



Access Policy

Version 1

Approved by: Executive Team

Approved date: 03 May 2017

1.0 Introduction

- 1.1 This Policy outlines our approach to obtaining access to your home (including gardens and other outside areas). It covers:
- When we may need to access your home
 - Responsibilities
 - What we'll do if you do not allow us access.
- 1.2 This Policy does not relate to obtaining access to properties as part of the repossession process, nor where we consider a property has been abandoned.
- 1.3 When we use 'you' and 'your', we mean tenants (excluding shared owners and leaseholders). The terms 'we', 'our', and 'us' mean Optivo.
- 1.4 This Policy applies to all homes owned or managed by Optivo, except properties where we do not have landlord responsibility.

2.0 When we may need to access your home

- 2.1 We may need access to your home for lots of reasons, including:
- To inspect the condition of the property
 - To carry out servicing or a repair
 - To investigate a possible breach of tenancy.
- 2.2 If we need to access your home, we will make all reasonable attempts to contact you first, including contacting your family and other people you know who may or may not live with you. However there may be urgent situations where we're unable to let you know in advance.

3.0 Your Responsibilities

- 3.1 Individual tenancy agreements will detail your rights and responsibilities in relation to providing access to your home.
- 3.2 You must allow us, or our contractors, into your home when we request it or if you request a repair or inspection. We'll always show identification when visiting you at home.

3.3 We will contact you in the best way for you. It's important you make us aware if you have a support or communication need, so we can help. And to let us know about someone else who can give us access if you're not able to when we need to enter.

4.0 What we will do if you don't allow us access

4.1 Most tenants allow access to their homes when required. If you do not allow us access, you may be in breach of your tenancy, and we may take legal action.

4.2 If you refuse access after reasonable requests, we:

- Will serve a Notice of Seeking Possession letting you know of our intention to seek possession of your home.
- May ask the court for an injunction to allow us access into your home and we will also ask the court to say you have to pay our legal fees. If you have repeatedly refused access, we may also ask the court to grant an injunction to last the life of your tenancy to allow us ongoing access for your home for a specific reason e.g. gas safety.

4.3 If your annual gas safety check is overdue we may limit or cap off your gas supply (see [Heating & Hot Water Policy](#) for more details). We will only do this if it is authorised by a Director of Housing Services.

4.4 If you continue to refuse reasonable access, we will apply to the court for possession of your home. We will take this decision if:

- You have not responded to our attempts to contact you, or
- You do not allow us access after the Court has given us an injunction, or
- You routinely fail to give us access.

4.5 In very serious cases where we have an injunction and you still don't allow access, we will ask the court to fine you or send you to prison.

5.0 When we will enter the home without your permission

5.1 We will only enter your home without your permission in exceptional circumstances, where:

- a. We have identified a serious health and safety risk to the occupants and others
- b. There is likely to be damage to the building if immediate action is not taken
- c. There is an immediate concern for the wellbeing of someone in the property.

5.2 Examples of exceptional circumstances can include, but are not limited to:

- A water leak and you are not contactable and there isn't anybody else who can allow us access
- An expired gas certificate and you are not contactable and there isn't anybody else who can allow us access.

- 5.3 In an emergency, for example a suspected gas leak or structural concerns, we will not enter. We will immediately contact the relevant emergency services and utility company.
- 5.4 If there's any possibility an occupant could be ill or has died, we will contact the police and ask them to enter the property with us.
- 5.5 We will only enter without your permission as a last resort. The decision must be authorised by a Director of Housing Services and our Solicitor.
- 5.6 If an emergency arises out of hours, the Out of Hours (OOH) Manager (for Housing Management) will decide whether we should enter the property. Our out of hours service is a mainly a telephone response service. OOH employees on duty should only attend a property in exceptional circumstances, and **never** on their own.

6.0 Review

- 6.1 We will review this Policy to address legislative, regulatory, best practice or operational issues.