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## Starter Tenancy Policy

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## 1. Introduction

This policy sets out the objectives, principles and requirements of Salix Homes' starter tenancy scheme for new tenants.

A starter tenancy is an assured shorthold tenancy, granted under the terms of the Housing Act 1988, which lasts for a maximum of one year, or 18 months if it is extended. Starter tenants have fewer rights than secure or assured tenants and the tenancy can be brought to an end more easily if it is not being conducted satisfactorily.

Providing new tenants with a starter tenancy allows a probationary period for them to demonstrate that they can manage their tenancy to a satisfactory standard before they become an assured tenant; and for Salix Homes to identify and assist with meeting any support needs to help them manage their tenancy and so reduce tenancy failure.

## 2. Aim / Purpose of the Policy

This policy will ensure that Salix Homes will:

### **Monitor starter tenancies to assist sustainability**

- Assist in increasing the sustainability of tenancies and communities, by monitoring that new tenants are able to maintain their tenancy and comply with their tenancy agreement during a 12 month probationary period.

### **Provide support and assistance**

- Identify vulnerable at risk tenants and provide support at the earliest opportunity and throughout the probationary period where it is needed, to reduce tenancy failure.

### **Tackle anti-social behaviour, rent arrears and tenancy issues**

- Encourage new tenants to refrain from nuisance and anti social behaviour utilising early intervention and prevention methods to tackle any anti-social behaviour or other tenancy issues.
- Promote financial inclusion and encourage and support new tenants to keep their rent account clear, so preventing rent arrears accruing.
- Identify and tackle issues relating to tenancy fraud.

### **Build a positive landlord and tenant relationship; information, involvement and consultation**

- Use the probationary period to build a positive landlord and tenant relationship by providing information, advice and support as needed, promoting involvement opportunities and ensuring that services are accessible

### **Extend or end a starter tenancy where there is an ongoing breach of tenancy**

- Give tenants the opportunity to rectify any tenancy breaches and sustain the tenancy, by extending the starter tenancy period if they have been assessed as not conducting the tenancy satisfactorily or a suspected breach of tenancy needs more time for investigation at the end of the 12 months.
- Use the legal powers available to end the tenancy for ongoing and / or significant breaches of the tenancy conditions, only where all other options to resolve the matter have been explored and the

action is proportionate to the individual case.

### 3. Policy

#### **Monitoring starter tenancies to assist sustainability**

Salix Homes will:

- Give all new tenants a starter (assured shorthold) tenancy for a period of 12 months, unless they are moving directly from an existing secure or assured tenancy.
- Carry out a new tenancy visit to all starter tenants within the first 6 weeks of the tenancy to ensure the tenant has moved into the tenancy, and to address any early issues or concerns for the tenant or Salix Homes.
- Make at least 2 additional contacts with the tenant after the new tenancy visit and during the 12 month probationary period, one of which will be a home visit during the eighth month with the purpose of assessing if the tenancy has been conducted satisfactorily.
- Review management information relating to the conduct of the tenancy prior to making contact with the tenant, in order to identify the most effective means of contact and potential issues that will need discussing to provide the best chance of a successful conversion to an assured tenancy. This review will include any failure to gain access for pre-arranged tenancy visits delivered as part of this policy.
- Proactively monitor and analyse sustainability by neighbourhood, property type and customer profiles, so resources can be targeted effectively to those in need of additional management or support.
- Automatically convert a starter tenancy to an assured tenancy where it has been conducted satisfactorily during the probationary period and no action has been taken to end or extend it.

#### **Providing support and assistance**

Salix Homes will:

- Proactively work to identify tenants who may be at risk of not sustaining their tenancy at or before sign-up.
- Proactively work to identify tenants in need of support during every contact with the tenant during the probationary period, and in particular at the new tenancy visit and any additional tenancy monitoring visits.
- Offer tailored support and advice to tenants who need it, from internal and / or external support services, to help them with sustaining their tenancy and successfully converting to an assured tenancy.
- Provide advice about financial inclusion and money matters to tenants at sign-up, giving starter tenants the opportunity to request support with a money issue from the beginning of their tenancy and throughout the probationary period, to help them meet their obligations for paying rent.

#### **Tackling anti-social behaviour, rent arrears and tenancy issues**

Salix Homes will:

- Ensure that starter tenants are made aware of the importance that Salix Homes places on the tenancy agreement and rent payments, and the consequences of any breaches of the agreement which could result in legal action being taken against them.
- Utilise early intervention and prevention methods to tackle any tenancy issues in line with the Anti-

Social Behaviour, Income Management and other tenancy procedures.

