



PLYMOUTH COMMUNITY HOMES TENANCY MANAGEMENT POLICY

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| Version: | October 2013 |
| Lead Directorate: | Homes and Neighbourhoods |
| EIA Completed: | August 2013 |
| Approved by: | Customer Focus Committee |

1. Introduction

Plymouth Community Homes (PCH) is committed to providing proactive, effective and efficient tenancy management services.

This policy relates only to social and affordable residential tenancies.

1.1 Objectives

This policy aims to establish how PCH will:

- support and sustain tenancies
- manage breaches of tenancy
- respond to requests to sublet
- handle cases of abandonment
- handle cases of unauthorised occupation
- tackle tenancy fraud

2. Tenancy Sustainment

Tenancies are sustained when tenants continue to maintain their tenancy, paying their rent and complying with the terms and conditions as set out in the tenancy agreement.

Breaching the tenancy agreement could result in eviction or loss of certain rights or security of tenure. Our expectation is that all tenants meet the contractual responsibilities of their tenancy agreement.

PCH recognises the importance of tenancy sustainment and will work with tenants to help them meet their tenancy obligations and maintain their tenancy. PCH will make

arrangements with the local authority, health authority and other relevant agencies to secure, where possible, support for tenants who may need additional assistance to sustain their tenancies. Where we have concerns regarding vulnerable adults or child protection we will respond to these in accordance with our approved protection policies and associated procedures.

2.1 Home Visits

PCH conducts home visits for all new tenancies, visiting the tenant for the 4th week, 6th month and 9th month of the tenancy. The dates of the visit will be agreed with tenants in advance, and PCH will arrange for an interpreter or translator to be present during the visit where necessary. PCH also offer an optional annual home visit to all tenants.

Home visits provide an opportunity for PCH to engage with our tenants and review how tenants have been managing their tenancy, providing an opportunity to address any emergent issues and to identify further support which may be required by the tenant to maintain their tenancy.

During home visits PCH may also confirm that tenants have sought our consent for alterations undertaken to their property, and have complied with any other such obligations contained in their tenancy agreement.

PCH will use annual home visits to update tenancy records; these records help us to understand our communities and influence service provision, delivery and resource allocation. The information gathered may be used to confirm legal occupation of the property and to identify other issues, such as incidents of overcrowding or under occupation.

3. Breaches of Tenancy

There are a number of ways in which a tenancy agreement can be breached. PCH's tenancy agreement contains conditions regarding:

- anti-social behaviour
- condition of gardens
- use of vehicles
- keeping of pets and other animals
- general condition of the property
(for example hoarding, or tenants' repair and decoration obligations)
- use of the property
(such as running a business, storing stolen goods, or dealing drugs)

- access to the property
(such as allowing access for inspections or repair and improvement works)

PCH will investigate all reports of breaches of tenancy. We will look to resolve breaches of tenancy where possible by working with tenants in the first instance; however, we will take legal action where appropriate when a breach of tenancy occurs.

Where a breach of tenancy poses a serious threat to the health and safety of residents, staff or the general public, PCH will act urgently to resolve the issue using all legal options open to us.

3.1 Anti-Social Behaviour

PCH takes anti-social behaviour seriously and is committed to addressing such issues to ensure that residents are able to enjoy their homes and neighbourhoods with peace and security. PCH has separate policies which address anti-social behaviour.

Threatening behaviour towards PCH staff, contractors or representatives is unacceptable and will be dealt with as a serious breach of tenancy.

4. Lodgers and Subletting

The tenancy agreement establishes when a tenant may take in lodgers or sublet part of their home.

PCH will respond to requests to sublet part of the home on a case by case basis, with consideration given to the needs of the individual. Any permission granted will be issued in writing along with any conditions, although such permission will also be available in alternative formats as required by the tenant. PCH reserves the right to withdraw such permission at any time, subject to reasonable notice.

PCH will typically avoid involvement in disputes between tenants and their lodgers or subtenants, except where we consider there to be tenancy management implications.

5. Making Best Use of Housing

PCH has a limited stock of homes available to meet local housing needs. This means that it is essential that our homes are managed efficiently and effectively for maximum value and social impact.

5.1 Under-occupation

PCH will actively encourage residents who are under occupying their homes to consider moving to a property better suited to their requirements. This will enable another household with need of the larger property to occupy it.

In certain circumstances – such as where a successor tenant is occupying a property which is too large for their needs – we will work with the tenant to identify suitable alternative accommodation; however, if agreement cannot be reached then PCH reserves the right to take appropriate action.

5.2 Absence

PCH's expectation is that properties will be occupied and that, other than in exceptional circumstances, tenants will not vacate their properties for extended periods of time. If a property is vacant for an extended period, we may seek to terminate the tenancy. However, we recognise that there may be circumstances where a tenant may reasonably be away for an extended period, such as a stay in hospital. In such circumstances, we will not usually seek to terminate the tenancy.

During prolonged periods of absence PCH will periodically check that rent is being paid, the tenancy satisfactorily maintained, and that the tenant continues to intend to return to the property.

5.3 Abandonment

PCH will seek possession of a property where we believe that the tenant does not intend to return to their home. If we are unable to make contact with the tenant we will treat this as a case of abandonment.

PCH will take prompt action where we believe that a tenant may have abandoned their property. We will ensure that all appropriate checks have been made to establish, as far as is reasonable, that a property has been permanently abandoned before issuing a Notice to Quit. Where there are doubts about whether a property has been permanently abandoned we may instead serve a Notice of Seeking Possession.

5.4 Unauthorised Occupants

PCH will take necessary action to resolve any cases of unauthorised occupation in a timely manner. When dealing with cases of unauthorised occupation PCH will write to the occupier to inform them of their legal status.

Further details of PCH's approach to dealing with cases of unauthorised occupation can be found in our Tenancy Policy.

6. Tenancy Fraud

PCH works proactively to tackle tenancy fraud. Tenancy fraud inhibits our ability to meet our aims and objectives, lessening the available properties we have to house those in need.

There are many forms of tenancy fraud, such as misrepresenting personal circumstances in order to be allocated a property which an individual would not qualify for, or illegally

subletting a property in its entirety. PCH staff will act upon any belief or suspicion that an individual is committing tenancy fraud. Where PCH becomes aware of tenancy fraud we will actively address it, working in partnership with other agencies as necessary.

PCH may at times undertake data matching and credit checking with external agencies in order to confirm the legal occupation of its properties. In order to prevent fraud we will share relevant data with the local authority, police force and other statutory agencies as appropriate. Any use or sharing of data will be governed by our Data Protection Policy and relevant regulation.

7. Data Protection

In applying this policy, all members of staff must comply with PCH's Data Protection Policy and ensure that the personal information supplied by customers is protected at all times.

8. Equality and Diversity

PCH will apply this policy consistently and fairly, and will not discriminate against anyone based on any relevant characteristics, including those set out in the Equalities Act 2010.

PCH will make this policy available in other languages and formats on request.

We will carry out an equality impact assessment on this policy, in line with our corporate procedure.

9. Monitoring and Review

We will monitor this policy to ensure it meets good practice and current legislation and will review it in accordance with our review timetable for all policies.