
- **Environmental Protection Act 1990 Section 80** - Nuisance – if the property is a nuisance as defined under statute, abatement notices can be served. If the notice is ignored the Council must do the works in default and re-charge the owner.
- **Compulsory Purchase Order** – Available in extreme circumstances under Section 17 Housing Act 1985. This can be a very expensive option and takes an average of 18 months to complete, subject to appeals, public enquiries and dependant upon the final approval of the Secretary of State should the owner be reluctant to sell or recalcitrant.

- **Environmental Health Action** (Public Protection) can be taken on the following site conditions:
 - Defective drainage.
 - Accumulations of soft materials that are likely to cause nuisance or attract vermin infestations.
 - Open and accessible by vagrants.

- **Planning enforcement** officers can take action as follows: -
 - Property is structurally unsound and dangerous.
 - Property is compulsory purchased for clearance, road widening etc.
 - Or is obstructive to development within the district development plan.

Procedure for the Investigation of Empty Homes

Stage 1:

All empty property investigations will be undertaken following notification to Housing Standards:

- Investigating officer checks database for any previous involvement (enforcement history etc) and visits to neighbours in the same street for owner information.
- Inter departmental contact within the Council to check last known owner / responsible person data (if any) and category of empty property.
- Land Registry Search & Voters Roll check for prior ownership/occupation details.
- Building Control & Planning Dept enquiries for recent activity.
- (Last resort) Tracing Agencies may need to be considered where owner details are not easily forthcoming from conventional means, however the high cost of such action would need to be taken into consideration.
- Standardised questionnaire sent to owner (where known), requesting information and offering encouragement to bring the property back into use. Direct Dialogue with owner if successful.
- Site visit to empty property by Housing Standards Officer with owner (if possible) to carry out property assessment and categorise – short medium or long term timeframe for action.
- 2nd letter to owner, reminder, if no response.
- Consider enforcement options, depending on individual circumstances – condition of property, surrounding area, planning proposals, regional and sub-regional planning policy.
- 3rd letter (with copy to be sent to the same address by Recorded Delivery or “served” by hand); advising of the options available to the owner and the ultimate possibilities of formal action if nothing is done voluntarily to bring the property back into use.
- Visit to owner or request that owner comes to Council Offices by formal appointment, if refused or denied – Stage 2 Formal Action.

NOTE

If the ownership of the property cannot be traced after reasonable efforts made by the Council (see above) it is still possible to carry out both CPO and EDMO action, however the likelihood of CPO being approved by the Secretary of State is reduced. EDMO action can be terminated at any time and does not affect the owner’s ultimate power to dispose of their interest at any time.

Stage 2:

- WHERE POSSIBLE a schedule of work should be drawn up of the works necessary to bring the property to a lettable standard (Decent Homes Standard).
- Copies of the proposed schedule of work or a list of main defects should be sent to the owner to formally inform them of the amount of works considered to be necessary (not just desirable).
- Photographs of the property – updated as required over time – all evidence of general state should be collated in the gathering file of evidential proofs.
- Report prepared to critically compare the options available to bring the property back into use.
- CPO cost estimate with proposed purchasers Vs EDMO works cost estimate and rental return.
- Decision made on best option by manager.
- Action progressed.

Cost Comparison of Enforcement Options

EDMO

Account must be taken of the costs of repair to Decent Homes Standard and the costs of associated private management (assumed for these purposes to be 15% of the rental value) and a 2% of rental income taken as maintenance over the 7 year period.

All costs associated with serving and carrying out the functions of an EDMO is recoverable under statute either via rental receipts or through a legal charge on the property or direct recovery from the owner (if this is practicable).

Remedial Works

7 Years Management cost (@15% of rental income)	£
Maintenance (estimated at 2% of rental income)	£
Fee for Residential Property Tribunal	£
Insurance (@ £200 p.a)	£
Total Cost	£

Rental Income (*Local Reference Rent – Market Rent as assessed by Rent Officer Service*)

LRR as at *DATE* for empty property £ per month

Monthly Rental £ X 7 Years (*assuming no increase*) £

Shortfall or Surplus (*repaid to owner if surplus*) £

CPO

Budget costs for an *uncontested* CPO

Property Cost (<i>independent valuation</i>)	£
Basic Loss Payment (<i>7.5% of purchase cost</i>)	£
Vendors' Agent Fees	£
Vendors' Legal Fees	£
Stamp Duty Land Tax (@1%)	£
Insurance	£
Legal Costs (<i>Gt Yarmouth Legal Services</i>)	£ 1,500:00
Land registry	£ 500:00
Miscellaneous costs (<i>p c sum</i>)	£ 1,000:00
Officer cost general admin and advertising	£ 1,000:00
--Additional cost £4,000 to £7,000 if contested--	

Also to be taken into account would be either short-term loan costs

or else loss of interest if purchase monies used from reserves

Council costs may be applied for but are not guaranteed to be paid from the proceeds of the sale

Criteria to be applied to properties for the determination of more formal action of EDMOs, CPO and Enforced Sale.

- The Property must have been wholly unoccupied for at least 6 months.
- The property must not fall into the prescribed exemption codes for an EDMO.
- The Local Authority has received complaints concerning the property.
- The property has a negative impact on the neighbourhood. Fly tipping; refuse problems, nuisance, anti social behaviour occurs at the property, evidence of vandalism. The property is having a detrimental effect on surrounding properties in the neighbourhood.
- Attempts at contacting the owner have been undertaken.
- All informal measures to get the property reoccupied have been exhausted with the owner, or informal measures are not appropriate.
- The owner (if found) has not been responsive, or attempted to make efforts to get the property reoccupied, with or without the assistance from Local Housing Authority (LHA).
- The property can be appropriately used, if brought back into use. The property has appeal to the rental market.
- Comparison exercise to be undertaken to determine CPO, EDMO and enforced sale based on economic viability.