Abri Tenure Policy

VERSION [1.2]

Sections Amended	Date of update	Approved by
First draft of Abri Tenancy policy	February 2021	GCB
Changes to author job title	1 March 2023	GB
Post GB 01.03.2023 - updated linked policies and procedures – Section 5	2 March 2023	N/A
Minor changes to tenancy types offered to align ways of working. Updated Policies and Procedures.	April 2024	Head of customer partnership as minor amendments 25/04/2024

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1. Introduction

1.1 Abri[1] is committed to providing affordable housing for rent. The purpose of this policy is to set out the types of tenancies we will offer to best meet the housing needs of our customers. We understand that providing security of tenure is important in sustaining successful tenancies and communities which thrive.

1.2 The Tenancy Standard requires us to set out what types of tenancy we will offer our customers.

1.3 To support the Tenancy Strategies of the Local Authorities in which we operate we have aligned our approach to ensure we continue to work collaboratively towards shared goals.[2] The policy also demonstrates how we will address under and over-occupation and the letting of Supported and Independent Living properties.

1.4 The objectives of this Tenure Policy are:

- To provide appropriate tenancies to those in housing need
- To address under and over-occupation
- To protect vulnerable customers

2. This policy applies to…

2.1 All Abri customers and colleagues.

2.2 All products provided by Abri for rent

3. Policy

3.1 We offer a range of different tenancies which we categorise linked to the type of accommodation and associated rent type.

3.2 We offer the following types of tenancies:

- Lifetime (assured/secure) tenancies
- Weekly or Monthly Periodic Assured Shorthold Tenancies (AST)
- Licence Agreements

3.3 We further describe the tenancy types with their rental type, which includes: Market, Social, Affordable and Intermediate. See Appendix 1 for a further breakdown and clarification.

[1] Abri will be used throughout this document to refer to all companies within the Abri group.
[2] As we are required to do under the Localism Act 2011

3.4 For each property we let we associate a rent type and a tenancy type which is fixed and will only change through formal approval process either temporary or long term.

3.5 The lettings process for each property will further determine the type of tenancy offered, specifically ensuring preserved rights are maintained. This will be dependent on several factors which will be guided and determined by the Allocations Lettings Policy and Procedure.

Fixed Term Tenancies (FTT)

3.6 Following the agreed change to the use of Fixed Term Tenancies (November 2020) the use of Fixed Term Tenancies and Starter Tenancies will no longer be used.

3.7 For customers who already hold a FTT we will normally convert their tenancy to an Assured Tenancy at the end of the fixed term. However, there may be circumstances when it is not appropriate to convert to a Fully Assured Tenancy, in which case action will be taken in line with the Fixed Term Tenancy process and procedure and legal advice will be sought.

Succession

3.8 When a tenant dies it is possible for someone living in the household to ‘succeed’ the tenancy. Whether someone has a right to succeed will depend on their relationship to the tenant, the type of tenancy, when the tenancy started and the terms and conditions of the tenancy agreement. Further information in relation to this can be found in the Allocations and lettings Policy and the Succession Procedure.

3.9 Abri may also exercise its discretion to allow someone who does not have the legal right to succeed to be offered a tenancy of that or another property. The criteria to satisfy the discretionary succession can be found in the Allocations and Lettings Policy and the Succession Procedure.

Addressing under and over occupation

3.10 Abri will work with Local Authorities and other housing providers to facilitate moves where households are affected by Welfare Reform and a smaller property would better meet their housing need.

3.11 To ensure best use of our housing stock we will endeavour to let at maximum occupancy to avoid under-occupation.

3.12 Abri will promote and provide a free advertising service to enable and support customers to complete Mutual Exchanges.

Right to buy/acquire and right to Shared Ownership

3.13 Some customers may have the right to buy their properties, or a share in their properties, under the Right to Buy /Right to Acquire or Right to Shared

Ownership, subject to meeting certain qualifying criteria. We will ensure customers are made aware of their rights and opportunities to purchase their property.

Protection for vulnerable residents

3.14 Abri has developed a range of services and works collaboratively with a network of agencies to support vulnerable customers and is committed to helping customers to live independently, fulfil their ambitions and to sustain their tenancy.

Exceptional circumstances

3.15 In line with the Tenancy Standard which requires us to make the best use of available housing, there may be exceptional circumstances when we must diverge from this Policy. We will only do so if this is in accordance with the Tenancy Standard and our legal obligations in relation to tenure.

Appeals and Complaints

3.16 Customers have a right to appeal and/or complain about Allocations and Lettings decisions. Further information in relation to this can be found in the Allocations and Lettings and Appeals procedures.

4. Legal & Regulatory Framework

- Localism Act 2011
- Housing Acts 1985, 1988 and1996 (as amended)
- Social Housing Regulator’s Tenancy Standard

5. Related Documents

Abri
Complaints Policy
Customer Resolution Procedure
Allocations and Lettings Policy
Allocations and Lettings Allocations Procedure
Management Transfer Procedure
Tenure Policy
ASB Policy
ASB and Harassment Procedure ASB Procedure
Domestic Abuse Policy
Domestic Abuse Procedure
Right to Rent
Decant Procedure
Succession Procedure
Appeals Procedure

7. Appendices

Appendix A - Types of tenancy to be offered

Appendix A –

Tenancy type to be offered

Lifetime (assured/secure) tenancies	• Customers transferring from an existing Assured or Secure tenancy or succeeding to this type of tenancy. • Customers transferring from a Protected Assured Tenancy (preserved rights for all tenants at the time of any legacy stock transfer) and will retain their Right to Buy. • All new customers moving into a Social, Affordable, Mortgage rescue rented property, Extra Care and an Independent Living property. • Supported schemes (see exceptions under AST and licence agreement)
Weekly or Monthly Periodic Assured Shorthold Tenancy (AST)	• Customers in accommodation classed as temporary from local authority partners, where customers will move on (under the Housing Act 1996) • Customers in keyworker accommodation • accommodation) • Supported schemes with intensive support (as specified by Funding or Local Authority agreements) • Supported housing ‘campus re-provisioning’ properties • Properties built for Low-Cost Home Ownership (LCHO) but which Abri have been unable to sell in the current market • Market Rent properties • Properties earmarked for potential disposal or demolition (Any properties used in these cases should be reclassified as Intermediate and customers should not be housed from a Local Authority waiting list) • Customers living in a property where Abri is the leaseholder • Staff living at an Independent Living Scheme • When providing temporary accommodation for customers displaced by or during a regeneration or major works project
Licence agreement	• Garages • Residential Care Homes • Decants • Minors occupying supported move on accommodation managed with the Local Authority • Transition arrangements for Supported Housing