



**Notice of a public meeting of
Decision Session - Cabinet Member for Health, Housing and Adult
Social Services**

To: Councillor Simpson-Laing
Date: Tuesday, 30 July 2013
Time: 4.00 pm
Venue: The Severus Room - 1st Floor West Offices (F032)

AGENDA

Notice to Members – Calling In

Members are reminded that, should they wish to call in any item on this agenda, notice must be given to Democracy Support Group by **4.00pm on Thursday 1 August 2013** if an item is called in after a decision has been taken. Items called in will be considered by the Corporate and Scrutiny Management Committee.

Written representations in respect of items on this agenda should be submitted to Democratic Services by **5pm on Friday 26 July 2013**.

1. Declarations of Interest (Pages 1 - 2)

At this point, Members are asked to declare:

- any personal interests not included on the Register of Interests,
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of business on this agenda.

2. Public Participation

At this point in the meeting, members of the public who have registered their wish to speak at the meeting can do so. The deadline for registering is **5pm on Monday 29 July 2013**.

Members of the public may register to speak on:

- an item on the agenda;
- an issue within the Cabinet Member's remit.

3. 'YorProperty' - The Introduction of a Voluntary Landlord Accreditation Scheme in York (Pages 3 - 26)

This report leads on from the decision made at Cabinet on the 4 December approving the introduction of a Citywide Private Landlord Accreditation Scheme and provides an update on Scheme development. It outlines proposals for the Scheme and a system to operate it. It is suggested that the Scheme is launched in July with a view to going "live" in August.

4. Tenancy Policy (Pages 27 - 48)

The Cabinet Member is asked to consider a draft tenancy policy for Housing Services and agree to its adoption.

5. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972

Democracy Officers:

Names: Catherine Clarke and Louise Cook (job share)

Contact Details:

- Telephone – (01904) 551031
- E-mail – catherine.clarke@york.gov.uk and louise.cook@york.gov.uk

For more information about any of the following please contact the Democracy Officers responsible for servicing this meeting.

- Registering to speak
- Written Representations
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.

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If you would, you will need to:

- register by contacting the Democracy Officer (whose name and contact details can be found on the agenda for the meeting) **no later than 5.00 pm** on the last working day before the meeting;
- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
- find out about the rules for public speaking from the Democracy Officer.

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Further information about what's being discussed at this meeting

All the reports which Members will be considering are available for viewing online on the Council's website. Alternatively, copies of individual reports or the full agenda are available from Democratic Services. Contact the Democracy Officer whose name and contact details are given on the agenda for the meeting. **Please note a small charge may be made for full copies of the agenda requested to cover administration costs.**

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The majority of councillors are not appointed to the Cabinet (39 out of 47). Any 3 non-Cabinet councillors can 'call-in' an item of business following a Cabinet meeting or publication of a Cabinet Member decision. A specially convened Corporate and Scrutiny Management Committee (CSMC) will then make its recommendations to the next scheduled Cabinet meeting, where a final decision on the 'called-in' business will be made.

Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

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- Relevant Council Officers get copies of relevant agenda and reports for the committees which they report to;
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- All public agenda/reports can also be accessed online at other public libraries using this link

<http://democracy.york.gov.uk/ieDocHome.aspx?bcr=1>



30 July 2013

**Decision Session – Cabinet Member for
Health, Housing and Adult Social Services**

Report of the Accreditation Officer

**“YorProperty” – The Introduction of a Voluntary Landlord
Accreditation Scheme in York**

Summary

1. This report leads on from the decision made at Cabinet on the 4 December approving the introduction of a Citywide Private Landlord Accreditation Scheme and provides an update on Scheme development. It outlines proposals for the Scheme and a system to operate it. It is suggested that the Scheme is launched in July with a view to going “live” in August.

Background

2. Cabinet considered and approved the development of a voluntary local accreditation Scheme. The proposed Scheme has been developed looking at best practice, previous government guidance and ongoing discussions with the sector in York. It is the intention to support the private rented sector in the delivery of suitable accommodation, however should the Scheme not prove to be viable, alternative options to continue this support will need to be examined in line with the proposals contained in the report approved at minute 67 (2012/13).
3. Some of the drivers behind the need for accreditation are –
 - The size and importance of the Private Rented Sector
 - The fact that a high proportion of the issues caused by landlords and agents are not from a deliberate intention to break the law but are caused by a lack of knowledge or misunderstanding of regulations

- A recognised need to facilitate/support landlords looking at other options for their properties
 - A need to engage with tenants and raise awareness of their rights and their responsibilities
 - How we work/deal with letting agents
 - Ensuring some levels of affordable rent levels are maintained in the City and that standards in the market are also maintained.
4. As previously reported DIF funding of £80,000 to support the Scheme for a period of 2 years was obtained and from the 1st April, 2013 the former post of Landlord Liaison Officer was extended into the post of Accreditation Officer to continue development of and to introduce the proposed Scheme.

