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| Committee: Housing Management and Almshouses Sub-Committee | Date: 20/01/2019 |
| Subject: Tenancy Policy Review | Public |
| Report of: Director of Community and Children's Services | For Decision |
| Report author: Liam Gillespie, Head of Housing Management | |

Summary

The current Tenancy Policy was approved by this Committee in 2017 and is now due for review.

The policy has been modified in one section in order to clarify our approach to joint tenancies following relationship breakdown. No other material changes have been made to the policy.

Recommendation

Members are asked to:

- Approve the Tenancy Policy for use by the Housing Service

Main Report

Background

1. The Tenancy Policy was last approved by Committee in January 2017. It outlines our approach to the management of Secure and Introductory Secure tenancies, including granting, changing or ending these tenancies.
2. The Policy has been reviewed and is now submitted to Members for approval. It is proposed that, in common with most other policies used by the Housing Service, the review period is extended to three years.

Current Position

3. The Tenancy Policy was reviewed to check that it accurately reflected current legislation, regulation and good practice in tenancy management.
4. Colleagues in the Comptroller and City Solicitor's Department advised that section 11, 'Ending Joint Tenancies', should be re-written as it was capable of being misinterpreted; revised wording has been supplied for this section.

5. There is a common misconception that landlords can simply remove the name of a joint tenant from a tenancy if that person is no longer living in the household, for example following relationship breakdown. We are quite frequently asked by the remaining tenant to remove the non-resident joint tenant's name from a tenancy for this reason, sometimes many years later.
6. Section 11 of the policy has been re-written to make the remaining tenant's options clear in situations where one joint tenant has left the property. In these situations, the onus is very much on the tenants to take the appropriate action to resolve the situation.
7. No other material changes have been made to the Tenancy Policy. The changes will be reflected in a document management table within the policy itself, to assist with tracking changes to the document in future.

Conclusion

8. The Tenancy Policy has been reviewed and, except for section 11, remains unchanged.
9. It is proposed that the policy is not reviewed again until 2023 or following a significant change to tenancy legislation or regulations should that occur in the meantime.

Appendices

- Appendix 1 – Tenancy Policy (version 2 – 2020)
- Appendix 2 – Section 11 – Ending Joint Tenancies (2017 text)

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