

## TUNTUM HOUSING ASSOCIATION

DOCUMENT CONTROL		
<b>Policy name:</b>	Tenancy Policy	
<b>Version:</b>	V1	
<b>Author:</b>	Nkosana Mthimkhulu (Housing Services Manager)	
<b>Approved by:</b>	April 2025	Board
<b>Effective date:</b>	April 2025	
<b>Date of next review:</b>	March 2028	
<b>Customer facing:</b>	Yes	

### 1. Introduction

1.1. This policy outlines the types of tenancies Tuntum offers its tenants and the circumstances under which they will be granted. It also details our approach to tenancy management, including interventions to support tenants and avoid unnecessary evictions.

1.2. The policy aims to address the following:

1.2.1. Tenancy Types and Eligibility:

- Clearly defines the different types of tenancies offered by Tuntum.
- Outlines the specific criteria and conditions for each tenancy type.

1.2.2. Discretionary Rights:

- Establishes a framework for granting discretionary rights to tenants.
- Prioritises the needs of vulnerable household members in the decision-making process.

1.2.3. Affordable Tenancies:

- Defines the policy for providing affordable housing options.
- Outlines the criteria and procedures for determining eligibility for affordable tenancies.

1.2.4. Ultimately, the policy seeks to ensure fair and equitable tenancy practices, support tenants, and prevent unnecessary evictions.

### 2. Policy statement and aims

2.1. This policy establishes Tuntum's approach to tenancy management, ensuring that appropriate tenancies are issued to customers.

2.2. Key objectives of this policy include:

- Guaranteeing the security of tenure and protecting tenants' rights to a peaceful occupation.

- Partnering with local authorities to align tenancy practices with local strategies and the provisions of the Localism Act 2011.
- Developing new affordable housing schemes to address future housing needs.
- Promoting sustainable communities on Tuntum estates.
- Maximising the effective use of our housing stock.

2.3. This policy outlines Tuntum's approach to tenancy management. It aims to provide clear and fair tenancy terms, support tenants, and prevent unnecessary evictions. It also defines the different types of tenancies offered, including eligibility criteria and conditions.

- The policy also establishes a framework for granting discretionary rights to tenants, prioritising vulnerable households. Additionally, it outlines the policy for providing affordable housing options and eligibility criteria.
- To ensure effective tenancy management, the policy aims to guarantee the security of tenure, partner with local authorities, develop new housing schemes, promote sustainable communities, and optimise housing stock utilisation. Ultimately, the policy seeks to ensure fair and equitable tenancy practices, support tenants, and prevent unnecessary evictions.

### **3. Legislation or regulatory requirements**

- Housing Act 1988, 1996
- Localism Act 2011
- Protection from Eviction Act 1977
- Housing and Regeneration Act 2008
- Social Housing (Regulation) Act 2023
- Equality Act 2010
- Data Protection Act 2018

### **4. Scope**

4.1. Tuntum uses the following tenancies:

- Assured Shorthold (starter) tenancies, which convert after 12 months to fully assured tenancies.
- Assured tenancies are issued to all social housing tenants transferring to Tuntum from other social landlords who previously paid social rent.
- Secure tenancies are issued to transfers from local authorities with an existing secure tenancy.

4.2. These tenancies are used in most affordable social housing lettings unless in one of the exceptions below.

- The starter period allows the customer to demonstrate that they can sustain the tenancy according to the terms of the agreement.
- Customers may terminate their occupation of the property by giving 4 weeks' notice in writing.

4.3. Tuntum will follow due process in ending Assured Shorthold Starter Tenancies if the customers breach the terms of their tenancy during the starter period.

- If a decision has been made to end a tenancy, the customer will be served with the required two months' notice.
- The customer has the right to request a review of the decision to serve that notice, and the review process and how to appeal will be explained in the Notice to Quit letter.
- On expiry of the notice and if the decision to serve the notice is upheld at review, Tuntum will seek a court order for possession of the property.

4.4. Where the starter tenancy has been conducted satisfactorily, the tenancy converts to an Assured Tenancy, the most secure form of tenancy that Tuntum offers.

- An Assured Tenancy can only be ended following due process.
- If a decision has been made to end a tenancy, the customer will be served with a notice seeking possession to set out the ground(s) for possession relied upon. Such grounds are set out in Schedule 2 to the Housing Act 1988 (as amended).
- On expiry of the notice, Tuntum will seek a court order for possession of the property.

4.5. Where Tuntum relies on mandatory grounds for possession, the customer will have the right to review the decision to serve the notice.

