



# Tenancy Management & Sustainment Policy

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## POLICY SUMMARY

**Please note that where we use EPIC within this Policy, we refer to EPIC Limited.**

The aim of the Policy is to set out the type of tenancies EPIC will grant to tenants and the overall approach to Tenancy Management and Sustainment. EPIC will allocate homes in a fair, transparent way, and support tenants in sustaining their tenancies through early intervention, clear communication, and collaboration with local agencies, partner organisations and charities.

### **This Policy sets out how EPIC will**

- Manage newly created tenancies.
- Ensure that tenants are clear about their role in making their tenancy a success and understand EPIC's structured approach to tenancy management.
- Approach the ending of a tenancy through lawful enforcement measures, by emphasising eviction strictly as a last resort.

### **Key Objectives:**

- Promote tenancy sustainability through proactive support and engagement.
- Provide information on the different tenancy types that apply under this policy.
- Provide clarity on EPIC's approach when a tenancy fails through the application of fair and lawful possession procedures, which includes eviction.

## **APPLICABILITY**

The Policy applies to:

- All current tenants and housing applicants.
- EPIC staff.
- Agencies working on behalf of EPIC, such as those providing Intensive Housing Management.

## **INTRODUCTION**

EPIC aims to support tenants to manage their tenancies effectively and will work closely with all tenants from the beginning of their tenancy; to understand their circumstances and any support they may need to manage their tenancy in the long term.

EPIC recognises that as a small housing provider it may need the support of local agencies and will make referrals to these agencies for tenants where appropriate. EPIC may also refuse to offer a tenancy if it is evident that an applicant cannot sustain a tenancy.

EPIC views the ending of a tenancy as a last resort and will only consider this when all other avenues to assist tenants to sustain their tenancies have been exhausted.

## **CONTEXT**

- 3.1 EPIC carries out a thorough pre-tenancy assessment with applicants before they are offered a tenancy, to understand financial circumstances and to check affordability of holding a tenancy.

### 3.1.1 Types of Tenancy Agreement granted

#### **Assured Shorthold (sometimes known as a Starter Tenancy)**

Most new social housing tenants are granted an Assured Shorthold Tenancy, (Starter Tenancy) on a probationary basis for 12 months. At the end of this period, EPIC will either:

- convert the tenancy to a full Assured Tenancy;
- extend the tenancy for a further period of six months, giving clear reasons to the tenant of the steps that they must take to be granted a full Assured Tenancy. There is a right of appeal against this decision; or
- consider whether or not to end the tenancy.

**Assured** Existing EPIC tenants, who have an Assured Tenancy and are transferring from one EPIC property to another, will be granted a new Assured Tenancy, an assured tenancy grants the tenant greater security of tenure, meaning they can usually live in the property for the rest of their lives. This type of tenancy only ends if the tenant leaves or the landlord obtains a court order based on specific legal grounds, such as rent arrears or antisocial behaviour. The tenancy may also under certain circumstances be passed on to a family member known as succession upon the death of the original tenant. An Assured tenancy allows tenants to apply to carry out a mutual exchange with other social housing tenants and, in some cases, a right to purchase their home.

See section 3.1.2 below for additional information on Assured tenancies.

#### **Assured Shorthold (Fixed-Term)**

We have a small number of fixed-term tenancies for tenants of EPIC's Rent to Buy Scheme. EPIC does not plan on granting any future Rent to Buy tenancies. Further details and variations are contained in our Rent to Buy Policy.

In addition, there is a small number of tenants with a five-year fixed term tenancy. Our approach for these tenancies at the end of the five-year period will be to convert the tenancy to an Assured Tenancy, provided there are no ongoing tenancy breaches where legal action is being considered or taken.

#### **Tenants in Supported Accommodation**

EPIC has a small number of supported tenancies which are managed through agreements with managing agents. Tenants in supported accommodation are granted an amended Assured Shorthold tenancy agreement, setting out EPIC's 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, the tenant will continue to retain their tenancy rights for their principal home. EPIC will arrange for them to sign a licence agreement for their temporary address. Tenants will retain their original tenancy rights for their principal property.

