



Policy: **Tenancy Policy**

Approved by: Board

Date Approved:

22 March 2022

Frequency of review:

Every 3 years

POLICY STATEMENT:

In accordance with Regulator for Social Housing (RSH) Tenancy Standard, we will make best use of our housing stock, having regard to the importance of security and stability for tenants. We will offer and issue the most secure form of tenure compatible with the purpose of the housing, the sustainability of the community and any other requirements consistent with the regulatory framework.

Broadland Housing Association's policy is to continue to offer Assured Periodic tenancies (unlimited) unless legislation or specific agreement(s) with the Regulator specify otherwise or the type of property dictates an alternative tenure.

SCOPE:

- This policy is aimed at assisting those who are seeking housing, whether they are new applicants or existing social housing tenants.
- This policy will comply with the Regulatory Framework and in particular the RSH Tenancy and Rent Standards.

KEY STAFF RESPONSIBILITIES:

- **The Board**
The Board is responsible for agreeing any changes to the Policy.
- **Leadership and Senior Managers**
Ensuring that the Board's decisions are implemented in accordance with legislative and regulatory requirements.
- **Staff**
Ensure that Policy decision and procedures are followed.
Any query from the tenants are dealt with in a timely manner.

This policy will be predominately used by Neighbourhood Officers.

Tenure Policy

Policy No. FRO-18

Revised by: Adam Clark, Senior Housing Manager

Latest Revision: May 2017

Verified by: Ivan Johnson, Executive Frontline Director

DEFINITIONS:

The tenure types we use are as follows:

- Assured Shorthold Tenancies are an agreement which gives the tenant the right to occupy the property for a period of time provided they keep to the terms of the agreement
- Assured Shorthold Fixed Term Tenancies are for a fixed period usually between 2-5 years and the tenant is granted an Assured Shorthold fixed term tenancy
- Assured Tenancies are a monthly tenancy for an indefinite period.
- Licences are a legal contract which is used for temporary accommodation or shared housing
- Leases are a legal contract, these are used for Shared Ownership Properties.

RELEVANT KEY LEGISLATION AND RELATED DOCUMENTS: *(not limited to)*

Legislation	Documents
HCA's Tenancy and Rent Standard Localism Act 2010 Housing Act 1988 and 1996 Landlord and Tenant Act 1985 as amended Domestic Abuse Act 2021	Corporate Strategy Risk Map Rent Policy Allocations Policy Complaints Policy Domestic Abuse Policy

EIA – EQUALITY IMPACT ASSESSMENT:

The policy aim is to balance community need with the most secure tenancy. An EIA will be carried out on the implementation of this policy, including any reasonable adjustments that need to be made. .

IMPORTANT PRINCIPLES:

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We offer tenancies or terms of occupation which are compatible with the:

- Purpose of the accommodation
- Needs of individual households (including Safeguarding and Domestic Abuse)
- Sustainability of the community
- Efficient use of our homes
- Strategic housing functions of our partner Local Authority

The table below details the types of tenancy which can be used for the different types of tenure. Appendix 1 gives guidance on how we will apply these.

	Tenure Type							
	Assured Shorthold	Assured Shorthold Fixed Terms			Assured	Lease	Licence	Pitch Agreement
		1 Year (starter tenancy)	2 Year	5 Year				
Property type								
General Needs social rent		✓			✓			
Intermediate rent	✓							
General Needs affordable rent		✓			✓			
Shared Ownership						✓		
Homeless							✓	
Housing with Care		✓			✓			
Sheltered		✓			✓			
Over 55's		✓			✓			
Supported	✓							
Gypsy & Traveller Sites	✓							✓
Mortgage Rescue			✓					
Move on accommodation	✓							
Foundations Housing		✓			✓			
NSAP/ RSAP funded Housing First properties	✓		✓		✓			

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Unless an applicant can evidence that they have had a satisfactory tenancy history in social housing, they will always be offered an initial 1- year starter tenancy. An applicant moving because of Domestic Abuse will be offered an assured tenancy.

We will continue to review our Tenancy Agreements to ensure they comply with legislation and best practice.

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