

Area - NCSD	Review – October 2016
Manager responsible – Paul Forsythe	Next Review - October 2019

## Tenancy Policy

### Purpose and Scope:

This policy describes how Severnside Housing (SH) will let homes in a way that creates mixed, vibrant and sustainable communities. The policy explains the kind of tenancies which will be granted and the circumstances in which SH will do this.

### Reference Documents:

The Localism Act 2011

Local Decisions: a fairer future for social housing

Regulatory Framework – Tenancy Standard

Shropshire Tenancy Strategy (Not including Telford & Wrekin) 1<sup>st</sup> April 2013

Affordable Rent Policy

### CONTENTS:

#### 1.0 The Vision

The Tenancy Policy supports the delivery of Severnside Vision

- “Excellent Homes in Thriving Communities”

To provide and maintain excellent homes, create opportunities and offer a large range of services to build thriving communities

#### 2.0 Introduction

This Policy meets the requirements of the Localism Act (2011) and the requirements of the Homes and Communities Agency, the regulator for Registered Providers, to have a tenancy policy.

The policy sets out the circumstances when we will offer different tenancy types and how fixed term tenancies will be reviewed. It also identifies the circumstances in which fixed term tenancies will be extended or ended.

The policy has been developed taking into account the Tenancy Strategy of Shropshire Council.

The policy will apply to the allocation of all social and affordable rented properties.

It is intended that the policy will be reviewed in light of the creation of the Housing Plus Group so that there is greater alignment between the tenancy policies of South Staffordshire HA and SH.

### 3.0 Objectives

The overall aim of this policy is to ensure that tenants have the right home for as long as the property is suitable for their needs, that SH are making best use of our stock and that support needs are identified and addressed in order to sustain tenancies.

### 4.0 Tenancy Type

SH will use the following tenancy types to deliver the principles of this policy:-

<b>Tenure Type</b>	<b>Who this will be offered to</b>	<b>Period the tenure will last for</b>
Assured Tenancy let on social rents	<ul style="list-style-type: none"> <li>Existing tenants who have successfully completed their 12 month Probationary Tenancy</li> </ul>	Until terminated by the tenant or the landlord obtains a Court Order
Guaranteed Assured Tenancy let on social rents	<ul style="list-style-type: none"> <li>Tenants who transferred from Shrewsbury &amp; Atcham Borough Council who have preserved rights</li> </ul>	Until terminated by the tenant or the landlord obtains a Court Order
Probationary Tenancy (assured shorthold tenancy) let on either social rents, affordable rents or discounted market rents	<ul style="list-style-type: none"> <li>New tenants of social rent properties</li> <li>Affordable rents</li> </ul>	12 months with the option to extend for a further 6 months. 1 year or two years in exceptional circumstances
Fixed Term Affordable Rent Tenancy (assured shorthold tenancy)	<ul style="list-style-type: none"> <li>New tenants of who have successfully completed their Probationary Tenancy</li> </ul>	5 years (option to renew as per affordable rent policy)

## **5.0 Pre and Early Tenancy Work**

Before offering any tenancy we will carry out an affordability assessment. Customers will have to pay two full weeks rent in advance. If rent is to be paid monthly this needs to be paid in advance. We will carry out a pre-tenancy risk assessment to identify potentially vulnerable or financially excluded customers. We will carry out verification checks and check with other housing providers for former tenant arrears and incidents of anti-social behaviour. This will enable us to ensure that the property that is allocated appropriately and support put in place to sustain the tenancy.

We will use our internal process and pre-tenancy risk assessment to proactively identify any fraudulent activity.

## **6.0 Lettings & Marketing**

Properties will be allocated in line with Shropshire Affordable Housing Allocation Policy and Scheme following our existing Lettings Procedure. Properties with an Affordable Rent will be marketed as such through the Choice Based Lettings Schemes.

## **7.0 Rent Setting**

The rents for each tenancy type will be set in accordance with our Rent Setting and Accounting Policy.

We will have the discretion to convert affordable rent properties (unless specifically developed for affordable rent) back to a social rent where a property cannot be let at an affordable rent level due to location or property type.

## **8.0 Tenant Ending the Tenancy**

Should the tenant choose to end their tenancy prior to the end of the fixed term; they may do so by surrendering their tenancy. A fixed term tenant must ask SH to consider the surrender giving at least a month's calendar notice.

An assured tenant can end their tenancy by giving 4 weeks written notice ending on a Monday.

Assured Shorthold can be ended by the tenant by giving the appropriate notice in line with their Agreement.

## **9.0 Reviewing the Tenancy**

The tenancy will be reviewed as part of our Tenancy Sustainment Service, provided as part of the probationary tenancy.

If the tenancy is not conducted satisfactorily, SH will use the legal powers available to us to end the tenancy.

## **10.0 Succession Rights**

Succession is where a tenant has died and there is a spouse or family member living in the property who wants to take over the tenancy. Requests for succession will be granted in accordance with our Succession and Assignment Policy and the terms of the tenancy agreement.

## **11.0 Assignments**

Mutual Exchanges and Assignments to family members will be undertaken in line with our procedures. See Mutual Exchange policy for more information.

## **12.0 Appeals**

Tenants may appeal against:

- The decision to end the tenancy during the fixed term period (following a tenancy review)
- Any decision not to grant another tenancy at the end of the fixed term period (following a tenancy review)

Appeals must be made in writing within 10 days of the decision not to renew the fixed term tenancy and will be referred to the Head of Neighbourhood Services who will convene a Panel hearing involving a Homes Board member to jointly hear the appeal.