

# Starter Tenancy Policy

## 1. Summary

- 1.1 The Housing Act 1996, introduced Starter tenancies to Registered Social Landlords (RSLs). Shal Housing adopted these tenancies as an additional tool to link into our wider strategies for housing management and to provide additional support to those individuals that have never held a tenancy before. The use of starter tenancies form part of a balanced approach where support, prevention and rehabilitation are exhausted before enforcement action is considered.
- 1.2 Starter tenancies provide new tenants with the opportunity to settle into their new environments and overcome any obstacles they may face with the support and encouragement from Shal. They also act as a deterrent to behaving in an anti-social manner.
- 1.3 Starter tenancies are given to all new tenants who do not currently hold a tenancy with any social landlord, without exception.

## 2. Objectives

- 2.1 The policy aims to reduce the prevalence of anti-social behaviour (ASB) and rent arrears amongst new tenants.
- 2.2 The policy aims to support new tenants in any way which is likely to increase sustainability of the tenancy.

## 3. Details

- 3.1 A starter tenancy is an assured shorthold tenancy and acts as a probationary period for the first 12 months. This means that they have fewer rights and less protection from eviction than a secure or assured tenant.
- 3.2 The first 12 months of a new tenancy will act as a probationary period for the tenant, who will be able to demonstrate that they are able to manage their tenancy appropriately. Additionally, it will allow the tenant to decide if they are happy to meet their landlord's expectations and can adopt a good relationship with them.

- 3.3 During a Starter Tenancy, Shal will visit the new tenant to complete a new tenancy visit within the first 8 weeks of the tenancy starting, and again at six months to complete a review of the tenancy. Additional visits may be required throughout the Starter Tenancy; this will be identified by the Housing Officer during the allocation process and closely monitored throughout the Starter Tenancy.
- 3.4 At the end of the starter tenancy period the tenancy should automatically become Assured, unless we have written to the tenant stating that we are extending their starter tenancy for a further six months, or if we have served a notice to end the tenancy.
- 3.5 SHAL may extend a starter tenancy once by a period of 6 months, during which the tenancy remains Assured Shorthold. An extension may be appropriate in several situations, for example:
- 3.5.1 Where there have been incidents of antisocial behaviour and although these are not considered serious enough to justify ending the tenancy, further time is needed to give the starter tenant a chance to show they can conduct the tenancy properly;
  - 3.5.2 Where a support package is in place and there is a multi-agency agreement to extend the starter tenancy;
  - 3.5.3 Where a tenant has fallen in to rent arrears;
  - 3.5.4 Where a condition of the tenancy agreement has been breached and further time is needed to give the starter tenant a chance to show they can remedy the breach and sustain their tenancy;
- 3.6 Where a starter tenancy is extended this will always be confirmed in writing and wherever possible by visiting the tenant to explain the reasons. A starter tenancy can only be extended once, and only for a period of 6 months.
- 3.7 Once the probationary period has ended and no action has been taken to end the tenancy, Shal will write to the tenant to confirm that they have a full Assured tenancy and the date this applies from. The letter explains the additional rights that the full Assured tenancy provides. There is no need to issue a new tenancy agreement.

- 3.8 Ending a Starter tenancy is a serious step to take and this must be done in accordance with the law. Shal will decide whether this action is proportionate on a case by case basis. A S21 Notice should be served which outlines the grounds of the tenancy agreement that have been breached with examples of the breaches listed. Two clear months' Notice must be provided and in addition to the Notice, information on how to request a review of the decision to end the tenancy should be provided.
- 3.9 Any notice cannot be served within the first four months of the starter tenancy.
- 3.10 If the correct processes are followed to end a Starter tenancy, the court must make an immediate possession order. The court does not have to be satisfied that it is reasonable to make a possession order and the court cannot suspend the possession order. The court can postpone the date for possession by up to 6 weeks where 'exceptional hardship' would be caused, and it is up to the tenant to provide evidence of this.
- 3.11 There will be no right to mutual exchange whilst the tenant is subject to a starter tenancy.
- 3.12 The tenant has the right to appeal. This must be done in writing and will be considered by the Housing Manager. If successful, the possession proceedings will be halted, and the tenancy will revert to an assured tenancy automatically at the end of the fixed term. If unsuccessful, the original S21 notice will remain in place.

#### 4. Outcomes

- 4.1 Starter tenancies will enable Shal to better manage the housing stock and tenants. Shal will be able to take action against tenants who are not abiding to their tenancy agreement. This may be for arrears, ASB etc.
- 4.2 There should be a reduction in overall arrears, especially for arrears attributed to new tenants. It will enable SHAL to better manage their Housing stock and take action via the County Court for any starter tenants who are causing significant issues more easily.

4.3 Additional powers granted to Shal should mean that ASB is reduced amongst new tenants and income recovery should improve which may enable Shal to invest more heavily in new/existing stock.

## 5. Consultation

5.1 This will become a prerequisite agreement for all new tenants. Board has approved.

5.2 The policy and approach to the management of ASB will be based upon what matters to tenants. What matters to tenants will be established by close engagement with tenants at the point of service delivery. This will be a central part of any review to redesign work processes and will also be carried out on an on-going basis by continually engaging with the tenants involved in the system to fully understand what is important to them. Performance will be related to and judged, based upon meeting what is proven to matter to tenants.

## 6. Equality and Diversity

6.1 This policy is applicable to all individuals. Early and enforceable action will be taken against any individual contravening their tenancy agreement.

## 7. Value for Money

7.1 Increasing the options and power available to Shal will enable Shal to act far more efficiently when cases of arrears and ASB occur. A more efficient process will mean that costs can be kept to a minimum.

**8. Owner**

8.1 Housing Manager

**9. Version and Revisions**

9.1 This policy will be reviewed every 5 year(s).

9.2 Revisions

New version	Date	Revision details