

**Paragon Asra Housing Limited**

# Tenure Policy

October 2021

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<b>Owning manager</b>	Richard Clark, Lettings and HomeMoves Manager
<b>Department</b>	Housing Services
<b>Approved by</b>	EMT
<b>Next review date</b>	December 2023

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**Paragon Asra Housing Limited (PA Housing) is committed to equality and diversity. This policy has considered the Equality Act 2010 and its protected characteristics which are: race, gender, gender reassignment, disability, religion or belief, sexual orientation, age, marriage, civil marriage and partnership, and pregnancy and maternity explicitly.**

**PA Housing will make sure that all communication is fully accessible; to achieve this if a policy or document needs to be available in other formats they will be provided.**

## AUDIT LOG

Date of Change	Who updated	Details of the change
19/12/2019	Hannah Longden (Housing Operations Officer)	Removed references to Affordable Rent as a type of tenure and updated owning manager to Richard Clark, HomeMoves Manager. Updated language use ie 'PA...' instead of 'we' and 'colleagues' instead of 'staff' etc.
17/08/2021	Richard Clark Lettings and HomeMoves Manager	<p><b>Introduction</b></p> <p>Reference to decision to change to lifetime tenancies</p> <p><b>Section 3.1</b></p> <p>Removal of reference to fixed term tenancies</p> <p><b>Section 4.1</b></p> <p>Removal of option for fixed term tenancies</p> <p><b>Section 5.1</b></p> <p>Removal of reference of further fixed term tenancy in tenancy review</p> <p><b>Section 8.2</b></p> <p>Removal of reference to succession of fixed term tenancies.</p>


## **1. Introduction**

1.1 Paragon Asra Housing Limited (PA Housing) is committed to developing new affordable homes and therefore uses fixed term tenancies made available under the Localism Act.

1.2 This policy sets out the approach adopted by PA Housing with regards to the letting of our housing stock and tenancy provision. In April 2021 PA Housing received board approval to offer lifetime assured tenancies to those who may previously have been offered fixed term tenancies.

PA Housing will continue to be agile to any changes in legislation or national policy and ensure that our policy reflects our approach and provides clarity and information to tenants.

## **2. Objectives**

2.1 To issue occupation agreements that:

- meet regulatory requirements
- are compatible with the purpose of the accommodation
- meet the needs of individual households
- maintain the sustainability of the neighbourhood
- make efficient use of housing stock

2.2 This policy provides clarity on which tenancies will be offered and under which circumstances.

## **3. Key points of policy**

3.1 Our approach is as follows:

- PA Housing is committed to working with its local authority partners to help them meet their duty to assist people in housing need. Therefore, PA Housing will have regard to the tenancy strategy produced by each local authority in its area of operation.
- PA Housing has chosen to offer certainty to our customers by offering lifetime assured tenancies.
- PA Housing will use its Tenancy Sustainment Team, Tenancy Solutions Team and external partner agencies to work with customers before and during their occupancy, in order to help them sustain their tenancies.
- PA Housing will identify and tackle tenancy fraud in its housing stock within resource constraints.

## 4. Our tenancy options

4.1 The Tenure table below gives the different tenancy types and generally when PA Housing will use them:

Tenancy type	Offered to
Licence Agreement	<ul style="list-style-type: none"> <li>• Those who do not have exclusive occupation of their property, e.g. temporarily decanted</li> <li>• Those in temporary accommodation whose homelessness status is under investigation by the local authority</li> <li>• Those in agency-managed supported housing</li> <li>• Those in Supported Housing projects</li> <li>• Young people under the age of 18 as part of our 'Future Tenancy Agreement'</li> <li>• Garages</li> <li>• Boat moorings</li> </ul>
Starter Tenancy	<ul style="list-style-type: none"> <li>• Tenants in General Needs properties who will upgrade to an assured tenancy and housing for older people tenants who do not currently hold a tenancy with PA Housing</li> </ul>
Assured Shorthold Tenancy	<ul style="list-style-type: none"> <li>• All key worker tenants</li> <li>• Tenants renting market rent properties</li> <li>• Where an assured tenancy has been 'demoted' by court order due to anti-social behaviour</li> <li>• Agency managed supported housing, where tenants have exclusive possession of some part of the property. There may be a lack of certainty regarding the future support needs of the tenant, or the future funding or viability of the project</li> <li>• Young persons under the age of 18 where someone is willing to act as trustee</li> </ul>
Assured Periodic Tenancy	<ul style="list-style-type: none"> <li>• All housing for older people tenants who successfully upgrade from a starter tenancy</li> <li>• New tenants in General Needs properties who successfully upgrade from a starter tenancy.</li> <li>• All existing PA Housing tenants with Assured periodic tenancies who transfer within our stock.</li> <li>• New tenants living in an area where the local authority has indicated through their tenancy strategy that they wish us to use an assured periodic tenancy once the tenant is successfully upgraded from a starter tenancy.</li> </ul>
Assured Shorthold Social Rent, on a rolling monthly periodic	<ul style="list-style-type: none"> <li>• Offered to those housed in properties that PA Housing has a rolling contract to manage. Usually for charitable organisations. Due to this PA Housing are unable to offer an assured tenancy for life, and instead offer a rolling tenancy with the same rights.</li> </ul>
Protected Assured Tenancy	<ul style="list-style-type: none"> <li>• Existing tenants who were tenants of Elmbridge Housing Trust before 27 March 2000.</li> </ul>

