

Tenancy Policy

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1. Introduction

This Tenancy Policy fulfils the requirements of:

- the Localism Act (2011)
- the Regulator of Social Housing

The overriding aim of our Tenancy Policy is to meet the tenure needs of those people who require housing and to ensure that customers have a suitable, sustainable home for as long as they need it, ensuring the sustainability of our neighbourhoods across Sunderland.

1.1 This Policy sets out the Council's commitment to meeting the Regulator of Social Housing's Tenancy Standard and the required outcomes in relation to tenure:

- As a registered provider the Council shall offer tenancies or terms of occupation which are compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community and the efficient use of our housing stock
- As a registered provider the Council shall meet all applicable statutory and legal requirements in relation to the form and use of tenancy agreements or terms of occupation
- As a registered provider the Council shall publish clear and accessible policies which outline their approach to tenancy management, including interventions to sustain tenancies and prevent unnecessary evictions and tackling tenancy fraud.

This Tenancy Policy is supported by our Tenancy Management Policy, which covers the circumstances in which the Council will grant a new tenancy and associated actions and activities.

2. Aims

We aim to provide a framework whereby customers will receive a tenancy suitable to their housing need and circumstances which ensures that they can access affordable housing without experiencing barriers to achieving broader life aspirations.

Customers will receive advice and assistance to access the range of tenancies on offer to ensure they have the right home at the right time.

2.1 Our priorities are to:

- Make the best use of our housing stock to ensure that we can respond to the needs of everyone that presents to us wanting a quality, well managed, safe and secure home
- Support the development of balanced and sustainable communities.
- Provide and maintain homes in line with the Council's Housing Service Standards
- Enable tenants to make informed choices about where they live
- Provide support to those who are vulnerable to ensure they have fair access to our homes by providing information about suitable housing options and how to sustain tenancies
- To provide homes that are of the right size, location and design that responds to and meets the strategic housing needs across the City

3. Types of tenancy to be granted

We are committed to providing the most secure tenancies to our tenants.

3.1 We will offer tenancies which comply with the Regulator of Social Housing's Tenancy Standard and which are compatible with the purpose of the housing, the needs of individual households, the sustainability of the community and the efficient use of our stock.

3.2 We will ensure that our tenants understand the different types of tenancy that we offer, why we offer different types of tenancy and what this means in terms of the rights and responsibilities set out in our tenancy agreements. The two types of tenancy we will offer are:

- Introductory Tenancy
- Secure Tenancy

4. Discretionary Tenancies

In some circumstances no right of succession to the tenancy may exist but we may be able to grant a discretionary tenancy. Our Tenancy Management Policy deals with successions, assignments and granting of discretionary tenancies and sets out the circumstances when we may grant a discretionary tenancy.

5. Rents charged

We will set the rents for properties in accordance with the Rent Standard and the details of our approach is outlined within our Rent and Service Charge Policy. The Council are committed to ensure that more affordable homes are created in the City and the intention is that rent levels will be structured within affordable rent setting arrangements.

6. Letting Properties

Across the City there are many options available to access homes. We will provide advice and assistance to customers to ensure that they are aware of the different housing options open to them given their particular circumstances and support them with this process of seeking a new home.

Where someone wishes to apply for a home with the Council we will assess and allocate homes to new tenants in line with the Council's Allocations Policy.

7. Tenancy agreements, responsibilities and sign-up

We will ensure that tenants are fully informed about their tenancy rights and obligations during the pre-tenancy period, sign-up process and during the tenancy.

7.1 We will conduct a formal sign-up process with all new tenants to ensure they fully understand their rights and responsibilities and the conditions for the tenancy on offer.

The sign-up process will include details of:

- The details of the tenancy agreement
- Our approach to tenancy management
- Financial inclusion support and activity (e.g. help with housing benefit claims)
- Any possible future support needs that may need to be considered to support the tenant managing their new home.

7.2 New tenants will also receive follow-up visits at two and six weeks to:

- See how they are settling into their new home
- explore if they need assistance in relation to their home and tenancy
- check that they are keeping to the tenancy conditions and continue to understand them.

We will provide reasonable and appropriate support to new tenants allocated a new home to enable them to sustain their tenancy and enjoy their new home.

8. Tenants' obligations

Our Tenancy Agreement outlines and imposes obligations on the tenant and on the Council as the Landlord.

The tenant's obligations depend on the type of tenancy offered but will always include as a minimum:

- To pay rent and any service charges weekly in advance;
- To use their home for residential purposes, as their only or principal home and in a reasonable and responsible manner;
- Not to operate any business or trade without first getting our written permission;
- To be responsible for the behaviour of everyone living in or visiting their home (including any children and pets);
- To keep the garden well maintained at all times;
- To allow us, our employees contractors or agents access at reasonable times and subject to reasonable notice to inspect the condition of the home or any installations or to carry out an annual safety check or to carry out repairs or other works to the home or adjoining property;
- To report to us promptly any disrepair or defect for which we are responsible in their home or communal area.

9. Landlord obligations

As landlord we have several obligations to our tenants. These include:

- To give possession of the home at the start of the tenancy
- To keep in repair the structure and interior of the home
- To provide information on our housing management policies as required by the guidance issued by the Regulator under section 193 of the Housing and Regeneration Act 2008 or any subsequent Act.

10. Tenants' rights

The table below shows the differences in tenants' rights for the main tenancy types offered by Sunderland City Council:

Summary of legal rights	Introductory Tenancy	Secured Tenancy
Right of succession for a family member/partner	Yes	Yes
Right to repair	Yes	Yes
Right to be consulted on housing management	Yes	Yes
Right to buy your home with a discount (some properties may be exempt)	No	Yes
Right to sub-let part of your home or take in lodgers (with your landlord's permission)	No	Yes
Right to Acquire your home with a grant (some properties may be exempt)	No	Yes
Right to carry out improvements and to receive compensation if you move.	No	Yes*
Right to exchange your home or transfer (assign) it	No	Yes*

* With permission from the landlord

11. Monitoring and review

We will monitor this policy and consult with tenants on recommendations for change where necessary. We will monitor its performance regularly as part of the Council's performance management arrangements.

We will review this policy periodically at least every 3 years or whenever there are any changes to legislation or policy from the Government, Regulator of Social Housing or needs to consider and take up sector good practice.

12. Complaints

If a customer is unhappy about a decision, they should first follow Sunderland City Council complaints procedure; should they remain dissatisfied, the customer may then complain to a designated person (Councillor or Member of Parliament) and /or the Housing Ombudsman.

