



TENURE POLICY (Legacy Rosebery)

Scope

This policy applies to the delivery of services where the legacy Rosebery part of Town and Country Housing provides the service.

1. Introduction

1.1 The 'regulatory framework for social housing' requires registered providers to offer tenancies or terms of occupation which are compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community and the efficient use of the housing stock.

1.2 This policy confirms:

- The type of tenancies that we grant
- The circumstances in which we do so
- The length of tenancy terms
- The circumstances in which a further tenancy will be granted

2. Aims

2.1 The main aims of this policy are:

- To support and sustain tenancies
- To ensure prospective and new tenants understand the terms of their tenancy agreement and the consequences of failing to keep to those terms

3. Types of tenancy

3.1 We will provide new tenants with a written agreement (tenancy agreement) that sets out their rights and responsibilities and our rights and obligations. The type of tenancy being granted and what this means to residents will be fully explained at the point of sign-up.

3.2 We will use the NHF model tenancy agreements, amended to reflect local conditions.

3.3 We will grant tenancies compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community and the efficient use of the housing stock. A new tenancy may be an assured shorthold periodic tenancy (lifetime), an assured shorthold tenancy (starter tenancy) or an assured tenancy (lifetime).

4. Assured shorthold periodic tenancies

4.1 We will grant an assured shorthold periodic tenancy to tenants of temporary accommodation.

5. Assured shorthold tenancy (starter tenancy)

5.1 We will grant assured shorthold tenancies (starter tenancies) to new tenants in general needs and housing for older people who have not held an assured or secure registered provider or local authority tenancy immediately prior to being offered the tenancy by Town and Country (Legacy Rosebery). This means that transfers, mutual exchanges and nominations of existing registered providers or local authority tenants

will be exempt from being issued with a starter tenancy unless they hold such a tenancy on their existing accommodation.

- 5.2 If any terms of a starter tenancy are breached during the 12 month probationary period, we have the option to end the tenancy or extend the probationary period for an additional six months to a maximum of 18 months.
- 5.3 The decision to extend or terminate a starter tenancy must be approved by the Neighbourhood Manager.
- 5.4 Proceedings to terminate a starter tenancy will usually be taken where:
- The tenant, a member of their household or a visitor to their property has committed at least one incident of serious anti-social behaviour
 - The tenant, a member of their household or a visitor has committed persistent nuisance
 - There has been a serious breach of the terms of the tenancy agreement
 - The tenant is more than eight weeks in arrears at the end of the first six month period of the tenancy.
- 5.5 A starter tenant will have the right to request a review of the decision to extend or terminate their starter tenancy. The review will be carried out by the Head of Housing and Customer Experience.

6. Assured periodic tenancy (lifetime)

- 6.1 We will grant assured periodic tenancies (lifetime) to existing tenants where they already have security of tenure, i.e. they hold an assured periodic tenancy or secure tenancy with a registered provider or local authority immediately prior to being offered the tenancy by the Association. These could be applicants, who are transferring to an alternative property within Town and Country (Legacy Rosebery) or have completed a mutual exchange or transfer from another registered provider.
- 6.2 Should there be no contractual breach on either side, the tenancy will continue indefinitely.

7. Assured fixed term tenancies

- 7.1 Following the decision to withdraw from assured fixed term tenancies, from 1 January 2020, existing assured fixed term tenants will be granted an assured periodic tenancy (lifetime) ahead of the expiry of their fixed term tenancy. This will be subject to there being no breach of tenancy.