

Committee	Dated:
Housing Management and Almshouses Sub Committee	27 April 2015
Subject: Tenancy and Rents Policy	Public
Report of: Director of Community and Children's Services	For Decision

Summary

This report seeks approval for the draft Tenancy and Rents Policy, which sets out the City's policies in relation to its stock of social rented homes – both within the Square Mile and outside.

It has been developed in order to bring the City's policies in relation to tenancy and rent in line with its *Tenancy Strategy* and updates policy in the light of changes to government legislation. The policy sets out the types of tenancy the City will offer, the policy for increasing rents and covers issues such as succession, fraud and tenancy demotion.

The key changes include:

- the addition of "flexible tenancies" as type of tenancy available for use by the City
- the City's willingness to apply to the Court to "demote" tenancies in response to anti-social behaviour and threats to staff
- reduced entitlement to succession for new tenants, and
- an approach to increasing rents that is in line with the government's policy of inflation plus one per cent.

Recommendation

Members are asked to:

- approve the Tenancy and Rents Policy.

Main Report

Background

1. The City of London published its *Tenancy Strategy* in 2014 in fulfilment of the requirements of the Localism Act 2011. The City is now publishing a Tenancy and Rents Policy to:

- bring the City's approach to tenancy and rent policy in line with its strategy
- update policy in the light of changes to government legislation or guidance
- reflect any changes in practice within the City, and
- introduce new policies.

2. It also fulfils the requirement of the *Regulatory Framework for Social Housing in England 2012* that the City publish a tenancy policy outlining the approach to flexible tenancies and other tenancy management policies for its own stock.

Proposals

3. A draft City of London Tenancy and Rents Policy has been prepared for Members' consideration (see Appendix 1). The policy covers:
 - the types of tenancy the City offers
 - joint tenancies
 - tenancy demotion
 - tenancy succession
 - mutual exchange
 - transfers
 - social housing fraud
 - rent policy.
4. The policy extends existing practice and policy in the City, and makes a number of changes or additions to reflect changes in legislation or government policy. The key changes are set out in the paragraphs below.
5. The revised policy adds the "flexible tenancy" introduced by the Localism Act 2011 to the types of tenancy offered by the City. In line with the City's *Tenancy Strategy* such tenancies will only be offered in very limited circumstances and do not have any impact on existing tenants. The policy sets out the types of circumstance in which a flexible tenancy might be used, and when the City would not renew such a tenancy.
6. The policy also sets out the City's willingness to seek a demotion order from the Court where a tenant of the City is engaged in anti-social behaviour. If the court grants a demotion order, the tenancy will cease to be a secure tenancy and become a demoted tenancy for an initial period of twelve months. A demoted tenancy has fewer rights and can be more easily ended if the problems that led to demotion continue.
7. The Localism Act introduces changes to the right of succession for tenancies granted from 1 April 2012. The City's policy reflects these changes, which remove the right of a member of the family to succeed the tenancy of a deceased tenant, allowing only one statutory succession to a spouse or civil partner of the deceased tenant.
8. The City's policy for increasing social rents is set in line with government policy. This sets increases at the level of the Consumer Price Index (CPI) rate of inflation plus 1 per cent for the next ten years from April 2015. The service charges for properties will rise in line with the cost of providing services.
9. The development of the policy has been supported through consultation with the Housing User Board – a consultative group of City tenants and leaseholders.

10. An Equality Impact Assessment was undertaken for the preparation of the Tenancy Strategy which remains relevant to this policy.

Corporate & Strategic Implications

11. The City's *Corporate Strategy* seeks a world class City which supports our communities through the appropriate provision of housing, and supports a safer and stronger City through supporting community cohesion. This policy supports the delivery of that vision.

Conclusion

12. The City of London Tenancy and Rents Policy has been developed to bring up to date current policy and practice and ensure it is in line with both the City's *Tenancy Strategy* and changes introduced by the Localism Act 2011.

Appendices

- Appendix 1 – Tenancy and Rents Policy

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