



Response to Request for Information

Reference FOI 091511
Date 2 September 2015

Empty Homes

Request:

1. Who deals with all queries relating to Empty Homes, both council and privately owned, where the owner has died, or where the property has become "run down" or derelict and you need to locate the owners or next of kin?

[Enquiries are directed to Private Sector Housing \(Empty Properties Team\) and/ or Public Protection \(should fly tipping or insecure properties be reported\)](#)

2. For those who work with Empty Homes, what are the name of the staff member(s) and their contact details?

[Richard Long/ Natalie Healy 01902 551155](#)

3. Do the Empty Homes department need to trace the owners and/or next of kin of these properties?

[Yes](#)

4. For those staff member(s) who need to locate the owner and/or next of kin of these properties, what are their names and contact details?

[Richard Long/ Natalie Healy 01902 551155](#)

5. What steps do the council take in order to locate owners and/or next of kin of these empty properties?

[Enquiries to internal departments \(Council Tax, Social Services, Registrars, Court of Protection etc\) Plus external agencies \(Land Registry, Probate Office etc\)](#)

6. How many of these homes are considered "empty homes" due to the fact a public health funeral is taken place?

[None to our knowledge](#)

7. How many public health funerals have taken place within the past year? (From January 2015)

[We will have carried out 33 Public Health Funerals by the 30 September 2015.](#)

[Please note all the above answers relate to the private homes. Wolverhampton Homes will reply separately.](#)

8. Of these public health funerals that have occurred, please provide:

- a) Name of deceased
- b) Date of birth and date of death
- c) Last residential address
- d) Have the next of kin/family members been traced?
- e) What date have the details been referred to the QLTR, Bona Vacantia, Treasury Solicitor, Government Legal Department, NUHU, Duchy or Farrer & Co?

9) Which other organisations have details of the deceased been referred to and why?

I regret to inform you that this information requested is being withheld as the Council considers that Section 31 of the Freedom of Information Act (Law Enforcement) is applicable in this case, for the reasons outlined below.

In cases of intestacy referred to the Treasury Solicitor, the normal practice is for the Treasury Solicitor to establish the value of the estate and whether it is bona vacantia (ownerless goods). To do this they will take steps to secure the estate (for example, by freezing bank accounts) and make enquiries as to the location of title deeds to property and the possible existence of a will. To disclose information that would reveal details of the assets of an estate before such steps have been taken would provide an opportunity for criminal acts such as theft or fraud to be committed.

Given the sensitivity of the information requested and the risk that its disclosure could possibly aid criminal activities, I consider that it would not be in the public interest to release this information.

The Treasury Solicitor may be able to release to you information about persons who have died intestate and their estates, if the estate's assets have been secured. You may wish to contact them at:

Freedom of Information Officer
Treasury Solicitor Department
1 Kemble Street
London
WC2B 4TS
foi@tsol.gsi.gov.uk

You might also find it helpful to visit their website at: www.bonavacantia.gov.uk

Section 31- Law Enforcement

Section 31 is concerned with protecting a wide range of law enforcement interests and its application turns on whether disclosure would be likely to prejudice those interests.

[NOT PROTECTIVELY MARKED]

Some interests that are protected by section 31 are drawn quite widely, for example: the administration of justice, the prevention or detection of crime and the operation of immigration controls. But section 31 also applies where the exercise by any public authority of certain specified functions would be prejudiced by disclosure. Those functions include: ascertaining whether a person is responsible for improper conduct, determining the cause of an accident and ascertaining a person's fitness to carry on a profession.