### 3.1.2 Assured Tenancy – Additional Rights

#### **Assignment/Mutual Exchange**

This occurs when an existing tenancy is transferred to another qualifying person(s). The existing tenant must have no existing tenancy breaches, and EPIC would not unreasonably refuse this request. We will support tenants who wish to find a potential exchange partner, including assisting them in subscribing to internet-based systems to locate a partner.

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.

### **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 once.

Further information is contained in our Assignment, Mutual Exchange and Succession Policy.

### **3.2 Our General Approach to Tenancy Management**

EPIC will only offer tenancies to applicants who demonstrate they can afford and manage a tenancy. We will seek to understand any reasons, which might mean additional support is needed to manage a tenancy. We will work with tenants and agencies where appropriate to get support in place, working with organisations such as social services, and/or partner organisations in the local area.

- 3.3 EPIC will explain clearly to tenants before they begin their tenancy, what their responsibilities as tenants are, and the consequences if these are not met. During the sign-up process, the tenant will receive clear information on the key responsibilities of entering into and accepting a tenancy.
- 3.4 EPIC will contact new tenants within the first six weeks of their new tenancy, ensuring that the tenant has settled into their new home and where necessary offer the relevant support the tenant needs to sustain their tenancy.
- 3.5 Assured Shorthold Tenants (unless any issues arise) will have further visits arranged at six months and nine months after the start date to conduct a review of the tenancy (AST Review Procedure), and to determine the future of tenancy. Dealing with any breaches of tenancy will be covered under the ASB & Tenancy Enforcement Policy.
- 3.6 We will refer, support, and provide tenants facing difficulties during their tenancy with information on available local resources, such as charities, or organisations like social services.
- 3.7 EPIC will take action when a tenant breaches their tenancy, including a build-up of debt, and significant nuisance being caused to others in the neighbourhood. This means, where appropriate, EPIC will seek to end a tenancy and recover possession of a property in accordance with the law.
- 3.8 **Sole to Joint Tenancies**
- 3.8 EPIC will consider requests to convert a sole tenancy to a joint tenancy. The person applying to become a joint tenant must be a spouse, civil partner, or cohabiting partner of the existing tenant. Applicants must provide proof that they have been living together for at least 12 months.
- 3.9 Tenants entering into a joint tenancy will be required to sign a new tenancy agreement with EPIC. This may result in an increase in weekly rent, depending on the type of agreement held by the original tenant.
- 3.10 Joint tenancies will not be granted where the tenant has already succeeded to the tenancy.
- 3.11 Shared Responsibility: Joint tenants have equal rights and responsibilities under the tenancy agreement. This means both tenants are jointly and individually responsible for complying with all terms and conditions. If one tenant leaves, the situation can become complex. Tenants are encouraged to contact EPIC for advice in such cases.

#### **4.0 ENFORCEMENT PROCESS**

- 4.1 EPIC understands that taking enforcement action (eviction), potentially resulting in the loss of a tenant's home can have a devastating impact on tenants, lead to homelessness and disrupt lives, including access to work, schools, and community support.
- 4.2 EPIC recognises its social responsibility to provide and maintain secure and affordable housing and that enforcement action can appear to contradict this principle.
- 4.3 Tenants who refuse to pay their rent or who are guilty of anti-social behaviour, have the potential to impact negatively on EPIC's service delivery, the tenants' neighbours and the wider community. In these circumstances EPIC will consider and pursue enforcement action which may include asking the court to grant EPIC possession of a property where all preventative measures and interventions have taken place, such as offering support or making referrals to other statutory or voluntary agencies.
- 4.4 When a warrant for possession to end a tenancy is granted by the courts, EPIC will ensure that advice is given to the tenant on how to find alternative accommodation, including signposting to the relevant Local Authority who have a legal duty to provide housing and homelessness prevention advice and assistance.
- 4.5 Tenants are encouraged to seek independent legal advice and make themselves aware of their rights and legal options if they are at risk of enforcement action and the likelihood of losing their home. Shelter, a legal advice centre, or Citizen's Advice can provide this information.
- 4.6 Tenancy Fraud Examples of this are obtaining a tenancy through deception or not occupying a property as one's only or principal home and be sub-letting. We take tenancy fraud very seriously and are members of the Staffordshire Counter Fraud Partnership.