Localpad

5. To assist in the management of the Scheme and the promotion of members and their properties, we would to use a web based property management system called Localpad. (see Appendix A)
6. This is a property management and marketing system targeted at local authorities, developed from a widely used university student accommodation system called Studentpad. It can be used to advertise all of the properties accredited with the Scheme within a corporately branded City of York Council Localpad website.
7. It will be a mechanism to market and administer properties that have met the standards set by the Scheme and to encourage membership. Feedback from landlord focus groups regarding its potential use has been positive.
8. Costs for the system are **£4,150 per annum (+VAT)**. Due to the specific nature of the system, this has been agreed for waiving through the Council's procurement process, and consultation with ICT shows that it is compatible with existing IT systems.

Options

9. (i) That the proposed Scheme outlined in the report, using Localpad as the main benefit to be offered to potential members and as the administrative system for the Scheme be approved;
- (ii) That views regarding alternative options for the operation of the Scheme are sought.

Analysis

10. The proposed Scheme itself, to be called YorProperty, is constructed around four key elements –
 - A two-tiered property standard aimed at ensuring as broad a membership as possible whilst still ensuring the raising of standards and promotion of safe accommodation for tenants. This will be reflected in the introduction of two types of property standard -
 - YorProperty Standard
 - YorProperty Plus Standard
 - A fit and proper person test for members
 - Training and Continuous Professional Development for members
 - A management code of practice
11. On application, Landlords and Letting Agents will:
 - Provide the Council with a list and details of all properties they own for let in York; Ensure that all of their properties meet the requirements of the Scheme and are not in a condition that is liable to be hazardous to the health and safety of tenants, visitors or members of the community and complete a self-inspection; (see Appendix B)
 - Ensure that accredited managing agents whose portfolio of properties includes those owned by a landlord who does not wish for them to be accredited **must** ensure that properties they manage which are accredited are identified as such by

use of the Scheme's logo on any advertising, correspondence etc.

- Ensure that the necessary safety certificates are available. Letting Agents must agree that their records will be made available for inspection at any time by the Council;
 - Where a minority of a landlord's or agent's properties are not fully compliant, agree a property improvement plan to improve, within a reasonable timescale, any property that does not fully meet the requirements of the Scheme and inform any prospective new tenants of this arrangement;
 - Complete a form declaring their 'Fit and Proper' status; (See Appendix C)
 - Attend relevant training;
 - Ensure all management practices meet the Scheme's management code of practice;
 - Provide access to properties for the Council to carry out random compliance checks.
12. At the start, membership will be on an annual basis and will be based on a membership fee of £50, along with an administration charge linked to the total number of properties, i.e. 1–5 properties - £35, 6 –10 properties - £75; 11-30 properties - £105; 31-100 properties - £210 and 101+ properties to be negotiated. Therefore a landlord with 4 properties would pay £85 per year for membership of the Scheme.
13. It is hoped that the Scheme will reach a level of membership whereby it becomes self-funding at the end of the second year. Based on the average landlord portfolio sizes this will require 400 members to have become accredited. The Scheme will be subject to a major review following 18 months of operation to determine its viability to continue.
14. The physical condition of all properties owned by a landlord or managed by an agent must meet the minimum legal standards to be classed as meeting the YorProperty Standard or higher (based on those approved for the existing Student Accommodation Code of Practice) for YorProperty Plus Standard. A two tier standards system will enable the Council to accredit properties which are vital for meeting the accommodation needs of those who are unable to meet higher

rent costs whilst at the same time ensuring the necessary standards for HMOs and student accommodation are met. It gives a target for landlords to aspire to meet should they wish to and allows the Council access to the conditions of those properties at the lower end of the market which would otherwise remain uninspected.

15. An average of 10% of properties listed with the Scheme would be subject to a random inspection to add validity to the reputation of the Scheme. Any works needing immediate attention would be subject to normal Council procedures. Lead in periods for improvement works would be negotiable.
16. In addition to the Council, the City's educational establishments will recommend the use of accredited properties by prospective tenants and will promote membership amongst landlords who wish to let to students. All student properties must meet the YorProperty Plus standard in order to link with the existing Student Accommodation Code of Practice.
17. Landlords and agents will declare that they are a fit and proper person to be accredited as laid out in the Housing Act 2004.
18. A key element of the YorProperty Accreditation Scheme is the training on offer to members. This will take the form of two types of provision designed to help them meet standards, add validity to the Scheme and improve support to the PRS by providing more knowledge of the sector.
19. There is a core element of training that every member of the Scheme must attend so that they are aware of the standards that the Scheme requires and are able to meet them. There will be a short test on the completion of each element of this course. Meeting these requirements is a prerequisite of Scheme membership. There are complimentary schemes across the UK based upon the principle of a landlord member completing a foundation course and agreeing to continue with professional development. As such, if landlords have successfully completed an approved foundation course, they will also be recognised as fulfilling the training element of the Scheme requirements.

