



Mid-Market Rent Abandonment Policy

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1 INTRODUCTION

Statement of Objectives

The aim of the Abandonment Policy is to identify and manage suspected tenancy abandonment in MMR homes lawfully, consistently, and promptly, recovering possession through the First-tier Tribunal for Scotland where required and safeguard any tenant goods left in the property.

The policy objectives are:

- To identify properties which are unoccupied or which the tenant does not occupy as their sole/principal home.
- To outline the process for investigating and recovering possession of a property which has been abandoned.
- To minimise potential rent lost from abandoned properties and other costs such as forced access, potential repairs, storage of belongings, etc.
- To make the best use of our housing stock ensuring properties can be relet quickly to individuals or families in housing need.
- To ensure that the process of dealing with abandoned properties complies with legislation and best practice.

2 DEFINITION OF ‘MID-MARKET RENT’

Mid-Market Rent (MMR) properties are aimed at assisting people on low and modest incomes to access affordable rented accommodation, who are unlikely to have priority to enable them to access social rented housing but have an income level which means they cannot afford to access full market level properties or to buy a home.

The rent levels for Mid-Market are set between those of Social Rented and Market Rent properties within our area of operation. MMR properties are generally let on an unfurnished basis, but often with floor coverings, blinds and white goods provided.

3 RESPONSIBILITY

Operational responsibility for abandoned properties is delegated to our Housing Management Teams. Housing Officers and Assistant Housing Officers have responsibility for identifying and investigating properties within their allocated patch which may be abandoned. Overall operational control and responsibility for decision-making sits with the Director of Housing and

Communities.

4 IDENTIFYING AN ABANDONED PROPERTY

Where we have reasonable grounds for believing that a property has been abandoned, we will make reasonable enquiries on the whereabouts of our tenant. The staff carrying out these enquiries will keep a record of all checks carried out. These checks may include:

- Attempting to contact the tenant by any methods available including letter, email, telephone, text and home visit.
- Checking with neighbours about their last sighting of the tenant.
- Checking with the tenant's emergency contact.
- Checking with the Housing & Homelessness Lead at Glasgow City Health & Social Care Partnership to identify whether the tenant is in hospital/prison/open to any other services.
- Observing the activity and appearance of the property.
- Activity or non-payment on the rent account.
- Checking when the last repair line was requested or carried out.
- Alerts from other signs of potential abandonment such as constant no access to the property for things like Gas Safety checks, New Tenant Visits, arrears visits, or a lack of response to letters/telephone calls/emails.
- Liaising with other staff where appropriate, such as Concierge and Welfare Rights staff.

In the event of a tenant returning the keys to their property to the Association without having submitted a written termination notice, the abandonment process should be followed although fewer checks may be required.

5 RECOVERING AN ABANDONED PROPERTY

When we are satisfied that the property is unoccupied a Notice to Leave needs to be issued to the tenant giving 28 days' notice, citing ground 10 – Tenant is not occupying the property.

Once the notice period has ended a possession order must be obtained from the First Tier Tribunal. Once the tribunal has issued a possession order, arrangements can be made for sheriff officers to repossess the property.

Some of our MMR tenancies are let on Short Assured Tenancy agreements which require a Notice to Quit and a Section 33 notice to be issued giving at least 2 months' notice of ending the tenancy on an "ish" date. Once the notice period has ended a possession order must be obtained from the First Tier Tribunal. Once the tribunal has issued a possession order, arrangements can be made for sheriff officers to repossess the property.

6 DISPOSAL OF PERSONAL BELONGINGS

If, upon entry to the property, it is found that the tenant has not collected their household items or personal belongings, a photographic record and an inventory must be taken.

This inventory will indicate the condition of items, and whether they are clean and fit to be stored. For instance, if the cooker is dirty, the washing machine full of clothes/water, or the fridge freezer full of out-of-date food then these items are not fit for storage.

We are obliged to store any personal belongings found in an abandoned property for a 1-month period unless the estimated value of the property left, in the opinion of the two housing staff members, is less than the cost of removal by a contractor and storage for a 1-month period.

We will attempt to contact the tenant during this period advising that if not collected by a specified date the items will be disposed of. All contact attempts will be recorded on Rubixx.

If during the 1-month storage period, the abandoned tenant contacts us then we will arrange release of the items subject to receipt of full payment for the transport and storage of the belongings.

If the belongings are not claimed within 1 month, we may arrange for the items to be sold and proceeds from the sale can be put towards storage costs and tenancy-related debts.

If there are any items within the property causing concern around potential criminal activity, then this should be reported to the police. For instance, illegal drugs, dangerous weapons or stolen property. If there is evidence of drug use in the property which means it is not safe to remove and store the items, then this will be documented and justify the safe disposal of all items.

If there are any abandoned animals within the property, this should be reported to the Scottish Society for Prevention of Cruelty to Animals (SSPCA) and collection arranged with them.

7 MONITORING AND REVIEWING ABANDONED PROPERTIES

A digital register of all abandoned properties will be maintained. An inventory with photographs of all properties with personal belongings left behind after the tenancy has ended will be kept in the former tenant's file. A record of these properties will be kept for five years after the tenancy has been recovered.

8 REVIEW

This policy will be subject to review every three years; however, we may review it sooner if there are significant legislative changes which have a material impact on the policy or changes to guidance and good practice.



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