

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 can be extended for a further 6 months. This policy also covers our approach for extending AST's.

With the exception of 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 giving consideration to the objectives of Manchester's Tenancy Strategy. 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 is the preferred option where appropriate. All new tenants are offered a AST, which give us the ability to;

- Promote and achieve greater neighbourhood sustainability;
- Enable quick and effective action to be taken in relation to a tenancy breach in particular Anti Social Behaviour (ASB);
- Allows One Manchester to monitor the tenancy closely to ensure the new tenant is capable of sustaining the tenancy;

3.0 Scope

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

“Registered providers shall let their homes in a fair, transparent and efficient way. They shall take into account 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;
- To exchange their tenancy;

- To carry out improvements/alterations;
- Acquire the property;
- Sublet any part of the property.

For Assured Shorthold Tenancies we will:

- Conduct a post tenancy support 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 an appeals 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 a OM Board Member, OM Scrutiny Panel Member and a Group Director or Group Head of Service;
- 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 a 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 Group Head of Service.
- Provide comprehensive Information, Advice and Guidance will be provided to Starter Tenants throughout their tenancy and in the case of any action taken to extend or recover the tenancy.
- Help future tenancy sustainability, by working with potential tenants from the point of an offer being made to ensure they are able to manage a tenancy by carrying all the pre-tenancy checks as detailed in our tenancy policy.

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.

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 and Credit Check 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

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

- Allocations Policy;
- Anti Social Behaviour and Hate Crime Policy;
- Tenancy Policy;
- Domestic Abuse Policy.

6.0 Responsibility

The Group Director of 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 Monitoring, review and evaluation

In monitoring this policy we will:

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

8.0 Legislation

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

- The Localism Act 2011;
- Manchester City Council's Tenancy Strategy 2012;
- Homes and Communities Agency Tenancy Regulatory Standards;
- Housing and Planning Act 2016.