- Utilise the starter tenancy monitoring visits as a means of ensuring that issues faced by the new tenant in relation to paying rent, anti-social behaviour or other tenancy matters are reported and dealt with in line with the relevant policies and procedures.
- Utilise the starter tenancy monitoring visits as a means of identifying and tackling tenancy fraud in line with our tenancy fraud policy and procedures.
- Use the powers available to end the tenancy for ongoing and / or significant breaches of the tenancy conditions where all other options to resolve the matter have been explored and the action is proportionate to the individual case.

### **Building a positive landlord and tenant relationship; information, involvement and consultation**

Salix Homes will:

- Provide all starter tenants with information about their rights and responsibilities under law whilst they are a starter tenant, making clear the differences between starter tenancies and assured tenancies, in particular with regards to rights of assignment, exchange, taking in lodgers or subletting, carrying out improvements to their property and the right to acquire.
- Consider requests for starter tenants to exchange, take in lodgers or sub-let where this would assist them with paying their rent or managing their tenancy, in line with provisions of the Lodger & Subletting and Management Move policies.
- Identify any communication or access needs that new tenants may have, and record these needs on the housing management system in order to ensure that all services provided to the tenant by Salix Homes recognise them.
- Promote the starter tenancy monitoring visits as an opportunity for tenants to ask for advice or information about their home, tenancy or neighbourhood.
- Promote Salix Homes involvement opportunities to starter tenants when making contact with them, and making referrals where appropriate.
- Inform tenants in writing when their tenancy has been converted to an assured tenancy.
- Give starter tenants the opportunity to complete a satisfaction survey at the end of their probationary period, which will be used to review the process.
- Seek the views of starter tenants and consult with other Salix Homes customers when reviewing the starter tenancy policy and procedure.

### **Extending or ending a starter tenancy**

Salix Homes will:

- Extend a starter tenancy for a further and final 6 months, if there is a breach of tenancy and action is not being taken to end the tenancy. This may include; anti-social behaviour, rent arrears or tenancy management issues where the issue was not serious enough to start possession proceedings or there were extenuating circumstances which prevented taking court action, and more time is required to enable the tenant to resolve the issues.
- Extend a starter tenancy for up to a further 6 months, where more time is needed to investigate an allegation or suspicion of a breach of tenancy. If the investigation subsequently finds that the allegation or suspicion was unfounded the tenancy will be converted to an assured tenancy on the conclusion of the investigation. If the breach of tenancy is proven, the probationary period will continue up to a maximum of 18 months in total and during this time a decision will be taken on whether to take action to end the tenancy. No further extension period can be made.
- Extend a starter tenancy for up to a further 6 months where the tenant has appealed the serving of a notice of proceedings for possession and the appeal is unlikely to be heard before the 12 month

anniversary of the starter tenancy.

- Use a section 21 notice to end a starter tenancy where there are ongoing or significant breaches of the tenancy agreement, such as failure to pay rent and consistent poor payment patterns leading to rent arrears with no evidence of engaging with officers to agree a repayment plan; repeated or single serious breach of the tenancy agreement due to antisocial behaviour from the tenants, occupants or visitors to the tenant's home; any other consistent breach of the tenancy agreement such as failure to allow access for essential works or tenant damage to the property.
- Only use powers to end a starter tenancy when all other options to resolve the matter have been explored and the action is proportionate to the individual case. A decision to start action to end the tenancy will be taken in line with the Income Management, Anti-Social Behaviour or relevant tenancy policies, and will not begin at an earlier stage than it would for any other tenure type.
- Give tenants the right to appeal a decision to end or extend a starter tenancy, and withdraw the notice served if the appeal is successful.

#### 4. Service Standards & Performance Measures

##### **Monitoring starter tenancies to assist sustainability**

- % of starter tenancies sustained in the first 12 months
- % of new tenancy visits completed within 6 weeks of the tenancy start date
- All starter tenancies to have received 2 contacts within the first 12 months of the tenancy (not including the new tenancy visit)
- Number and proportion of failed tenancies by reason for failure, neighbourhood, property type, and customer profile (gender, age).

##### **Providing support and assistance**

- % of starter tenants identified as being at risk successfully converting to an assured tenancy after 12 months

##### **Tackling anti-social behaviour, rent arrears and tenancy issues**

- % of starter tenants with no debit on their rent account
- % of starter tenants with a tenancy breach (other than rent arrears) that successfully convert to an assured tenancy after 12 months

##### **Building a positive landlord and tenant relationship; information, involvement and consultation**

- % starter tenants taking up opportunities for involvement with Salix Homes
- % starter tenants satisfied with contacts (dates and times, information given and helpfulness of staff)
- % starter tenants found contacts useful
- % starter tenants satisfied with the condition of their home
- % starter tenants satisfied with their neighbourhood as a place to live
- % starter tenants satisfied with the overall services provided to them

##### **Extending or ending a starter tenancy**

- % of starter tenancies extended
- % of starter tenancies ended through service of a section 21 notice
- Number of appeals received and % upheld.

