

## Appendix 1

### Council Tax Empty Homes Policy (Including Second Homes)

#### Council Tax Empty Property and Second Home Charges

Some empty properties are exempt or receive a discount for Council Tax purposes. This means that a reduced amount of Council Tax is payable in respect of these properties. There are various classes and circumstances under which a property can be made exempt or receive a discount. These are listed below with a definition. These notes are for guidance only, further information can be obtained from the Council Tax Team on 01252 398912.

If a property has been unoccupied and unfurnished for a continuous period of two years or longer, then the property will be subject to a Council Tax Empty Homes Premium Charge of 100%. This is on top of the 100% liability, meaning 200% of the Council Tax will become payable.

If your bill indicates that a discount or exemption has been allowed, you must tell the Council within 21 days of any change of circumstances, which affects your entitlement.

#### EXEMPTIONS

The table below shows exemptions for ***unoccupied*** dwellings:

CLASS	DEFINITION OF EXEMPTION
B	Empty and owned by charities (time limit of 6 months)
D	Left unoccupied by persons in detention (except for non-payment of Council Tax)
E	Left unoccupied by long-term patients in hospitals or care homes
F	Left unoccupied by deceased person (for up to 6 months after probate)
G	Unoccupied where occupation is prohibited by law
H	Unoccupied pending use by a Minister of Religion
I	Left unoccupied by people receiving care
J	Left unoccupied by people providing care
K	Left unoccupied by student(s) where the student(s) remain liable
L	Unoccupied where the mortgagee is in possession
Q	Unoccupied in the possession of a trustee in bankruptcy
R	Unoccupied caravan pitch or house boat mooring
T	Unoccupied Annexe which cannot be let separately without a breach of the Town & Country Planning Act

## DISCOUNTS FOR EMPTY PROPERTIES

The table below shows discounts for **unoccupied** dwellings:

Property that is undergoing major structural repair works or structural alterations	50% discount for 12 months; then full Council Tax is payable
Property that is unoccupied and unfurnished	100% discount for 2 months; then full Council Tax is payable
Empty Property Premium	<p>100% premium added to Council Tax where a property has been unoccupied and unfurnished for longer than two years.</p> <p>From 1 April 2020, a 200% premium is added to full Council Tax bill if the property has been unoccupied and unfurnished for 5 years.</p> <p>From 1 April 2021, a 300% premium is added to the full Council Tax bill if the property has been unoccupied and unfurnished for 10 years.</p>
Second Home Discount (Unoccupied and substantially furnished)	<p>No discount applicable, unless you leave a property empty because you are required to live somewhere else for work purposes, when you may be entitled to a 50% discount.</p> <p>From 1 April 2026, a 100% premium charge will be added to the Council Tax from the day the property becomes a second home (unoccupied and substantially furnished).</p>

### Exemption to both long-term empty and second homes council tax premiums

Two classes of property are exempt from the long-term empty and second home council tax premiums are:

- **Properties undergoing probate:** Inherited properties have a 12-month exception from the empty and second home premiums after probate or letters of administration have been granted. The property will be liable for the standard rate of council tax once the class F exemption has ended; but a premium cannot be levied for a 12-month period.

- **Properties being actively marketed for sale or let:** A 12-month exception to both the empty and second home premiums applies to properties that are actively marketed for sale or let. The exception would run from when the exception first applies until the end of the exception period or until the property is no longer actively marketed, sold, or let (whichever is sooner).

#### **Exceptions to the long-term empty home's premium only**

- **Empty properties undergoing major repairs:** properties undergoing major repairs or structural alternations will have a 12-month exception from the empty home's premium.

#### **Exceptions to the second homes premium only**

- **Annexes forming part of, or being treated as part of, the main dwelling:** A second homes premium will be exempt for annexes which form part of a single property which includes at least one other dwelling. The exception does not apply to annexes where they are not being used as part of the main residence.
- **Job related dwellings:** A second homes premium cannot be charged for job-related dwellings. This exception will not apply to cases where someone chooses to have an additional property to be closer to work while having a family home elsewhere or where an individual is posted to a new location but maintain their previous address.
- **Occupied caravan pitches and boat moorings:** A pitch occupied by a caravan and a mooring occupied by a boat are an exception to the second homes premium.
- **Seasonal homes where year-round or permanent occupation is prohibited or has been specified use:** Where properties have planning restrictions or other conditions on occupation or use in place which prevent year-round occupation, the government will legislate so that such properties are an exception to the second homes premium

Rushmoor Borough Council have also determined that we will not charge a second home premium on properties that are occupied by individuals who have main homes elsewhere and choosing to reside in the borough during the week to be nearer to their place of work.

#### **Discretionary power to waive the long-term empty and second home premium charge in exceptional circumstances.**

The premium charge is calculated from two years after the property became unoccupied and unfurnished. This may be before the current owner became liable for the property, so the owner is liable for the charge when the two-year anniversary is reached, regardless of when their ownership of the property began.

The second home premium charge takes effect from the first day the property becomes a second home for council tax purposes.

There are exceptional circumstances in which we will consider waiving the premium charge:

- **Properties left to someone in a will and in need of renovation** – only where the new owner has taken action to return the property to occupation within a period of six months from taking ownership and can provide evidence that the action has been continuous and realistic.
- **Properties with a restrictive covenant** – only where the owner is genuinely seeking to sell or rent the property in the local market conditions (realistic or selling price or rent level) advertised on the open market through an estate agent registered with the National Association of Estate Agents.

All requests for a waiver must be made in writing and sent to:

Rushmoor Borough Council  
Local Taxation Section  
Council Offices  
Farnborough Road  
Farnborough  
Hampshire  
GU14 8AB

Or e-mailing [localtax@rushmoor.gov.uk](mailto:localtax@rushmoor.gov.uk)

All requests must include documentary evidence showing genuine, continuous and realistic action is being taken to bring the property into occupation.

We will not waive the premium charge where evidence suggests that the owner hasn't taken all possible steps to return the property to occupation.

If a waiver is granted within the conditions stated in this policy, a review will be carried out every 6 months to ensure that the waiver should continue. If the conditions for the waiver are no longer in place the full charge will be reinstated and may be backdated if there is evidence to support this.

Any periods of occupation of six weeks or less will be disregarded when considering how long a property has been empty or a second home. Periods of occupation for six weeks or less will not give rise to a further period of discount or start a new period of two years before charging the premium charge.

**Policy approved by a meeting of the Council's Cabinet on 11<sup>th</sup> March 2025**