

Denbighshire County Council

Community Housing Services

Introductory Tenancy Policy

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Policy Statement

Denbighshire County Council Housing Services 'DCC' use introductory tenancies for all new tenants. The purpose of this policy is to ensure that they are used effectively and fairly and to promote a culture of acting responsibly. Introductory tenants do not have the same rights as secure tenants and consequently this policy should be read in line with other DCC policies including, succession and assignment, improvements to Council properties, anti social behaviour and also the Tenancy Agreement.

DCC will provide a responsive, supportive service throughout the tenancy to ensure maximum efficiency in assisting the new tenant to;

- ◆ sustain their tenancy
- ◆ integrate within the community
- ◆ understand their obligations and responsibilities in relation to their tenancy, especially to promote good community relations.

Unless there is significant change beforehand, the next review of this policy is due September 2018 and every 3 years thereafter.

Generally

An introductory tenancy is a probationary tenancy with a 12-month 'trial period' issued to all new tenants who accept the offer of a tenancy in one of DCC's properties. They will not be issued to tenants who transfer (unless they have an introductory or starter tenancy already) or, who undertake a mutual exchange. This type of tenancy enables DCC Housing Services to closely monitor the 'trial period' of a tenancy. If the tenant complies with the conditions of the tenancy agreement, they will automatically become a secure tenant after 12 months.

Responsibilities under this policy

DCC's overall objectives of this policy are to:

- ◆ Ensure that tenants understand the implications of an introductory tenancy

- ◆ Ensure that support is provided to enable new tenants to sustain their tenancy
- ◆ Ensure that effective and proportionate action is taken where new tenants breach their tenancy obligations
- ◆ Deter tenants from behaving anti-socially
- ◆ Encourage regular payment of rent
- ◆ Ensure that customers on an introductory tenancy are treated in a fair, consistent and non discriminatory way.

Equality and Diversity Implications

DCC recognise that tenants may belong to groups with diverse needs, beliefs and cultures and could be subject to inequalities and prejudice. However, in order to minimise this risk DCC Housing Services have a robust tenancy review and monitoring process in place in addition to the tenant's right to review DCC's decision to serve either a Notice of Possession Proceedings or Extension.

DCC Housing Services will strive to achieve equality and opportunity in all that it does whilst promoting positive actions by officers to overcome disadvantage and discrimination.

Sustaining Tenancies

DCC is attempting to provide housing for those in greatest need and has a commitment to support help tenants sustain their tenancies. It is important for DCC to consider any vulnerability when signing up new tenants. Every effort is made to identify any support needs in order to ensure, where possible, help is available during the course of a tenancy.

At the sign-up stage, all introductory tenants will be provided with a tenant handbook for guidance and useful information. Housing Management Staff will also discuss the tenancy with the tenant and explain the legal status of the introductory tenancy. Introductory tenants do not have the same legal

protection in a County Court as other tenure types and Housing Management Staff will make sure tenants are aware of this.

Housing Management Staff will undertake post sign-up visits within four - six weeks of the sign-up to ensure the tenant is adhering to the tenancy terms and address any issues. A further visit will be carried out between weeks 20-22. Tenants will be expected to abide by their tenancy agreement and the policies set out by DCC who will also want to ensure tenants' support needs have been adequately assessed.

If during the probationary period, there is any cause for concern; Housing Management Staff will approach the tenant in an attempt to discuss any difficulties. They will work with the tenant and other relevant agencies (if applicable) to try to resolve any breaches such as; rent arrears, anti-social behaviour or other tenancy breach. However, if they are not resolved DCC can:

- ◆ extend the Introductory Tenancy for a period of 6 months (therefore creating an 18 month introductory tenancy in total); or
- ◆ end the Introductory Tenancy.

Each case will be decided on its own merits and circumstances and this policy will be applied accordingly.

Serving Notice to end the Introductory Tenancy due to tenancy breaches

Prior to the service of notice and subsequent eviction proceedings, DCC will have been proactive in their management including; regular visits, contact and ensuring support needs are identified to assist sustaining the tenancy. DCC will have provided tenants with the opportunity to resolve all issues that lead to this action being taken.

In cases where there is sufficient evidence to warrant commencing action by serving notice on the tenant, a Notice of Possession Proceedings will be issued. This Notice can be served, where appropriate, at any time during the

course of the introductory tenancy and is the start of the possession process. Only the courts can evict the tenant. The tenancy will carry on as an introductory tenancy until the court case is determined.

Paperwork accompanying the notice, will inform the tenant of their right to request a review of DCC's decision to serve notice. The request for the review must be made within 14 days of the service of the notice. Clear written guidance will be provided to the tenant regarding this process.

Senior officers of DCC Housing Services, not involved in the decision to serve notice, will carry out the review. Where processes have been followed, eviction will be pursued if this is felt to be the most appropriate action by the review panel. Where the panel does not uphold the decision to bring eviction proceedings, Housing Management Staff will formulate a way forward with the tenant about maintaining their tenancy.

Decision to extend the probationary period of a tenancy

Housing Management Staff may choose to extend the probationary period of an introductory tenancy for a further 6 months. This will be in cases where there is sufficient evidence for concern, but where there is reason to believe the tenant should be given further opportunity to comply with the tenancy agreement.

A tenant will be served a notice of the decision to extend an introductory tenancy within the 12 month probationary period. The notice can be served no later than 8 weeks before the end of the 12 month trial period. Paperwork accompanying the notice, will inform the tenant of their right to appeal against DCC's decision to serve notice. The request for the review must be made within 14 days of the notice being served. Clear written guidance will be provided to the tenant regarding this process. Senior officers of DCC Housing Services, not involved in the decision to serve notice, will carry out the review.

If the tenancy is extended, at the end of the 18 month trial period, the introductory tenancy will automatically become a secure tenancy. However,

where breaches are not remedied or a further breach occurs, DCC may decide to commence possession proceedings and serve the Notice of Possession Proceedings.