

# Starter Tenancy Policy

## 1.0 Introduction

This policy sets out our approach to offering and managing starter tenancies, including how a tenancy can be ended. A Starter tenancy is an Assured Shorthold Tenancy (AST) which is granted for a 12-month period, although it can be extended for a further 6 months. This policy also covers our approach for extending AST's.

Except for Fixed Term Tenancies, a starter tenancy converts to an Assured Tenancy at the end of the initial 12-month period unless it is ended or extended in line with legal requirements.

## 2.0 Purpose

The details and aims of this policy have been developed considering the objectives of Manchester's Strategy 2016-2025. In line with the strategy the aim of this policy is to promote and develop sustainable communities and supports MCC's strategic view that secure and assured tenancies are the preferred option where appropriate. All new tenants are offered an AST, which give One Manchester the ability to:

- Promote and achieve greater community sustainability.
- Enable quick and effective action to be taken in relation to a tenancy breach when Anti-Social Behaviour occurs (ASB).
- Monitor the tenancy closely to ensure the new tenant can sustain the tenancy.

## 3.0 Scope

The scope of this policy is to allocate and manage AST's in line with legislation including the revised Consumer Standard in particular the elements within covering the tenancy standard which states:

"Registered providers shall let their homes in a fair, transparent and efficient way. They shall consider the housing needs and aspirations of tenants and potential tenants."

"Registered Providers shall issue tenancies or terms of occupation which are compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community, and the efficient use of their housing stock"

This policy does not cover the management of Fixed Term Tenancies, which is covered in One Manchester's Tenancy Policy.

## 4.0 The Policy

### 4.1 Assured Shorthold Tenancies

Assured Shorthold tenants have fewer rights than an Assured tenant, however once the probationary period is over an Assured Tenancy is created and these restrictions no longer exist.

Starter tenants do not have the right to:

- Take in lodgers.
- Exchange their tenancy.
- Carry out improvements/alterations.
- Acquire the property.
- Sublet any part of the property.

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For Assured Shorthold Tenancies we will:

- Help future tenancy sustainability, by working with potential tenants from the point of an offer being made to ensure they can manage a tenancy by carrying all the pre-tenancy checks as detailed in our tenancy policy.
- Conduct a post tenancy support visit within 6 weeks of the start of the tenancy. The number and frequency of subsequent visits will be agreed with the tenant depending on their vulnerability and how the tenancy is being managed.
- Provide Information, advice, and Guidance in relation to benefit claims, income maximisation, accessing benefits, maintaining the tenancy and how to conduct the tenancy.
- Have in place a process to end any Assured Shorthold tenancy in accordance with Section 21 of the Housing Act 1988 or other legislation where a breach of tenancy occurs. Any legal action taken to recover the tenancy under section 21 will require approval by an Executive Director.
- Have in place a process for extending Assured Shorthold Tenancies due to less serious breaches of tenancy and in accordance with the appropriate tenancy agreement. Any extension to an Assured Shorthold Tenancy will be approved by a Head of Service.
- Have in place an appeal process in the event a request to extend a tenancy is made or if legal action is proposed to recover the tenancy. The appeal process will have a review panel and will be independent of those involved in the management of the case.
- Any appeals panel will include an OM Board Member or OM Scrutiny Panel Member and an Executive Director or Head of Service not involved in the original case.
- Work with appropriate agencies to ensure appropriate support is in place and that support is maintained.
- Have in place a process to end any Assured Shorthold tenancy in accordance with Section 21 of the Housing Act 1988 or other legislation where a breach of tenancy occurs. Any legal action taken to recover the tenancy under section 21 will require approval by an Executive Director.
- Have in place a process for extending Assured Shorthold Tenancies due to less serious breaches of tenancy and in accordance with the appropriate tenancy agreement. Any extension to an Assured Shorthold Tenancy will be approved by a Head of Service.
- Provide comprehensive Information, Advice and Guidance will to Starter Tenants throughout their tenancy and in the case of any action taken to extend or recover the tenancy.

When granting an Assured Shorthold Tenancy new tenants are informed these tenancies convert to an Assured Tenancy after twelve months if no breach of tenancy has occurred. If the tenancy is maintained and no breaches occur, we will write to customers and inform them that their tenancy has converted.

All checks and support will be provided considering One Manchester's Adults at Risk of Harm Policy and the framework within it.

### **4.2 Pre – Tenancy Checks**

Pre tenancy checks will be carried out in line with our tenancy policy and if these are not adhered to the offer may be withdrawn.

The purpose of the pre –tenancy checks, in particular the Affordability Assessment is to ensure we have a full financial assessment for a prospective tenant. This will assist us in providing the most appropriate support to the new tenant from the start of the tenancy to make it sustainable for the future.

### **5.0 Method and approach**

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This policy should be read in conjunction with the procedures and guidance notes and the following complementary policies:

- Allocations Policy.
- Anti-Social Behaviour and Hate Crime Policy.
- Tenancy Policy
- Adults at Risk of Harm Policy.
- Domestic Abuse Policy.

### **6.0 Responsibility**

The Executive Director of Customers and Communities is responsible for ensuring this policy complies with legislative requirements.

Managers and staff who deal with the allocation and tenancy management of properties are responsible for implementing this policy.

### **7.0 Equality**

One Manchester will ensure that this policy is applied fairly to all our customers. We will not directly or indirectly discriminate against any person or group of people because of their race, religion, gender, marital status, sexual orientation, disability, or other grounds set out in our Equality, Diversity, and Inclusion Policy.

An Equality Impact Assessment has been carried out on this policy.

### **8.0 Monitoring, review, and evaluation**

In monitoring this policy, we will:

- Report the number of Assured Tenancies extended to Place Committee twice a year.
- Provide details of any tenancies ended early to Place Committee twice a year.
- This policy will be reviewed every 3 years or in line with legislation changes.

### **9.0 Legislation**

This policy has been written in accordance with relevant guidance and legislation, which includes:

- The Localism Act 2011.
- Manchester's Strategy 2016-2025.
- Homes and Communities Agency Tenancy Regulatory Standards.
- Housing and Planning Act 2016.