

GARAGE POLICY

Responsible Officer

Director of Customer Services

Aim of the Policy

Phoenix Community Housing has a number of garages which attract a rental charge. They are generally let to Phoenix residents and private customers. This policy applies to all garages owned and managed by Phoenix Community Housing.

The Policy

Eligible applicants

Anyone over the age of 18 can apply to rent a garage. If you are a Phoenix resident, you are eligible to rent a garage if:

- You have a clear rent or service charge account and no outstanding debts with us.
- You are keeping your tenancy/lease conditions and have no breach of agreement in the last 12 months. For example, ASB or Notice of Seeking Possession.

Phoenix holds a waiting list of all applications and will use this to offer garages according to a waiting list using the following priorities:

- If you are registered disabled and a Phoenix Resident, you will be offered a garage first regardless of waiting time; if you provide evidence to support your disability.
- Phoenix Resident (Tenants and Leaseholders)
- Private customers (including Freeholders).

Rents

Phoenix will set garage rents annually and notify you in writing of any changes to the rent.

Customers who are not Phoenix Residents must pay Value Added Tax (VAT).

Phoenix residents will be charged VAT if they rent more than one garage.

If you fail to pay your rent on time Phoenix will end your garage rental agreement and take possession of the garage. Arrears are collected in line with our Rent Arrears Policy and Procedure.

Responsibilities

You must not sub-let or part with possession of the garage.

You can use your garage to store vehicles and other minor items relating to the vehicle (such as a spare tyre, wheel jack) only. The vehicle must be taxed or have a valid Statutory Off Road Notification (SORN).

Anything in your garage is stored at your own risk. You should have insurance to cover the cost of any damage or loss.

You must use your garage in compliance with your Garage rental agreement.

You must not cause a nuisance to anyone.

You must not store any dangerous or illegal substances in the garage including but not limited to petrol, corrosives, portable gas cylinders, oil or other flammable substances in the garage, other than such is inside the tank and engine of the vehicle.

You must not use the garage for any purpose which constitutes 'business' within the meaning of the Landlord and Tenant Act 1954 Part II.

You must inform us of any repairs straight away. If you damage the garage Phoenix will recover the cost of repairs from you. Phoenix is responsible for maintaining the structure of the garage for example, roof and walls.

If you want to change the lock, you are required to pay for this. If you lose your keys, you must pay for fitting and the replacement lock.

You must give us access to inspect and repair the garage. Phoenix will give you seven days' notice, unless we require emergency access.

Ending a garage tenancy

You can end your garage rental agreement by giving us at least one weeks' notice and return your keys to our office. Phoenix can also give one weeks' notice to end your garage rental agreement. Phoenix will end your garage rental agreement if you breach any conditions. Some examples include:

- Failing to pay the rent
- Causing a nuisance
- Storage of illegal or dangerous substances (such as flammables)

In these cases, Phoenix will end the tenancy following a Notice to Quit. On expiry of the Notice, Phoenix will take possession of the garage if you do not hand the keys in.

If you are a Phoenix Resident and we evict you from your home, we will end any garage rental agreements you have too. Phoenix will do this in line with our Eviction Policy.

You must clear all your belongings from the garage by the time your garage rental agreement ends. Phoenix will recover the cost from you if Phoenix needs to remove, store or dispose of items left in the garage.

Maximising use of our assets

The garages Phoenix owns are assets which we need to aim to make a social or financial return on. This means we will consider options such as disposal, demolition, development or improvement. Property and New Business will be responsible for making the decision with final sign off from the Director of Customer Services. Phoenix may do this where:

- It's been vacant for over three months.

- It's been refused more than three times.
- There's no one on the waiting list for a garage in the area.
- There are opportunities to change the use of the garages and this has been approved through our delegated authorities.
- Grants, funding or a business case for change has been approved by the Board.

Other uses of garages

Garages that are empty may from time to time be used by Phoenix to store items. This decision will be made by the Head of Specialist Housing Services, having taken into account the costs or savings of this option, other options and the impact on Phoenix Residents.

Monitoring and review

This policy will be reviewed every three years or sooner whenever there are changes to legislation, good practice or other learning.

Legislation

- Landlord and Tenant Act 1954 Part II
- Dangerous Substances and Explosive Atmospheres Regulations 2002
- Regulatory Reform (Fire Safety) Order 2005
- Equality Act 2010
- Data Protection Act 2018
- Coronavirus Act 2020

Reference to other documents and associated policies and procedures

Including:

- Abandoned Vehicles Policy
- ASB Strategy
- Asset Management Strategy
- Data Protection Policy
- Development Strategy
- Disposal of Assets Policy
- Equality and Diversity Charter
- Eviction Policy
- Garage Licence Agreement
- Group Fire Safety Policy
- Recharges to Residents Policy
- Rent Arrears Policy and Procedure
- Repairs Policy
- Supporting 'At Risk' Residents Policy
- Tenure Policy
- Tort Notice
- Phoenix Standards

Definitions

Term/acronym	Description
Resident	Includes tenants and leaseholders.
Private Customers	Includes freeholders
Phoenix	Phoenix Community Housing.

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