Secure Tenancy	<ul style="list-style-type: none"> <li>Existing tenants of Richmond upon Thames Churches Housing Trust, LHA, Family First, Black Roof Homes, Anchor Housing, Solon Housing Association, Asra Midlands, Asra Greater London, Family Housing Association, Riverside Housing Association &amp; Community Housing Association, with a tenancy start date before 15 January 1989.</li> </ul>
Assured Shorthold Fixed Term 12 month tenancy	<ul style="list-style-type: none"> <li>Some Market Rent and Intermediate Rent Tenancies</li> </ul>
Co-Operative Contractual Tenancy	<ul style="list-style-type: none"> <li>Offered to tenants of the Co-operatives that PA Housing manages as a third-party agent.</li> </ul>
Beneficiary Letter of Appointment for Alms House	<ul style="list-style-type: none"> <li>Granted to residents of Almshouses, for which PA Housing acts as the Trustee.</li> </ul>
Equitable Tenancy	<ul style="list-style-type: none"> <li>Offered to those under 18 who aren't eligible to sign a tenancy but can have one held in trust until they turn 18.</li> </ul>
Furnished Tenancies	<ul style="list-style-type: none"> <li>Tenures of all types that pay an additional charge for furnishings and/or white goods.</li> </ul>

## 5. Assured tenancy review

- 5.1 Before the end of the 12 month starter tenancy period, PA Housing will carry out an assessment of housing need with the tenant. This will consider the conduct of the tenancy, current household make up, income and circumstances. As well as looking at whether the tenancy can convert to a fully assured lifetime tenancy, PA Housing will also help the tenant consider if other options, such as shared ownership or purchasing a home outright would be more appropriate.
- 5.2 If the tenant is no longer eligible for affordable housing, the existing tenancy will be ended, and no further tenancy granted.

## 6. Right of review

- 6.1 Tenants may request a review under the following circumstances:
- When a decision is made not to grant a lifetime assured tenancy at the end of the starter tenancy period;
  - When a decision is made to invoke a break clause to end a tenancy during a starter period;
  - When a decision is made to serve a notice requiring possession during a starter period.

## 7. Mutual exchange

7.1 PA Housing will ensure that tenants are able to exercise their right to exchange. Assured and assured periodic tenants have the right to exchange their tenancy subject to the consent of both landlords and certain exceptions. Starter and assured shorthold tenants do not have the right to exchange. Please see PA Housing's Mutual Exchange Policy for more information.

## **8. Succession**

8.1 Statutory succession rights apply to a spouse, civil partner and persons living in a similar relationship. In certain tenancies PA Housing may grant a new tenancy to close family members after the death of the tenant. In some cases, the family member may be required to move to a smaller property. Specific rights are detailed in the tenancy agreement.

## **9. Training**

9.1 PA Housing will carry out induction and refresher training for all relevant colleagues to make sure they are aware of this policy. The managers will receive specific training to provide the skills and knowledge to comply with our policy.

## **10. Monitoring and reporting**

10.1 Performance indicators will be used to monitor performance under this policy. PA Housing will compare its performance within PA Housing and with other landlords. PA Housing will also report to the executive management team, its board and customers.

## **11. Consultation**

11.1 Customers were consulted on whether this policy is clear, reasonable and easy to understand. Where customers didn't find the policy clear PA Housing changed parts of it to meet their suggestions.

## **12. Equality analysis**

12.1 This policy has undergone an equality analysis to make sure that PA Housing do not illegally discriminate against anyone and that it is accessible to everyone.

## **13. Legislation**

13.1 The following legislation has been considered:

Housing Act 1985 amended 1998  
Housing Act 1988 amended 1996  
Equality Act 2010  
Localism Act 2011

## **14. Linked policies**



Allocations  
Anti-social Behaviour  
Complaints  
Mutual Exchange  
Rent Setting