



Housing Community Overview and Scrutiny Committee

Report for:	Housing Community Overview and Scrutiny Committee
Title of report:	Tenancy Management Policy
Date:	7 th June 2023
Report on behalf of:	Councillor Simy Dhyani
Part:	I
If Part II, reason:	N/A
Appendices:	N/A
Background papers:	N/A
Glossary of acronyms and any other abbreviations used in this report:	Tenants and Leaseholders Committee (TLC)

Report Author / Responsible Officer

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Corporate Priorities	<ul style="list-style-type: none"> • A clean, safe and enjoyable environment • Providing good quality affordable homes, in particular for those most in need • Ensuring efficient, effective and modern service delivery
Wards affected	All.
Purpose of the report:	Provide information outlining the approach Tenancy Management.
Recommendation (s) to the decision maker (s):	<ul style="list-style-type: none"> • Provide feedback regarding the approach and policy development

	<ul style="list-style-type: none"> • Support recommendation to Cabinet to implement the policy
Period for post policy/project review:	Annually or upon legislative change

1 Introduction/Background:

The council are required to provide a tenancy management service to our tenants, the Tenancy Management Policy sets out Dacorum Borough Council’s approach to providing an efficient and effective tenancy management service.

2 Key Issues/proposals/main body of the report:

This section provides a summary of key areas of the Tenancy Management Policy:

2.1 Creating a new tenancy.

Introductory tenancy

All new Council tenants will be granted an introductory tenancy, initially lasting up to 12 months (but which can in certain circumstances be extended to 18 months). An introductory tenancy has the same rights as a secure tenancy but for the introductory period a tenant cannot:

- Buy their Council home.
- Make any alterations to the home.
- Exchange homes with another tenant via mutual exchange.
- Introductory tenants may take in a lodger but they must gain written permission.

If the tenancy agreement is breached within this time, the council has the authority to extend the introductory period for 6 months.

Secure tenancy

A secure tenancy is a lifetime tenancy, meaning it cannot expire, so the tenant(s) will keep the protection of a secure tenancy so long as they continue to live in their premises as their only or principal home. Whilst the tenancy remains secure, the Council can only terminate the tenancy if the tenant has breached their tenancy conditions.

A Secure Tenant/s can:

- Pass on their tenancy when they die - if applicable and in accordance to the relevant laws (Succession).
- Exchange homes with another tenant via mutual exchange.
- Buy their home (subject to relevant qualifying periods and types of property). This does not apply to supported housing or Tied Accommodation).
- Make improvements or alterations to their home (subject to gaining permission).
- Have lodgers or sublet part of their home (subject to gaining permission). Taking in a lodger or sub-tenant is not allowed in our supported housing.

2.2 Changes in tenancies

Succession

Succession allows the tenancy to be passed on to certain qualifying people when the tenant dies. The tenancy agreement sets out the statutory rights to succession. The law allows only one statutory succession to each tenancy.

When a joint tenant dies, the tenancy passes to the surviving joint tenant/s automatically, regardless of the relationship between the joint tenants. This is called survivorship and counts as one succession. There can then be no further statutory succession.

Assignment

There are circumstances where a tenancy can be assigned to another person. One way to do this is via a mutual exchange. Requests for a mutual exchange can be accepted from any public sector tenant who has either a secure or an assured tenancy. We will give or refuse consent within 42 days of the application to exchange being received.

2.3 Managing and sustaining tenancies

Monitoring tenancies and the condition of our properties

Managing tenancies is necessary to ensure that tenancy agreements aren't breached, properties are maintained and that tenants receive the appropriate level of support. We operate a schedule of regular tenancy reviews in order to support this approach. Additionally we will make use of each contact we have with tenants.

Social Housing Fraud

We will take appropriate action to respond to concerns relating to social housing fraud, which can include unauthorised subletting, non-occupation and fraudulently obtaining social housing.

Ending a tenancy

When a tenant wants to end their tenancy, they must give four weeks' notice in writing. During the notice period the tenant(s) must continue to adhere to all conditions included in the tenancy agreement.

There are certain circumstances where we can serve notice on the tenancy, and apply to the court for mandatory possession of the property. These circumstances are generally linked to anti-social behaviour and are set out in law.

When ends the tenancy and is moving, the council will endeavour to identify rechargeable works before they have handed the keys back. The tenant will have the opportunity to rectify the repairs and if they do not, the council will recharge the cost of the repairs. Should tenants end the tenancy and have arrears on their account, we will write to them and ask for the arrears to be paid. If steps aren't taken to pay the arrears, we will work with 3rd party agencies to recoup the arrears.

3 Options and alternatives considered

Alternative options have not been considered. It is necessary for the Council to update and refresh regularly upon material or legislative change its policies to ensure that they remain compliant with the statutory framework and adequately inform all stakeholders of the Council's approach.

4 Consultation

During the process of developing the Tenancy Management Policy, we consulted Tenant and Leaseholder Committee (TLC). This provided an opportunity for TLC members to comment on the policy and influence our approach. The TLC raised no specific or general concerns about the content of the policy or the purpose of its implementation.

5 Financial and value for money implications:

Providing effective tenancy management services brings direct financial benefit through the management of rent arrears. Delivering an efficient service allows us the opportunity to have a further positive impact by maximising our resources, demonstrating that the Council is operating a modern housing service that delivers excellent value for money.

6 Legal Implications

There are no legal implications arising from the development of this policy.

7 Risk implications:

A robust policy approach, provides reassurance that the Council has appropriate governance and processes in place to provide tenancy management services.

8 Equalities, Community Impact and Human Rights:

A Community Impact assessment has been completed with regard to the Tenancy Management policy.

9 Sustainability implications (including climate change, health and wellbeing, community safety)

There are no sustainability issues arising from the development of this policy.

10 Council infrastructure (including Health and Safety, HR/OD, assets and other resources)

There are no council infrastructure issues arising from the development of this policy.

11 Conclusions:

This report outlines the intention to introduce the Tenancy Management Policy, providing clear direction regarding the approach that will be undertaken by the Council when managing tenancies.