- On expiry of the notice, and if the decision to serve a notice relying on mandatory grounds is upheld at review, Tuntum will seek a court order for possession of the property.

4.6. Other Types of Occupancy Agreements

- Tuntum offers Excluded Licences in Specialist Housing schemes.
- An excluded licence is an agreement that gives the customer the right to occupy a property but does not offer the same level of protection as a tenancy agreement. By giving reasonable notice, Tuntum can evict the customer without going through the court process.
- Where licence conditions are breached, a Notice to Quit may be served, giving reasonable notice.
- The customer has the right to request a review of the decision to serve that notice, and the review process and how to appeal will be explained in the Notice to Quit letter.

## **5. Roles and Responsibilities**

5.1. Housing Services Manager

- Oversees the tenancy management function and develops and implements tenancy policies and procedures, ensuring compliance with relevant legislation and regulations.

5.2. Housing Services Team

- Manage the entire tenancy lifecycle. They process applications, conduct viewings, allocate homes, and explain tenancy terms. They also respond to queries, monitor rent payments, enforce rules, address anti-social behaviour and support tenants.

### 5.3. Asset Management Team

- Carry out necessary inspections, repairs, and maintenance work. Ensure all work complies with safety standards and regulations.

### 5.4. Specialist Housing Team

- Manage complex cases involving licensees by providing tailored support, including licence management and interventions, and collaborate with external agencies to ensure the well-being of both the licensee and the community.

### 5.5. Customer Services Teams

- The first point of contact for customers, handling a wide range of inquiries, including rent payments, repairs, and tenancy issues. They provide advice, resolve complaints, and ensure customers receive timely and efficient service.

## 6. Monitoring, including audit and review

### 6.1. Policy Dissemination:

We will:-

- Make the Tenancy Policy available to all stakeholders, including customers, staff, and contractors.
- Provide clear instructions on how to access and understand the policy.
- Ensure the policy is easily accessible on the housing association's website and intranet.

### 6.2. Review and Updates:

We will:-

- Establish a regular review process to assess the effectiveness of the Tenancy Policy
- Identify areas for improvement and make necessary updates to ensure ongoing compliance and relevance.
- Seek feedback from residents, staff, and contractors to inform the review process.

### 6.3. Monitoring and Enforcement:

We will:-

- Implement a system for monitoring adherence to the Tenancy Policy
- Take appropriate disciplinary action for any violations of the policy.
- Provide clear guidelines on key aspects of the policy

### 6.4. Evaluation and Reporting:

We will:-

- Conduct periodic evaluations to measure the success of the policy implementation.

- Collect data on customer satisfaction.
- Prepare regular reports for the board of directors and senior management.
- By following this implementation strategy, Tuntum Housing will ensure the Tenancy policy is effectively implemented.

## 7. Procedure

7.1. The Tenancy Management Procedure is a separate internal document supporting this policy.

## 8. Equality Impact Assessment

Tuntum Housing Association is committed to Equality, Diversity and Inclusion and will make reasonable adjustments to the policy to recognise, accommodate and support individual needs where needed. This Policy adheres to the Association's approach to Equality and Diversity. All staff members will take a proactive approach to ensure that no individual or group is discriminated against or treated differently as a direct or indirect result of this Policy.

## 9. References

RELATED EXTERNAL DOCUMENTS	
Reference	Link to reference
<ul style="list-style-type: none"> <li>• Landlord and Tenant Act 1985</li> <li>• Housing Act 1988, 1996</li> <li>• Localism Act 2011</li> <li>• Protection from Eviction Act 1977</li> <li>• Housing and Regeneration Act 2008</li> <li>• Social Housing (Regulation) Act 2023</li> <li>• Equality Act 2010</li> <li>• Data Protection Act 2018</li> </ul>	
RELATED INTERNAL DOCUMENTS	
Reference	
Tenancy Agreements Tenancy Management Procedure ASB Policy Repairs and Maintenance Policy Void Properties Management Policy Abandonment Policy Assignment Policy Mutual Exchange Policy Succession Policy and Procedure	

## 10. Contacts



For any inquiries or concerns regarding this Tenancy Policy or the tenancy agreement, please contact:

- General Housing Team [GeneralHousingTeam@Tuntum.co.uk](mailto:GeneralHousingTeam@Tuntum.co.uk)
- Asset Management [assetmanagement@Tuntum.co.uk](mailto:assetmanagement@Tuntum.co.uk)
- Customer Services Team [CustomerServicesTeam@Tuntum.co.uk](mailto:CustomerServicesTeam@Tuntum.co.uk)

**Internal control not for publication:**

Policy changes	
Policy version	Proposed changes
V.1	