

# Tenancy Policy

<b>Approved by</b>	<b>Operations Committee</b>
<b>Effective date</b>	<b>21<sup>st</sup> June 2018</b>
<b>Review date</b>	<b>June 2020</b>
<b>Policy developed by</b>	<b>Neighbourhood Services Manager</b>
<b>Associated procedure</b>	<b>Starter tenancy procedure</b>

## Say hello

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# Introduction

## 1. Purpose

- 1.1 This policy describes how Connexus will let homes in a way that creates mixed, vibrant and sustainable communities. The Policy explains the kind of tenancies which will be granted; the circumstances in which we will do this; the length of tenancy terms and the circumstances in which a tenancy will be ended or a further tenancy granted.
- 1.2 In the interests of developing balanced communities and meeting very local housing needs and aspirations. Connexus is committed to ensuring that all property types and communities remain accessible to individuals and families in most need and on a low income. We are committed to offering high quality homes and services and in return we expect customers to comply with the terms of their Tenancy or Licence agreements.
- 1.3 This policy meets the requirements of the Localism Act (2011) and the requirements of the Regulator for Registered Providers to have a Tenancy Policy and has been developed taking into account the Tenancy Strategies of Shropshire and Herefordshire Councils.
- 1.4 **Scope:** The policy applies to the whole of the Connexus Group (referred to in this policy as 'the Group'). This means Connexus Housing Limited, all its subsidiaries and all their subsidiaries, i.e. Herefordshire Housing Limited (HHL), Independence Trust (IT), Meres and Mosses Housing Association (MMHA), South Shropshire Housing Association (SSHA), Floreat Living Limited (FLL), Floreat Development Limited (FDL), Enterprise 4 (E4), Rise Partnership Development Limited (RISE), Total Response Limited (TRL), Shropshire Housing Treasury Limited (SHTL) and Herefordshire Capital Limited (HCL).

## 2. Objectives

- 2.1 The overall aim of this policy is to ensure that customers have the right home for as long as the property is suitable for their needs taking into account the following considerations;
  - Ensuring tenants have the skills to manage their tenancies
  - Ensuring appropriate support services are in place
  - Making best use of our stock
  - Reducing overcrowding
  - Tackling under occupation
  - Making best use of adapted properties
  - Using the flexibilities available to us.

### 3. Tenancy Type

3.1 Connexus offers a range of tenancies and all current tenants will remain on their existing tenancies, for any new tenants we will use the following;

Tenancy / Agreement Type	Who this will be offered to	Length of tenancy
Assured Tenancy	Existing customers of HHL, MMHA and SSHA (usually customers who have successfully completed their starter tenancy.)	Until ended by the customer or the landlord obtains a court order.
Guaranteed Assured Tenancy / Transferring Assured	Tenants who transferred from South Shropshire District Council, North Shropshire District Council and Herefordshire Council.	Until ended by the customer or the landlord obtains a court order.
Starter Tenancy	New customers of HHL, MMHA and SSHA	12 months with the option to extend for a further 6 months.
Assured Shorthold Tenancy	Customers moving into properties that have been identified for demolition / redevelopment. Applicants moving in from an Institutional or Supported setting. Local Authority referrals. <b>Those applicants assessed as suitable for Supported Living</b> Customers occupying market rented accommodation.	6 months
Licence Agreement	Customers who are accommodated in the Foyer or Refuge. Any House in Multiple Occupation Temporary Accommodation Customers who are part of Integrated Offender Management Project	Daily
Lease agreement	Customers who have purchased properties without the freehold. Shared owners	Depends on the term of the lease.

- 3.2 On rare occasions we will rehouse 16 and 17 year olds who are in housing need. In these cases, the tenancy must be guaranteed by an appropriate agency or guardian. The Guarantor will act as the tenancy holder and will hold the tenancy in trust until their 18<sup>th</sup> birthday (excluding Foyer admissions).

## 4. Lettings and Marketing

- 4.1 Properties will be allocated in line with Shropshire Councils Allocations policy and Herefordshire Housings Allocations Policy, following existing Lettings Procedures. Properties with an affordable rent will be clearly marketed as such via the lettings systems.
- 4.2 Each property advert will explain the tenancy type offered will be subject to this Policy, the type of tenancy, the rent charge and the conditions of the offer will be discussed in full with the prospective customer at the point of offer.

## 5. Rent Setting

- 5.1 The rents for each tenancy type will be set in accordance with our Rent Setting Policy and in all cases rents will be reviewed annually, in line with the specific terms on the individual tenancy agreements.
- 5.2 A proportion of all new lets will be let at an affordable rent in order to meet our new build delivery arrangements. We will have the discretion to convert rent properties (unless specifically developed for affordable rent) back to a social rent where a property cannot be let at an affordable rent level.

## 6. Ending the Tenancy

- 6.1 An Assured tenant can end their tenancy by providing a valid Notice to Quit (NTQ).
- 6.2 An NTQ must meet the following requirements:
- i) Be in writing with a handwritten signature.
  - ii) Give 28 days' notice (unless the tenant(s) and the landlord agree to a shorter or longer notice being given).
  - iii) Expire on the first day or the last day of a period of the tenancy (the day the rent is due or the day before).
  - iv) Comply with any other specific requirements of the tenancy agreement.

6.3 Assured Shorthold Tenancies and Licence Agreements can be ended by the Tenant by giving the appropriate notice in line with their agreement.

## 7. Reviewing the Tenancy

### 7.1 Assured Shorthold ( non-starter)

If the tenancy has been conducted satisfactorily then an Assured Shorthold Tenancy will lapse into a periodic tenancy and will not automatically end at the end of the initial term.

### 7.2 Starter

At the end of the initial 12 month term there are three options;

- If the tenancy has been conducted satisfactorily then an assured tenancy will be given.
- If the tenancy has not been conducted satisfactorily but the tenant is working to improve the situation e.g. an agreement to clear rent arrears or managing ASB then the tenancy can be extended for 6 months with authorisation from a Team Leader.
- The tenancy can be ended by serving a section 21 notice giving at least 2 months' notice and if necessary taking possession proceedings through the County Court.

7.3 Customers may appeal against the ending of their tenancy by lodging an appeal in writing within 10 days of the notification that their tenancy is being ended. This appeal will be referred to a Senior Manager who will hear the appeal. The options available are;

- Uphold the section 21 notice and recover possession of the property
- Uphold appeal and dispense with section 21 notice ( offer assured tenancy)
- Offer 6 month extension if tenancy has not been extended previously.

## 8. Review

8.1 This policy will be reviewed every 3 years or in line with any changes in relevant legislation.