

## Onward Tenancy Policy

### 1. Aim

- 1.1. Onward aims to meet all applicable statutory and legal requirements in relation to the form and use of Tenancy Agreements or terms of occupation. In particular we will meet the requirements of the Tenancy Standard of the Regulatory Framework for Social Housing.
- 1.2. We will grant tenancies that are compatible with the purpose of the accommodation, the needs of individual households, sustainability of the community and the efficient use of our housing stock.

### 2. Scope

- 2.1. This policy sets out our approach to issuing tenancies for rented properties across Onward Homes. The policy applies to all general needs, older persons, supported, market rent and intermediate market rent properties.

### 3. Tenancy Types

- 3.1. In order to comply with the Tenancy Standard, the table below sets out the type of tenancies that we grant, the circumstances when they are used and timescales involved where applicable. Our approach is to offer tenancies which provide a reasonable degree of stability to tenants of Onward properties.

Tenancy Type	Circumstance used	Tenancy Agreement Length
Assured Tenancy	<ul style="list-style-type: none"> <li>• Existing tenant's starter tenancy (Probationary) converts on the 12 month anniversary</li> <li>• Given to tenants who have been a Social Housing tenant prior to and since Section 154 of the Localism Act 2011 (1.4.12) came into force and have remained a social housing tenant since that date.</li> </ul>	Lifetime tenancy (generally for as long as the tenant requires it and provided they continue to abide by tenancy conditions).
Assured Shorthold	<ul style="list-style-type: none"> <li>• Onward is the Leaseholder</li> <li>• Intermediate Rented Properties</li> <li>• Rent to Buy</li> <li>• Market Rent Properties</li> <li>• Live/Work Schemes</li> <li>• Customers have limited leave to remain in the UK</li> </ul>	Minimum 6 months

	<ul style="list-style-type: none"> <li>• Where there are asset management issues that may result in a future disposal of the property</li> <li>• where the tenancy is tied to support requirements and or is limited to a period of time for move on accommodation</li> </ul>	
Demoted Assured Shorthold Tenancy	<ul style="list-style-type: none"> <li>• A demotion order can be awarded by a court where an assured or secure tenant engage in conduct causing nuisance or annoyance.</li> </ul>	Provided the tenant does not cause nuisance or breach their tenancy obligations during the demoted tenancy term, their previous tenancy status will be reinstated after 12 months.
Assured Tenancy with Protected Rights	<ul style="list-style-type: none"> <li>• Existing tenants whose tenancy start date preceded a Local Authority/New Town stock transfer will have protected rights whilst they remain in their home or if they transfer into a new Onward property (even if the property has been designated an Affordable Rent property).</li> </ul>	Lifetime tenancy (generally for as long as the tenant requires it and provided they continue to abide by tenancy conditions).
Secure Tenancy	<ul style="list-style-type: none"> <li>• Existing tenants where the tenancy start date preceded 15th January 1989</li> </ul>	Lifetime tenancy (generally for as long as the tenant requires it and provided they continue to abide by tenancy conditions).
Fixed Term Tenancy	<ul style="list-style-type: none"> <li>• Maximise use of specially adapted stock</li> <li>• Make best use of stock or property types in high demand</li> </ul>	Currently not used by Onward Homes.

3.2. In addition to the above, we may on occasions issue licenses in cases where the temporary occupation of a property is appropriate.

3.3. In accordance with section 154 of the Localism Act 2011, Onward will grant those who were social housing tenants on this day and have remained social housing tenants since this date, a tenancy with no less security than previously. (This requirement does not apply where tenants choose to move to accommodation let on Affordable Rent terms). We will also grant tenants who have been moved into alternative accommodation during any redevelopment or other works a tenancy with no less security of tenure on their return to settled accommodation.

#### 4. Succession and Assignment

- 4.1. Succession rights are generally a statutory entitlement to a spouse/cohabitee/civil partner (and sometimes family members) in the event that the tenant dies. Such succession rights will be acknowledged by Onward when certain conditions are met, usually that the potential successor was living with the deceased tenant at the time of or immediately prior to the tenant's death. There may be additional contractual rights for spouse/cohabitee/civil partners and family members relating to succession within the deceased tenant's Tenancy Agreement and these will be taken into account. In most cases, only one succession will be permitted. Some Tenancy Agreements may allow for a second succession.
- 4.2. Onward will consider requests for discretionary succession, taking account of the needs of vulnerable household members where the person is a member of the deceased tenant's family and they meet all of the following:
  - 4.2.1. Resided with the tenant for a minimum of 12 months preceding the tenants death (6 months for Assured Tenants with Protected Rights) and Occupied the premises as his or her principal home at the time of the Tenant's death:
  - 4.2.2. Is a suitable beneficiary of Onward's charitable objectives;
  - 4.2.3. Will agree in writing to abide by the terms of the tenancy.
- 4.3. Consideration may also be given to whether the premises are suitable in all other circumstances and succession may be refused if this is not the case.
- 4.4. Assignment is the transfer (passing on) of the tenancy to somebody else, whilst the tenant is still alive. Generally, assignment is prohibited without the consent of Onward and such consent will not be unreasonably withheld. However, assignment is restricted by the tenancy type and relevant clauses within the Tenancy Agreement.
- 4.5. Further detail on our approach to succession is set out in our Succession Policy.

## **5. Vulnerable Tenants**

- 5.1. We will have a particular focus on ensuring that our tenancies provide a reasonable degree of security for those households considered vulnerable by reason of age, disability of illness and households with children.
- 5.2. Where a tenant has been identified as vulnerable we will work with them to try and provide access to additional support to help them understand their tenancy. We will also provide services to support tenants to maintain their tenancy and prevent unnecessary evictions.

## **6. Responsibility and monitoring**

- 6.1. The Regional Director Greater Manchester will be responsible for ensuring the policy is complied with.
- 6.2. This Policy will be reviewed every 2 years and as required by the introduction of new legislation, changes in regulatory standards, changes in the tenancy strategies produced by Local Authorities in the areas where Onward owns social rented properties or as a result of system audits.

Linked Documents	Tenancy Policy, Adaptations Policy, Tenancy and Neighbourhood Management Policy, Lettings Policy, Tenancy Fraud Policy, Mutual Exchange Policy
------------------	--

Date implemented:	April 2023
Policy lead:	Andrew Lord
Approved by:	Executive Team
Approved on:	11 April 2023
Next Review date:	April 2025

Reference Number:	TEN03
Version:	3.0
Document Replaces:	Onward Tenancy Policy v2