



Tenancy Management Policy

Date submitted to Board:	6th September 2022
Policy to take effect from:	September 2022
To be reviewed:	September 2025
Version No.	1.1

Aims of the Policy

- To set out the type of tenancies we grant and our overall approach to tenancy management.
- To summarise how we manage newly-created tenancies.
- To ensure that customers are clear about their role in making their tenancy a success.
- To comply with the 'Tenancy Standard' published by our regulator.

Policy Statement

We will allocate homes in a fair, transparent and efficient way, taking into account the needs and aspirations of tenants and potential tenants. We will work with local authorities to contribute to their strategic housing function and to help achieve sustainable communities. Our Allocations Policy will give further details in this regard.

Associated Legislation, Guidance and Policies

- Housing Acts 1988 and 1996
 - Regulator of Social Housing – Tenancy Standard (published April 2012)
 - Allocations Policy
 - Assignment, Mutual Exchange & Succession Policy
 - ASB & Tenancy Enforcement Policy (under review)
 - Rent Setting & Service Charge Policy
 - Rent to Buy Policy
 - Tenancy Fraud Policy
 - AST Review Procedure
 - Tenancy Breach Procedure (under review)
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Types of Tenancy Agreement which we grant

Assured Shorthold (Periodic)

Most new EPIC tenants are granted an *Assured Shorthold Periodic Tenancy*, on a probationary basis for 12 months. At the end of this period, in accordance with our Assured Shorthold Tenancy Conversion Procedure, we will either:

- Convert the tenancy to a full *Assured Tenancy*
- Extend the tenancy for a further period of 6 months, giving clear reasons in writing to the tenant which set out the steps that they must take to be granted a full Assured Tenancy. There is a right of appeal against this decision.

- End the tenancy by subsequently serving a 'Section 21 Notice'. Again, there is a right of appeal against this decision. Where appropriate we will provide guidance to the tenant on alternative housing options should we proceed to repossess the property.

Assured

Existing EPIC tenants who are transferring from one EPIC property to another will receive the same type of tenancy as they enjoy at their current home. In most cases this will be an Assured tenancy. An Assured tenancy is essentially a 'tenancy for life' with greater rights – including to apply to exchange (see below) and to purchase their home (Right to Acquire). In exceptional circumstances, where an Assured Shorthold tenant is permitted to transfer to another EPIC property, they will be granted a new Assured Shorthold Periodic Tenancy. This tenancy will be reviewed after 12 months as set out for new tenants above.

Assured Shorthold (Fixed-Term)

We will use fixed-term tenancies for tenants of the Rent to Buy Scheme. Initially tenants will enter into an agreement for an 18-month period. Subject to satisfactory conduct, they will be offered a further 3½ year fixed-term tenancy to take them up to the intended 5-year purchase date. Further details and variations are contained in our Rent to Buy Policy.

Following our acquisition of properties from Bromford we inherited a number of customers holding a 5-year fixed term tenancy. Our usual approach for these tenancies upon the end of the 5-year period will be to inspect the property and review the conduct of the tenancy. We will look to convert the tenancy to an assured tenancy provided there are no ongoing tenancy breaches. If minor breaches have occurred we will work with the tenant to remedy these within a reasonable timescale. If these are not remedied or if any serious breaches have been caused, we will serve a Section 21 Notice to end the tenancy.

Tenants in Supported Accommodation

We have agreements with both Brighter Futures and The Gingerbread Centre whereby they act as Managing Agents for a number of our properties. These properties are designated as supported accommodation for which we grant an amended Assured Shorthold (Periodic) tenancy, setting out our responsibilities as landlord plus those of the Managing Agent and the tenant.

Licence to Occupy

On occasions where we need to temporarily relocate ('decant') a tenant to another EPIC property due to e.g. major repair works being carried out at their principal home, we will arrange for them to sign a licence agreement for their temporary address.

Assignment

This occurs when an existing tenancy is transferred to another person(s) for example from joint names to sole (e.g. following a relationship breakdown) or sole to joint (e.g. where a tenant wishes for a partner to be 'added to the tenancy'). The existing tenant must have no existing tenancy breaches and ordinarily we would not unreasonably refuse this request. For applications for a person to be added to a tenancy (sole to joint) the applicant must show proof of residing at the address for at least 12 months (e.g. Council Tax records, electoral roll). We will carry out checks as with any new applicant for housing.

In relevant circumstances (domestic abuse; relationship breakdown) an assignment of a tenancy may be granted by the County or Family Court – referred to as an occupation order. (*Further information is contained in our Assignment, Mutual Exchange and Succession Policy)

Mutual Exchange

A non-shorthold tenant has the right to 'swap' their tenancy by way of assignment with another qualifying social housing tenant. We will support EPIC tenants who wish to find a potential exchange partner, including assisting them in subscribing to internet-based systems to locate a partner.

Right of Succession

Succession describes the legal right to 'take over' a qualifying tenancy upon the death of the named tenant(s). The statutory right of succession can only take place on one occasion. (*Refer to our policy – including the circumstances in which a new tenancy may be granted to a member of a tenant's household at EPIC's discretion, where the statutory right is not possible).

Tenancy Fraud

Examples of this are obtaining a tenancy through deception or not occupying a property as one's only or principal home. We take tenancy fraud very seriously and are members of the Staffordshire Counter Fraud Partnership.

Our General Approach to Tenancy Management

The tenancy sign-up is usually carried out by the patch Housing Officer who will clearly state the key responsibilities of the tenancy during the meeting. We will contact the tenant within one month of the start of the tenancy to check that they are occupying the property, that the rent is being paid regularly and there are no other tenancy issues. Unless any issues arise - and aside from any ad hoc communications in the meantime - we will visit the tenant 11 months after the start date and conduct a review of the tenancy (see AST Review Procedure), to decide whether it should be converted, extended or ended. Dealing with any breaches of tenancy will be covered under the ASB & Tenancy Enforcement Policy.

Creating a `Tenancy Management Plan`

Where a member of staff identifies concerns of the tenancy failing or of potential tenancy issues before or after the sign-up, the patch Housing Officer will prepare a `Tenancy Management Plan` setting out appropriate actions to be carried out by EPIC, the tenant and any other agency/support provider, to help to sustain the tenancy. The exact contents of the plan will differ based on the specific circumstances and needs of the tenant. The document may include:

- Increased frequency of Housing Officer visits to check on tenancy conduct or welfare.
- Referral to external agencies such as adult or children's social care, mental health services support groups.
- A commitment by the tenant to actively engage with a third-party support provider.
- Signposting the tenant towards free debt management providers.

All actions agreed should be SMART (Specific, Measurable, Achievable, Realistic and Time-bound). Each Plan will be monitored by the Housing Officer and audited on a regular basis by the Housing Team Leader.

Equality and Diversity Statement

We want all our customers to have successful and sustainable tenancies. We recognise that some of our customers may need extra support and encouragement to achieve this objective and we endeavour to provide this, although do not provide any in-house support package and will signpost where appropriate.

Responsibilities

Staff who conduct allocations interviews are responsible for informing the relevant Housing Officer whether extra intervention may be required and where there are signs of potential tenancy failure. The Housing Officer is responsible for ensuring that necessary measures are taken throughout the tenancy.

The Housing Team Leader is responsible for: hearing appeals against tenancy extensions and Section 21 Notices; conducting spot checks on application and tenancy files and actions taken; reviewing the progress of each Tenancy Management Plans with the patch Housing Officer.

Review Mechanism

This policy will be reviewed every three years or as and when legislation or guidance is changed.