## 5. Risks

### Monitoring starter tenancies to assist sustainability

Risk	Control	Lead Officer(s)
Insufficient information available to assess and understand reasons for tenancy failures.	Use of housing management system to record and report on all available data. Consultation with employees and customers when reviewing performance and procedures.	Customer Support Manager
Unable to gain access to conduct tenancy visits.	Clear procedures for access within starter tenancy procedure Communication needs obtained and recorded on housing management system Use of abandoned properties policy and procedure or enforcement where needed.	Customer Support Manager Tenancy Management Manager

### Providing support and assistance

Risk	Control	Lead Officer
Unable to successfully identify tenants at risk	Review of failure rate and processes Staff training and visit documentation	Customer Support Manager
Tenants not engaging with support available	Information provided at sign-up Dedicated support and money advice officers Joint working between officers providing support and enforcement Joint working with external support agencies	Customer Support Manager

### Tackling anti-social behaviour, rent arrears and tenancy issues

Risk	Control	Lead Officers
Employees carrying out tenancy contacts provide incorrect information or take action that compromises action taken by tenancy management or income officers to deal with a tenancy breach.	Housing Management Checks carried out prior to all tenancy contacts. Income or Tenancy Management officers assigned contacts where there are known issues, other than support issues. Contact documentation to support liaison with Income and Tenancy Management officers pre and post contact where issues identified.	Customer Contact Supervisor Customer Support Manager

### Building a positive landlord and tenant relationship; information, involvement and consultation

Risk	Control	Lead Officer(s)
Customers given incorrect information about their tenancy rights and responsibilities	All information checked to ensure it is in line with tenancy agreement and legislation. Procedures and forms reviewed and updated in line with any new legislation or guidance	Tenancy Specialist Customer Support Manager
Customer consultation on policy and procedures inadequate to inform decision making	Review who we consult with periodically	Customer Support Manager
Customers receiving a poor standard of service during their probationary period	Customer satisfaction survey sent out at end of probation period and issues identified actioned Monitoring and follow up of issues raised during visits.	Customer Support Manager Customer Contact Supervisor

### Extending or ending a starter tenancy

Risk	Control	Lead Officers
Unable to secure extension or eviction through not following correct procedures	Specialist court officers in post. Staff training. Legal advice sought on procedures and forms	Income Managers Tenancy Management Manager

## 6. Related Procedures & Documents

Starter Tenancy Procedure  
 Move in support plan  
 Contact Form (6 weeks, 4 months and 8 months)  
 Notice to extend  
 Section 21 Notice  
 Notice of Seeking Possession.  
 New tenancy visit letters 1 & 2  
 Tenancy monitoring visit letters 1 & 2 (4 and 8 month)  
 Empty property policy and procedure  
 Abandoned Properties policy and procedure  
 Anti-social behaviour policy and procedure  
 Income collection policy and procedure  
 Lodger and sub-letting policy  
 Management move policy  
 Succession and assignment policy and procedure  
 Mutual exchange procedure  
 Tenancy Fraud Policy & procedure

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 Page 7 of 8

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## 7. Responsibilities

Monitoring starter tenancies to assist sustainability – Customer Support Manager; Empty Properties Manager; Customer Contact Supervisor

Providing support and assistance – Customer Support Manager; Customer Support Co-ordinator; Money Advice Co-ordinator; Empty Properties Manager

Tackling anti-social behaviour, rent arrears and tenancy issues – Tenancy Management Manager; Income Management Managers

Building a positive landlord and tenant relationship; information, involvement and consultation – Tenancy Specialist; Customer Involvement and New Initiatives Manager; Customer Support Manager; Customer Contact Supervisor

Extending or ending a starter tenancy – Tenancy Management Manager; Income Management Managers

## 8. Related Legislation

Housing Act 1988; section 21 and schedule 2 Grounds for Possession; section 8 Notice of proceedings for possession.

Housing Act 1996

Regulatory Framework for social housing in England 2012 – Tenancy Standard

Human Rights Act 1998

Data Protection Act 1998 (as amended by statutory instrument 2002 No. 2905)

The Prevention of Social Housing Fraud Act 2013