

TENANCY AGREEMENT 2018

By Keith Wilson



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Peta Caine, 04/06/18

Why change?

- Regular tenancy agreement reviews are seen as good practice. Last review was in 2013.
- Changes in legislation means a review is necessary. However, we are awaiting Government guidance on The Housing and Planning Act 2016 and the proposed introduction of fixed term tenancies/ high value voids. Other changes in legislation such as GDPR have also made this necessary.
- Fixed Term Tenancies. Offering these for the longest period possible giving due account to community cohesion and sustainability. Wording used to cover this subject to legal advise.
- Opportunity to look at how we operate and what is best practice.
- Allows us to strengthen the tenancy agreement in key areas

Why change?

- Give us more ability to act on complaints in regards to asb, inconsiderate parking etc.
- A stronger agreement will enable us to tackle issues such as fly tipping where the tenant has been identified. Since April 2018 Tenancy Advisors have delivered 314 general letters to our flat blocks
- Substantially reducing the time we have to spend on cases not completely covered by the tenancy agreement.
- MRC Contract. With the amount being invested in this, it is important that the appointed contractors are able to work in a safe environment and also have access. We will also have the tools available to take the appropriate enforcement action to help manage our flat blocks when the refurbishment is completed.

Who's been involved?

- Changes are being developed in conjunction with Shared Legal Services
- We have consulted with a number of areas to ensure they have had an input into these changes: Stevenage Direct Services, Tenancy, Income, Independent Living, Anti Social Behaviour and Neighbourhood Wardens. Changes have been identified through the casework various teams are dealing with
- For benchmarking we have also looked at tenancy agreements in use by other local authorities
- Full consultation will also take place with tenants



What do we want to change?

- Independent living
- Access to property
- Health and safety (Smoking in property, threats to staff)
- Terminating your tenancy
- Anti-social behaviour (Pets, parking)

What's Changing contd..?

- **Independent living**
- Concerns raised as some residents allowing family members to reside with them who don't meet the criteria for independent living.
- Proposed change will advise permission will only be given in exceptional circumstances and only for a certain period of time
- This will not create a fast track for family members to be given housing
- **Access to property**
- A number of cases where residents have refused access for tenancy audits, investigation of complaints or for repairs/improvements. This has also been identified through working with residents in regards to hoarding.
- Proposed change will clarify under what circumstances the council can enter a property.

What's Changing contd..?

- **Health and safety**
- concerns raised by operatives working in our properties who wish to work in a smoke free environment.
- operatives have been threatened by residents.
- **Terminating your tenancy**
- Tenants have challenged recharges
- Relationship breakdown joint tenancies. Joint tenants are jointly and severally liable
- Greater clarity about the termination process and SBC's expectations

What's Changing contd..?

- **Antisocial behaviour**
- Concerns over pets causing nuisance and fouling in communal areas.
- Parking issues as permits are not enforceable.
- Clarity about what animals can and can't be kept at the property (i.e. dangerous animals, livestock etc.)
- Not feeding animals that are considered to be vermin.
- Advising residents where they can and can't park, so as not to cause a nuisance or obstruction.

What's next

- Bring proposals to informal exec – June, HMAB in July
- Consult with residents
- Plain English Review
- Equality Impact Assessment
- Bring to January 2019 executive
- Mail out with April 2019 rent notification