

## **Cheshire West and Chester Council** **Housing Management**

### **Introductory tenancy policy**

#### **1 MANAGEMENT INFORMATION**

|                          |  |
|--------------------------|--|
| Approval Date            | 28 July 2022                                     |
| Next Review Date         | 27 July 2024                                     |
| Responsible Service Area | Strategic Housing and Commissioning              |
| Responsible Director     | Gemma Davies, Director Economy, Housing & Policy |

## **Aim of Policy**

This policy applies to all housing management services delivered on behalf of Cheshire West and Chester (CW&C) Council.

The policy sets out the circumstances in which Introductory tenancies should be used and will help support successful tenancies and help to create communities where people want to live and can do so peacefully, enjoying their homes without the fear of crime or anti-social behaviour.

Introductory Tenancies will contribute to:

- Community Safety
- Crime reduction
- The protection of individuals from the effects of anti-social behaviour
- Good neighbour relations and tolerance of lifestyle differences

## **Policy**

### **Introductory Tenancies**

An Introductory Tenancy will run for a period of 12 months. Provided that proceedings for possession have not begun within this period or an extension applied ( set period of 6 months), the tenancy will automatically become a secure tenancy after 12 months.

Introductory Tenants do not have the same statutory rights as Secure Tenants. They cannot sublet, take in lodgers, improve or exchange their home for the first 12 months and do not have the Right to Buy.

### **Security of Tenure**

Information must be sought at allocation stage (if not already available) on the applicant's current tenure in order to determine the type of tenancy they will be offered.

All relevant details and tenancy start dates should be confirmed in writing with the current landlord before any offer is made.

Applicants who are currently secure tenants of other councils or assured tenants of housing associations (or RSL) and who have held their tenancy for more than 12 months will be offered a secure tenancy with the Council.

Where the applicant is an Introductory Tenant of another council, or an assured short-hold tenant of a housing association (or Registered Social Landlord), they will be offered an introductory tenancy with the Council for the balance of 12 months. For example, if the applicant has been an Introductory Tenant with another RSL for eight months, their introductory tenancy with the Council will last a further 4 months, in order to complete their trial period.

If someone under 18 years old has exclusive use of a property on a licence the period of time on the licence counts towards introductory period of 12 months. e.g. if a 17 year old held a licence and at their 18<sup>th</sup> birthday had held the licence for 11 months they would be given a introductory tenancy for 1 month, completing the 12 month introductory period. After the one month on an introductory tenancy the tenancy would become secure.

### **Exclusions from the 12 month introductory period**

Any time spent in a hostel, and under a licence agreement does not count towards the introductory tenancy period.

If the applicant is being re-housed from a tenure other than local authority or housing association (e.g. private rented sector), even if they have been a secure tenant in the past, they will be offered an introductory tenancy with the Council for a period of 12 months.

### **Variation of tenancy**

Introductory Tenants are not permitted to apply for a joint tenancy during their introductory period, as the persons to be added to the tenancy will not have lived at the address for the 12 months required.

This will also apply to a tenant's spouse should they marry during the introductory period.

No names may be added to the tenancy during the introductory period.

Any name changes (e.g. reverting to maiden name) can be carried out without affecting the introductory period.

### **Additional Rights**

The Council allows for a certain amount of discretion with introductory tenancies dependent on how the tenancy has been conducted.

Lodgers may be permitted subject to written permission.

There is no statutory right to improve, or to compensation for improvements, but if an Introductory Tenant wishes to improve their property, they should apply in writing and may be permitted to do so at the discretion of the Asset management team.

Provided written permission has been given for an improvement, an Introductory Tenant can apply for compensation if they leave before the end of their introductory period. Although this is outside the scope of the statutory scheme, applications will be assessed on the same criteria, with the same qualifying improvements applying.

### **Succession**

When an Introductory Tenant dies, the tenancy may be passed on to a qualified

successor. The rules are essentially identical to those for secure tenants, with the balance of the introductory period continuing for the new tenancy.

### **Introductory Tenancy Notice**

Should a serious breach of tenancy conditions occur during the Introductory Tenancy period, action may be taken to terminate the tenancy. This will involve the service of an Introductory Tenancy Notice, stating the reasons for seeking to end the tenancy.

Where possession proceedings are taken against an Introductory Tenant, the court must grant possession provided that the notice and review procedures have been followed correctly and the Council can demonstrate that it has acted reasonably.

The Council reserves the right to extend the introductory tenancy period in the event of less serious breaches of the tenancy conditions, or where more time is needed to investigate allegations. The length of the extension will be 6 months.

### **Commitment to Support**

We will enable residents to become knowledgeable about their rights and responsibilities as tenants and to acquire and use the appropriate skills to maintain a tenancy successfully.

Every effort will be made to sustain Introductory Tenancies by closely working with tenants in this process.

Support assessment and referrals will take place as part of the tenancy sign up process. Tenants will be offered information and referrals for support to match their needs.

All new residents within 2-4 weeks of the start of their tenancy to ensure that they understand their responsibilities as tenants and to ensure the support needs have been adequately gauged. Further reviews will be undertaken throughout the Introductory period.

## **How the Policy will be delivered**

The delivery of this policy and associated procedures will be the responsibility of ForHousing. This Policy will be available to all employees through the intranet and regular training will be provided to relevant employees on all policies and procedures.

If staff become aware that there are problems with effective operation of the policy or the associated procedures, they should report this to the policy owner. This feedback will be incorporated into the policy / procedural review process.

## **Related Documents**

- Introductory Tenancy procedure

## **Equality Analysis**

|  |  |
|--|--|
| Date of approved EA  |  |
| Results of EA / Actions taken forward to mitigate any potential negative impacts |  |

# Consultation & Business Intelligence

The Policy was reviewed in consultation with tenants and staff representing Cheshire West and Chester Council and ForHousing.

## Monitoring Arrangements

Delivery of introductory tenancies services will be measured using existing methods including continued monitoring of:

- Satisfaction with services
- Redress levels and satisfaction with resolution
- Performance and Service Standard levels

If staff become aware that there are problems with effective operation of the Policy or the associated procedures, they should report this to the Policy Owner. This feedback will be incorporated into the policy / procedural review process.

## Control Data & Approval History

|                   |   |
|-------------------|---|
| Policy owner:     | CW&C: Alison Amesbury, Strategic Housing & Commissioning Senior Manager |
| Next review date: | 27 July 2024  |

| Issue    | Approved by                | Date         |
|----------|----------------------------|--------------|
| Approval | Cabinet Member for Housing | 28 July 2022 |
| Approval |                            |              |

## Document Revision History

| Date amended | Version number | Key changes   |
|--------------|----------------|---|
|              | 1              | Original version  |
|              | 1.2            | Revised version following tenant feedback <ul style="list-style-type: none"><li>• Added under Aim of Policy the purpose of using introductory tenancies.</li><li>• Added a new sub section under Policy 'Commitment to Support' information on the inspections of the property and information around ForHousing identifying any support needs to ensure the sustainability of the tenancy.</li></ul> |
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|              |                |   |