

# Policy

## Tenure

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|------------------------|-----------------|
| <b>Date authorised</b> | 6 December 2019 |
| <b>Review date</b>     | 2022            |

### 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 the Association. 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 From 1 January 2020, any starter tenancies granted between 1 January 2019 and 31 December 2019 or any extended from July 2018 will, if conducted satisfactorily, be granted an assured periodic tenancy (lifetime) on the 12 month anniversary of the commencement of the tenancy.

5.3 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.

5.4 The decision to extend or terminate a starter tenancy must be approved by the Head of Housing and Customer Experience.

5.5 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 after the six month anniversary of the tenancy

5.6 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 operations director.

#### 6. Assured periodic tenancy (lifetime)

6.1 Starter tenancies granted before the 31 December 2016 will convert to an assured periodic tenancy (lifetime) on the 12 month anniversary of the commencement of the tenancy unless the decision has been made to extend or terminate the tenancy.

6.2 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 the Association or have completed a mutual exchange or transfer from another registered provider.

6.3 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.