

Draft Tenancy Strategy Frequently Asked Questions

1. What is a Tenancy Strategy?

- A Tenancy Strategy is a plan that sets out how the social housing in an area is let and how long tenancies should be granted for.

2. Why has the Council decided to develop a Tenancy Strategy?

- The Localism Act 2011 requires each local authority to produce a Tenancy Strategy. Due to the huge shortage in social housing, this strategy will help the council manage social housing stock more efficiently and help people in the greatest housing need.

3. What are the main changes the Council is proposing to make?

- Prior to the Localism Act 2011, new council and housing association tenants would normally be granted a 'lifetime' tenancy if they comply with the conditions of their introductory / starter tenancy.
- Social landlords now have the freedom and flexibility to grant new tenancies on a fixed term basis and, at the end of the fixed term, to renew the tenancy, offer the tenant alternative social housing, or ask the tenant to move out and work with them to find them somewhere else to live.
- Issuing Fixed Term Tenancies, rather than lifetime tenancies for a period of five years.

4. When are the changes likely to happen?

- The proposal is for fixed term tenancies to start on the 1st January 2014. However, following the consultation it may be that the Tenancy Strategy is adopted at a later date.

5. If the proposed changes go ahead, what will happen to existing council and housing association tenants?

- Nothing will happen to them. The law protects the tenancy rights of existing secure tenants and assured tenants.

What happens at the end of my fixed term tenancy?

- Before the end of the tenancy, a review will be carried out to assess the individual circumstances of each tenant, in order to make a decision about whether the tenancy will be re-issued or brought to an end. Unless one of the conditions for not re-issuing a fixed term tenancy is met then a new fixed term tenancy will be granted to the tenant for a further five years. Please see Tenancy Strategy for full details.

7. Do I have appeal rights?

- Yes, the Council will have a rigorous appeal system and have a panel to listen to your review. This will also include Councillors who will be independent to your case and circumstances.

8. Will there be any people not given a five year fixed term tenancy?

- It is proposed that 5 year Fixed Term Tenancies are used for all new tenants.

Exceptions will be; -

Existing tenants of TDC or another affordable housing provider whose tenancy commenced before 1 January 2014 unless they move into a new house with affordable rent.

Older people who have reached state retirement age. In a couple this is where one person is at state retirement age.

Former armed forces personnel who have been both medically and honourably discharged and saw active service during their military career.

Households where the applicant, spouse/partner or dependent child has a disability (Disability defined within the Disability Discrimination Act as a person who has a physical or mental impairment that has a substantial and long-term effect on his or her ability to carry out normal day to day activities).

Applicants or spouse/partner who is terminally ill.

9. Will there be people given a shorter tenancy than 5 years?

- Yes, we will only offer two year fixed term tenancies where a housing applicant has a previous track record of anti-social behaviour,

- In areas where the Council is involved in a regeneration scheme. For example in areas where the empty property program is being delivered.

10. What is the difference between Social Rent and Affordable Rent?

- Social rents are set at about 40% of market rent levels, affordable rents are set up to 80% of market rent levels.
- Social rent levels are set according to the government rent restructuring formula. Affordable rents are set according to market conditions.