

Policy Owner	Managing Directors
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Legal Advice From	In-house counsel
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Tenancy Policy

This policy outlines the different types of tenancies Flagship Group will offer, and the circumstances under which each tenancy type will be granted. It also outlines how we will ensure a consistent approach to tenancies and make best use of our properties. 'Flagship Group' ('we') means the housing teams trading as Victory Homes, Newtide Homes and Samphire Homes.

Offering tenancies

We will only offer a tenancy to someone who:

- can provide evidence they are a British or Irish citizen
- is a citizen from the European Economic Area with a settled status
- have a right of abode in the UK, or who have been granted indefinite leave to remain, settled status, including those who have received settled status via the European Union Settlement Scheme, or have no time limit on their stay in the UK.

We will offer tenancies which suit the purpose of the accommodation; the needs of you and your household; the sustainability of the community; and make efficient use of our homes.

Survivors of domestic abuse will not lose their right to a lifetime tenancy, which they may have held prior to moving to temporary accommodation.

Types of Tenancies

Below are the types of tenancies available, and the circumstances in which they would be used:

- **Starter Tenancy**

A starter periodic tenancy offered for a period of 12 months unless you have previously held an assured or secure tenancy (post 1 April 2012). When the starter tenancy period has been successfully completed, the tenancy will convert to an assured tenancy.

We may extend a starter tenancy from 12 months to 18 months if there are concerns around how the tenancy is being managed. We will notify you in writing of any decision to extend or terminate a starter tenancy and explain the reasons for this decision.

You may request a review of our decision. You must write to us within 14 days of our decision, and we will respond within 14 days. If you are unable to request a review in writing, then reasonable adjustments will be made.

- **Assured Tenancy**

New tenants who have the right to a lifetime tenancy (they will have held an assured or secure tenancy continuously since 1 April 2012) will be offered an assured tenancy. There are some exceptions where we will not offer an assured tenancy, see below.

- **Assured Shorthold Tenancy**

We will only offer these as a short-term solution to a housing problem.

- **Equitable Assured Shorthold Tenancies**

These are only offered to those under the age of 18. A guarantor will be required for this type of tenancy until the tenant reaches 18 years old at which point the tenancy will convert to a starter tenancy

- **Licences**

Where there is no other suitable legally compliant alternative (e.g. shared accommodation where tenants do not have exclusive possession of the property or section 209 licences for temporary accommodation) we will offer a licence.

- **Fixed Term Tenancy**

We stopped using Fixed Term Tenancies for new tenants from April 2021.

For fixed term tenancies already in place, we will carry out a review at least six months before the end of the fixed term, to determine whether we will grant an assured tenancy or end the tenancy.

We may decide not to offer another tenancy to you in the following situations:

- There has been a change to your household, which means the household is under occupying the property by one bedroom or more, or overcrowding the property
- The property is adapted and isn't suitable any more for your needs
- You have not conducted yourself satisfactorily as a tenant, i.e. you have rent arrears or have been involved in anti-social behaviour.

When considering whether to end a tenancy, we will consider the support needs of your household. If we decide to end the tenancy, you will be given at least 6 months' notice stating the reasons why.

You may request a review of our decision. You must write to us within 14 days of our decision and we will respond within 14 days. If you are unable to request a review in writing, then reasonable adjustments will be made.

Death of a Tenant

If you live with a tenant who passes away, you may be entitled to take on the tenancy. This will depend on the type of tenancy, the rights the tenancy gives, whether the tenancy has been passed on previously and how long you have lived at the property. This can be known as succession or survivorship.

If you do not have the right to take on the tenancy then we may use our discretion to grant a new tenancy to you, at the same property or at a different property.

We will consider the following:

- We will consider the type of tenancy held and your relationship to the deceased;
- Whether you would have been offered that type of property under our Allocations and Lettings Policy, i.e. it's suitable in terms of size and affordability;
- Whether you were a carer of the deceased tenant or you were cared for by the tenant who has died;
- The length of time that this property has been your permanent home;
- Whether the property has been adapted for your needs.

When a tenant leaves their tenancy in their will, this is technically not a succession. If a tenant who has died who had an assured tenancy leaves his/her tenancy in their will to somebody who does not meet Flagship Group's qualification criteria for a succession, we will use Ground 7 of Schedule 2 of the Housing Act 1988 (which is a mandatory ground) to recover possession of the property.

If someone remains in a property with no right of succession and refuses to vacate, we will take legal action to recover possession of the property and charge them a 'Use and Occupation' fee.

Further information about this policy

This policy replaces the Flagship Homes the Flagship Homes Tenancy Policy (2018), the Victory Housing Trust Tenancy Policy (2018), and the Suffolk Housing Tenancy Management Policy (2017).

This policy is supported by our Allocations and Lettings Policy and Mutual Exchange Policy. This Policy will be reviewed as necessary, and at least every three years.

Version Control

Version Number	Detail	Approved By	Date
1.0 dated August 2021	First issue adopted across Flagship Group	Local housing boards for Newtide, Samphire & Victory Homes	August 2021

