

Briefing Paper - Empty Properties in the Private Sector

Title:	Empty Properties in the Private Sector
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Enforcement Options

Enforcement (Compulsory Purchase Orders and Enforced Sales) has been used to bring empty properties in the private sector back into use since 2006.

CPO is used when owners of long term empty or eyesore properties have been given advice, the option of a grant and time to bring their properties back into use themselves but fail to do so.

Since the work began:

- 40 Properties have been given Cabinet approval for CPO.
- 12 of the 40 are still being worked on with some of the owners having started renovations.
- 28 of the 40 have been brought back into use.
- 5 of the properties brought back into use have confirmed CPOs (possession has been taken and the properties sold on by the Council).

If an owner objects to the CPO then either a Public Local Inquiry or a written hearing is used by the National Planning Casework Unit to decide the outcome.

Enforced Sale is another enforcement tool used against empty home owners where they have outstanding Council Tax debt. 8 properties have been taken possession of. The process of Enforced Sale is quicker than CPO and all costs can be reclaimed from the money received from the sale of the property. However, if the owner pays the debt, the enforced sale process must cease allowing CPO action to continue, for this reason the two provisions are often progressed together. Over £600,000.00 of Council Tax money has been brought back into the Council as a result of this joined up working practice.

The Process

All empty property work is carried out by a Senior EHO for 50% of the time the remainder is managing licensing.

Properties are referred to the officer via members of the public (empty property inbox, emails and by phone), Councillors and by using Council Tax records.

A series of 5 letters are sent to the owner of the property encouraging them to bring their property back into use and offering grant aid (when available). If, after these letters have gone out, the owner has still not been in touch or made any representation as to their intentions, authorisation from the Director is obtained to force entry to value the property and inspect its condition.

Cabinet approval for CPO is then sought and the case goes to Legal to progress to the Secretary of State for confirmation. The property is then sold only completing the sale once the renovation works are complete.

53 properties are currently on the list to receive enforcement correspondence which will lead up to CPO.

318 properties in the Borough have been brought back into use as a direct result of enforcement action.

Enforced Sale cases are found using Council Tax data. The owner of the house also needs to be the person owing the debt. Once a charging order is placed on the property and the debt is registered, a Court hearing can give an Order for Sale where the owner has 28 days to settle the debt. If the debt is not paid, then the Council takes possession of the property and sells it on via auction recovering all money spent from the proceeds of the sale.

Grants

Grant money has been available from the GLA distributed by the North London sub region to bring empties back into use in the Borough. A condition of receiving the grant is that the renovated property is used by the Council as TA. In the last year, Haringey have obtained 6 units for TA from previously empty homes.

Current position

The current buoyant housing market means that most referred empty homes are such because they are being renovated and brought back into use by their owners. This means that using the Council tax list to find new properties is a less useful means of identification. Referrals from the public are the main way of finding the eyesore, abandoned properties which need intervention.

The work on empties is as streamlined as it could be with only one officer working on it part time. However all new referrals are dealt with and all long term empty eyesore properties are tackled. Members of the public and neighbours are always kept up to date on progress as the CPO procedure is a lengthy process.

Despite the increasing value of property these days, there are still some owners who abandon their properties and leave them in a dreadful condition with no intention of bringing them back into use. All 28 properties which have been through Cabinet are now back in use and would still undoubtedly be empty today, if it wasn't for intervention from the Council pushing the owners into taking action or losing their property.