

Case Study - Enforcement Action on a Long Term Problematic Empty Property

This property is privately owned and was occupied by a single elderly lady up until 2007. She lived in her house alone for many years and it had slowly fallen into such a state of disrepair that it had no heating, electricity or running water. The bathroom and kitchen facilities were defective and couldn't be used. There were holes in the roof, the windows and doors were rotten and the whole property was covered in ivy and vegetation.

Despite several attempts over the years the owner refused to engage with the Council. Many complaints were received about the appearance of the house and impact on the community with squatters attempting entry, vermin, flytipping, drug use and the financial impact on surrounding property values which was preventing neighbours from selling their properties. Following a complaint about a vermin infestation and many failed attempts to engage with the owner a warrant of entry was obtained to gain access to the property and garden to establish the full picture.

That is when the true picture of the owners living conditions was discovered. Working with the Pollution Control Officers a series of enforcement notices were served which culminated in a Prohibition Order being placed on the property to prevent the owner from continuing to live in such dangerous conditions. Alternative social housing was found for the owner and the Housing and Pollution Officers sourced furniture, food parcels and bedding to enable the owner to move in just before Christmas 2007.

Initially this was to be temporary and it was intended that the house would be brought back to a decent standard via a combination of a Repairs Assistance grant and Improvement Notices with a charge placed on the property. However upon inspection by a structural engineer it was deemed beyond repair and demolition was the only viable option.

There have been many attempts made by private investors to buy the property but the owner flatly refuses to sell it due to emotional attachments.

Many options for dealing with the property have been considered and all were rejected due to financial implications or as being incomplete solutions. The property is therefore currently going through the enforced sale process whereby the council will sell the property to recover its costs using powers in the Law of Property Act 1925. This will result in a change of ownership so it can be demolished and redeveloped improving the street scene and environmental impact to the community. In addition the Council will recover its debts and the owner will receive the remaining proceeds of the sale without the stress of selling the property.

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