



Cross Keys Homes Tenancy Policy

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Cross Keys Homes Tenancy Policy

1 Introduction

All registered providers are required to develop and publish a tenancy policy, having regard to the local authority's tenancy strategy. This policy sets out how Cross Keys Homes will use the new range of options available under the Regulatory Standards Framework. CKH will continue to meet all applicable statutory and legal requirements in relation to the form and use of tenancy agreement or terms of occupation.

2 Statement of Intent

Cross Keys Homes (CKH) is committed to ensuring that the neighbourhoods in which we operate are managed to promote stable and sustainable communities. To this end CKH offers 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 the housing stock.

3 Policy aims & objectives

Cross Keys Homes Tenancy Policy sets out:

- The types of tenancies we will grant and the circumstances under which we will grant each type of tenancy.
- The length of affordable rent tenancies granted.
- The circumstances in which affordable tenancies may or may not be re-issued at the review.
- The way in which a tenant may appeal against or complain about against a decision not to extend an affordable tenancy.
- Our policy on taking into account the needs of those households who are vulnerable by reason of age, disability or illness and households with children, including through the provision of tenancies which provide a reasonable degree of stability.
- The advice and assistance provided to tenants on finding alternative accommodation in the event we decide not to re-issue an affordable tenancy.
- Our policy on granting discretionary succession rights.

4 Tenancy Types

4.1 Assured Tenancies

The majority of Cross Keys Homes' tenants hold an Assured tenancy. These are often referred to as lifetime tenancies because the tenant is usually able to stay in their property for the rest of their life provided they do not breach the tenancy agreement. CKH will continue to offer Assured tenancies to new tenants in accordance with the Regulatory Standards Framework.

Tenants in general needs housing who transferred to Cross Keys Homes from Peterborough City Council at LSVT in October 2004 also retain the contractual preserved Right to Buy.

4.2 Assured Shorthold Tenancies

This term is used to apply to tenancies which are offered for a specified period of time, as opposed to lifetime tenancies. Assured Shorthold tenancies will not be offered to new tenants who hold an Assured or Secure tenancy with CKH, another Registered Provider or a Local Authority immediately prior to the allocation. Tenancies for 16 and 17-year-olds are held in trust for them by an adult until they reach 18. The trustee is not liable for the rent.

An Assured Shorthold tenancy is a rolling weekly tenancy and is granted for an initial term of one week and will continue from week to week thereafter until it is brought to an end by either Cross Keys Homes or the Tenant. As from the first anniversary of the Tenancy commencement date Cross Keys Homes may serve a conversion notice on the tenant informing them that the tenancy is to be regarded as an Assured Tenancy. The assured shorthold tenancy will not be converted to an assured tenancy if a notice has been served on the tenant, possession proceedings have been commenced or a decision has been taken to extend the length of the assured shorthold tenancy agreement by up to 6 months because of concerns about the conduct of the tenancy.

4.3 Affordable Assured Shorthold Tenancies

This term is used to apply to tenancies which are offered at 80% of the local market rent with a provision for a five-year review of a tenant's circumstances. At the end of this review period CKH will assess the tenant's circumstances based on the affordability of the rent and the ongoing housing need of the household.

The majority of new build properties will be offered as affordable rent tenancies as part of our agreement with the Homes and Communities Agency and will enable us to build more affordable rent properties for the long term. Existing CKH tenants who do not wish to move from their current property will not be affected. All supported housing and sheltered housing properties will be excluded from the affordable rent scheme. CKH may also offer a proportion of empty properties advertised through the council's choice-based lettings scheme under the affordable rent scheme. City flats and additionally houses in areas of 'above average demand' may be advertised at affordable rents

Cross Keys Homes Policy and Procedure for Affordable Rent Tenancies details the criteria for assessing a tenant's ongoing need for social housing tenancies. The needs of the household will always take precedence over any affordability assessment. The assessment for housing need will place emphasis on:

- The longer term needs of vulnerable residents
- Avoiding disruptive changes to families with children
- The longer term needs of older people
- The requirements for people with long-term illness or disability

The policy also states that advice and assistance will be provided to tenants on finding alternative accommodation in the event CKH decide not to re-issue a tenancy as well as details of the appeal process.

4.4 Assured Shorthold Tenancy – Property Purchase Scheme (PPS)/ Mortgage Rescue Scheme (MRS)

This term is used to apply to tenancies which are offered at 100% of the local market rent. Cross Keys Homes has a limited number of PPS / MRS properties granted for an initial term of 6 months and will continue from week to week thereafter until it is brought to an end by either Cross Keys Homes or the Tenant. Tenants will not be able to assign the tenancy by way of Mutual Exchange but succession rights will be protected as for assured shorthold tenancies.

4.5 Licence

A licence agreement will be used for Cross Keys Homes tenants who have been offered a temporary decant from their current property as a result of fire, flood or structural defects rendering the property uninhabitable. A licence agreement is also used for short term accommodation e.g. temporary accommodation for homeless households.

5 Mutual Exchange

Cross Keys Homes will continue to promote mutual exchanges to make best use of the housing stock. Cross Keys Homes grants Assured, Assured Shorthold and Affordable Rent tenants the right to exchange subject to written consent from the landlords. CKH tenants have subscription free access to House Exchange web site.

6 Succession

Succession rights are detailed in the respective tenancy agreement and will be limited to joint tenants, spouses or civil partners. No succession rights will be given to other household members, however where appropriate the Cross Keys Homes will consider granting a new tenancy of the same property or a more suitable alternative property to vulnerable household members.

7 Responsibility

The Director of Neighbourhood Management will have overall responsibility for the policy.

8 Consultation

Cross Keys Homes will consult local authorities, other registered providers, statutory organisations, advice agencies and Cross Keys Homes' Policy Review Group in order to continually update this policy and develop good practice in this policy area.

9 Monitoring and review

Cross Keys Homes will formally review its Tenancy Policy tri-annually in order to reflect good practice and/or changes in legislation.

10 Equality & diversity

Equality and diversity is a dynamic and integral part of Cross Keys Homes work and detailed in the CKH equality and diversity strategy. CKH will meet the requirements relating to equality and diversity laid down in the Equality Act 2010 by working to eliminate discrimination, advance equality of opportunity and foster good relations between all of our residents, service users and employees.

Service level and nomination agreements for allocation of housing are made with local authorities who have robust equality and diversity policies and applicants are able to appeal if they feel they have been discriminated based on their sex, sexual orientation, marital status and civil partnership (same sex), pregnancy and maternity, gender reassignment, race, religion and belief, disability or age (collectively referred to as protected characteristics).

11 Related documentation

This policy should be read in conjunction with the following:

- ◆ *CKH Meeting Housing Need and Access to Housing policy*
- ◆ *CKH Affordable Rent Tenancies policy and procedure*
- ◆ *HCA Regulatory Standards*
- ◆ *The Peterborough Housing Strategy 2016-2021*
- ◆ *CKH strategy, policy and procedures: Neighbourhood Management Strategy; Decants; Downsizing; Emergency Transfer; Mutual Exchanges; Tenancy Changes; Sheltered housing local lettings*