#### **5.0 APPEALS**

- 5.1 Tenants who have received a Section 21 notice, or a Notice of Seeking Possession (NOSP), informing them of EPIC's intention to seek possession of their home, have the right to a review (appeal). EPIC will provide information as part of possession proceedings on the appeals process, who to contact and the information needed to enable a review.
- 5.2 Tenants have 14 days from the date of receiving a Section 21 notice to contact EPIC, or seven days from receiving the Notice of Seeking Possession. A manager, who was not involved in the original decision to serve notice, will review the appeal. EPIC will let the tenant know the outcome of the review in writing within 10 working days from the date of the review request.

#### **6.0 COURT PROCESS**

- 6.1 In the case of rent arrears, EPIC is required to comply with the courts Pre-Action Protocol; the protocol aims to encourage communication and potentially resolve the issue without court action, to provide tenants with clear information about their arrears, their rights, and available support, and before considering entering a case into court, make reasonable efforts to agree on a payment plan.

The GOV.UK website [HERE](#) provides specific understanding of the possession action process

## 7.0 RESPONSIBILITIES

The roles and responsibilities across EPIC are detailed below:

- Executive Team is responsible for approving this, Policy.
- The Director of Housing Management is responsible for ensuring that relevant policies and procedures are effective and in line with legislation.
- The Housing Manager is responsible for:
  - Developing and implementing operational procedures to deliver the policy objectives.
  - Embedding the Policy through staff training.
  - Monitoring the overall effectiveness and implementation of the Policy.
- Housing Officers will follow the appropriate protocols set out in this Policy.
- Tenants have a responsibility to adhere to the terms and conditions of their tenancy and to work with EPIC in order to sustain their tenancies and to avoid enforcement action.

## 8.0 TRAINING

- 8.1 EPIC will ensure that staff receive appropriate training and awareness of the Tenancy Management and Sustainment Policy periodically for example at Team Meetings and as part of the onboarding process for new members of staff.

## 9.0 DATA VALIDATION, REVIEW AND MONITORING

- 9.1 This Policy will be reviewed every three years (January 2028), unless there are significant changes in legislation or EPIC's operational practices, in which case a review will be carried out earlier.

## 10.0 EQUALITY AND DIVERSITY IMPLICATIONS

- 10.1 We are committed to ensuring and promoting equality of opportunity for all. We are opposed to discrimination on any grounds, including race, religion, gender, marital status, sexual orientation, disability, age, or any unjustifiable criteria. We are committed to developing a culture that values people from all sections of society and the contribution which each individual can make. We will ensure our approach to accessing properties is considerate to people's individual needs. We also adhere to the Equality Act 2010.
- 10.2 EPIC recognises that some people experience disadvantage due to their socio-economic circumstances and will strive to ensure no person or groups of persons is treated with injustice due to their personal circumstances. EPIC will also ensure that all services and actions are delivered within the context of current Human Rights legislation and will make sure the central principles of the Human Rights Act (1998) will be adhered to.
- 10.3 We are aware that evictions can disproportionately impact low-income individuals and families who may struggle to meet rent payments and can contribute to higher eviction rates among low-income households. We will apply this policy, and any associated policies, fairly to all individuals regardless of their race, ethnicity, gender, disability, or familial status or any other protected characteristic. Our proportionality assessment will consider the diverse needs of tenants and provide fair treatment for all individuals regardless of their economic background or other protected characteristic.
- 10.4 We will advise tenants of their rights during the eviction process and signpost individuals with limited financial resources who may face challenges in obtaining legal assistance, to avoid unequal outcomes in the eviction process for example signposting them to Shelter or a legal advice centre, or the local authority's Housing Options Team.

10.5 An Equality Impact Assessment has been completed to ensure that there are no adverse effects resulting from this policy which affects those with protected characteristics,

#### **11.0 ASSOCIATED DOCUMENTS**

- Tenant Debt Policy
- Anti-Social Behaviour & Tenancy Enforcement Policy
- Safeguarding Policy
- Decant Policy
- Assignment, Mutual Exchange and Succession Policy

## Version Control

Date of Review	Reviewer	Version Number	Changes	Date of Next Review	Approved By
<b>October 2025</b>	Director of Housing Management	V2.0	New Policy	October 2028	Executive Team