

Policy

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Contents

INTRODUCTION	3
POLICY STATEMENT	3
REGULATORY AND/OR LEGAL COMPLIANCE	5
DIVERSITY CONSIDERATIONS	5
LINKS TO STRATEGIES, POLICIES AND ASSOCIATED DOCUMENTS	5

Introduction

Provisions under the Localism Bill 2011 which allowed registered providers a greater degree of flexibility on granting tenancies, came into force in April 2012. From January 2012, the Localism Bill (Section 150) also placed a duty on every local authority to produce and publish a Tenancy Strategy, which sets out in high-level terms the matters which all registered providers of social housing in their area should have regard to when framing their own tenancy policies.

In reviewing this policy Halton Housing (HH) has taken due regard of Halton Borough Council's Tenancy Strategy.

The Social Housing Regulator's current Tenancy Standard also states that Housing Associations must publish 'clear and accessible' policies which outline their approach to tenancy management. Part of the requirements in fulfilling this part of the standard relates to what types of tenancies housing associations will grant.

The main aim of this policy is to set out the circumstances in which HH will grant tenancies to both new customers and existing customers (on transfer).

The objective of this policy is to enable HH to grant tenancies in a way that is fair, transparent and proportionate to individual customers who are subject to it, as well as being reflective of the needs of the wider community in Halton.

Employees working in the Customer Directorate will mainly deal with the implementation of this policy.

Policy Statement

As HH has decided against using flexible/fixed term tenancies for any of its new customers, the approach regarding the granting of tenancies will be based on the following principles: (The exception to this will be any new developments through our subsidiary company (Open Door), where "Rent to Buy" properties are allocated on a fixed term tenancy and these tenancies are managed by HH, as detailed on page 5 of this document).

1. HH's default position will be that the majority of new customers will be offered a lifetime tenancy. (It should be noted that additional conditions will apply to those new customers who are offered Starter Tenancies. *See the 'Starter Tenancies' section below for further details.*)
2. However, HH reserves the right to use other types of tenancies, such as fixed term tenancies in exceptional circumstances. For example, as part of a Government initiative to assist in housing refugee families who are initially allowed entry into the country for a fixed period which is then subject to review.

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3. Any existing customer who transfers to another HH property via the housing register will retain their current security of tenure and other rights.
 4. Maximum flexibility will be exercised to ensure the approach regarding any offers made can cater for differing customers' needs and circumstances, whilst at the same time using the opportunity to make best use of HH's stock and different products available to customers.
 5. In certain circumstances e.g. where support is provided through commissioned services, Licences will be granted in line with any agreement put in place at the time with the relevant statutory agency.
 6. Any approach will take account of customers' personal circumstances, such as permanent/deteriorating ill health or disability, vulnerability, caring responsibilities and family make-up and profile and the property type.
 7. Customer choice will be preserved.

Starter Tenancies

Some new customers to HH will be offered assured shorthold 'starter' tenancies for the first 12 months, in line with HH's Lettings Policy.

These customer(s) will initially sign HH's Starter tenancy agreement that automatically converts to a standard assured tenancy, (which does not have an end date) at the end of the starter period subject to them conducting the tenancy satisfactorily i.e. with no ASB or other serious breach of tenancy conditions.

After the successful completion of the probationary period, customers will not need to sign any new tenancy agreement.

Rent to Buy Tenancies (Fixed Term)

Through our subsidiary company (Open Door), there may be an option on some new developments to access properties on "Rent to Buy" Tenancies. There is a qualifying criterion for the allocation of this type of tenure, which is managed by Open Door and it is intended that the successful applicants are given the option to purchase their property at the end of a five-year period.

To facilitate this, all new customers will initially be signed up to a twelve-month fixed term tenancy agreement, followed by a further two twenty-four months tenancies on the relevant anniversary dates. It is intended that during this five-year period, the customers save regular monthly amounts towards the deposit to purchase the property after five-years.

During these Fixed Term Tenancies, responsibility for the day-to-day management of them will be with HH.

Responsibility

The Director of Customers has ultimate responsibility for the effective implementation of this policy, as well for ensuring that all appropriate staff are aware of and are trained in this policy and any associated procedures.

Day to day responsibility for the policy will lie between the Housing Options Manager and the Tenancy Services Manager.

Regulatory and/or Legal Compliance

The HCA, now Social Housing Regulator for monitoring the standards, revised all its standards in 2015 (including the Tenancy Standards).

As mentioned in the introduction above, the revised Tenancy Standard sets out that housing associations (and stock-holding local authorities) must publish 'clear and accessible' policies which outline their approach to tenancy management, including interventions to sustain tenancies and prevent unnecessary evictions and tackling tenancy fraud.

Halton Housing will look to meet the above requirements of this standard in implementing this policy.

Diversity Considerations

An EIA Stage 1 Screening Form has been completed as part of the review of the initial review of this policy. This has determined that a stage 2 full assessment is not required.

Links to Strategies, Policies and Associated Documents

This policy has links with the following documents:

- OD 3.0 – Customer Focus
- HBC's Tenancy Strategy
- Merseyside Sub Regional Choice Based Lettings Policy – Property Pool Plus
- Affordable Rents Policy
- Shared Ownership Rents Policy
- Social Rents Policy
- Void Optimisation Policy
- Halton Housing Tenancy Agreements