



## Policy: **Tenancy Policy**

Approved by: Board

Date Approved:

Frequency of review: Every 3 years

### **POLICY STATEMENT:**

In accordance with Regulator of 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 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 Standards 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

Latest Revision: March 2022

Revised by: Stephani Davis, Assistant  
Housing Director  
Approved by BHA Board

**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
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- Assured Shorthold Starter Tenancies are for a period of one year and turn into an Assured Tenancy where the tenancy is conducted in a satisfactory manner.
- 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.
- Pitch Agreements are used for some of our Gypsy & Traveller schemes.

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

<b>Legislation</b>	<b>Documents</b>
RSH Regulatory Standards Localism Act 2010 Housing Act 1988 and 1996 Landlord and Tenant Act 1985 as amended Domestic Abuse Act 2021	Corporate Strategy Risk Register Rent Policy Allocations Policy Complaints Policy Domestic Abuse Policy Tenancy Agreement Homes for Cathy Commitments

**EIA – EQUALITY IMPACT ASSESSMENT:**

A full EIA has been carried out.

**IMPORTANT PRINCIPLES:**

Tenure Policy

Latest Revision: March 2022

Revised by: Stephani Davis, Assistant  
Housing Director  
Approved by BHA Board

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 Authorities

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				
<b>Property type</b>								
General Needs social rent		✓			✓			
Intermediate rent	✓							
General Needs affordable rent		✓			✓			
Shared Ownership						✓		
Temporary Accommodation							✓	
Housing with Care		✓			✓			
Sheltered		✓			✓			
Over 55's		✓			✓			
Supported	✓							
Gypsy & Traveller Sites	✓							✓
Mortgage Rescue			✓					
Move on accommodation	✓							
NSAP/ RSAP funded Housing First properties	✓				✓			

- 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.
- We will discuss the type of tenancy being offered with prospective applicants during the allocation to ensure they understand their rights and can seek legal advice before entering into it.
- We will not issue a Section 21 for a “No fault eviction”.
- Where a tenant wishes to appeal a Section 21 Notice, this will be heard by a stage 2 complaints panel.