20. There are also a series of best practice training courses designed to improve knowledge of the Private Rented Sector and to provide an element of continuous professional development. In addition it is proposed to run a series of annual update sessions for landlords keeping them advised of changes in legislation and the sector.
21. A Management Code of Practice is part of the Scheme which participating landlords and agents agree to abide by. This includes conditions regarding tenancy agreements; the use of tenancy deposit Schemes; repairs; ending a tenancy; business conduct; equalities and dealing with disputes.
22. All accredited Landlords and Letting Agents will be provided with a certificate of accreditation and access to the Scheme logo for use in promotional activity.

Consultation

23. Continuing consideration of the Scheme has been undertaken at Landlord Association meetings and with the Universities' Accommodation Offices and Student Unions. There are also ongoing discussions with a focus group of landlords and agents.

Council Plan

24. An effective Landlord Accreditation Scheme will support and contribute to the aims of the York and North Yorkshire Strategic Partnership. It can also contribute to the following Council Plan Priorities –
25. Create Jobs and Grow the Economy - Provision of suitable accommodation to support the workforce and the employment market
26. Get York Moving – Housing provision of the right type and affordability makes York an attractive place to live and promotes quality of life for the community
27. Builds Strong Communities – Contributes to sustainable neighbourhoods and communities

28. Protects Vulnerable People – Ensures private rented accommodation is of a standard that protects the most economically and socially vulnerable households
29. Protects the Environment – Introduces energy efficiency targets for properties as part of accreditation standards and provides training for landlords to assist them in meeting these
30. An effective accreditation Scheme must also tie in with and meet all six of the specific local housing priorities within the City of York Housing Strategy 2011-2015 and particularly with the objectives of Strategic Aim 2 of the York Private Sector Housing Strategy 2008-2013.

Implications

31. **Financial** - It is anticipated that the Scheme will be managed within existing resources and DIF allocation. To become self-financing, the Scheme will need to attain membership of 400 landlords by the end of its second year of operation. If this is not achieved, alternatives to the Scheme will need to be examined.

The costs to landlords will include membership fees and then the costs of copying safety certificates and submitting the necessary paperwork. The property requirements may mean that some landlords will have to or may choose to carry out works to improve their properties to comply with the Scheme. This will benefit the condition of the privately rented stock in York and improve thermal efficiency.

32. **Human Resources (HR)** - None
33. **Equalities** - Raising standards, through training and better management, serves to address health inequalities in the private rented sector where standards are lower than owner-occupied homes. Poor housing conditions not only have a detrimental effect on the health and wellbeing of the occupiers but also pose a risk to life for the most vulnerable. Accredited landlords must follow the code of management which specifies equality practices.
34. **Legal** - Whilst non-compliance will be dealt with under the terms of the Scheme initially by the authority, this will not prevent the

council exercising its enforcement powers without delay if it felt it was necessary.

35. **Crime and Disorder** – Although it is difficult to demonstrate an impact on crime and disorder, the introduction of a code of management and the promotion of tenants' rights and responsibilities may impact on levels of ASB and improve neighbourhoods.
36. **Information Technology (IT)** – Discussions have been held with ICT Systems Support regarding the suitability of the LocalPad system and its compatibility with existing Council systems. These have raised no issues with its adoption and operation.
37. **Property** - It is anticipated that the Scheme will have a positive impact on conditions in the private rented stock in York. The property standards required include adequate heating systems and recommendations regarding thermal insulation so this should improve the energy efficiency in the premises of the accredited landlords of YorProperty Plus standard properties. The overall impact will therefore be a positive one.
38. **Other** - None
39. **Risk Management**
The need for a robust, independent programme of quality assurance and a means of attracting membership are vital, if the introduction of the self-regulating Scheme is to achieve any sense of ownership from the participating landlords; if this is not the case then the Scheme will lack credibility and consequently buy-in.
40. **Recommendations**

It is recommended that the Cabinet Member approves –

- The implementation of the Scheme as outlined in the report.

Reason: To ensure the operation of an effective, fit for purpose accreditation Scheme in order to support the private rented sector in York.

Appendices:

Appendix A – LocalPad

Appendix B – Property Standards

Appendix C – Fit and Proper Person Declaration

Authors:	Cabinet Member & Chief Officer Responsible for the report:			
Jed Smawfield Accreditation Officer Communities and Neighbourhoods 01904 551563	Councillor Tracey Simpson-Laing Cabinet Member for Health, Housing and Adult Social Services Sally Burns Director of Communities & Neighbourhoods			
	Report Approved	Yes	Date	15 July 2013
Wards Affected: All				
<i>For further information please contact the authors of the report</i>				

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Appendix A

LocalPad

This is a property management system, developed from StudentPad which can be used to advertise all accredited properties within a corporate branded City of York Council LocalPad website.

It is a mechanism to market properties that have met the standards set by accreditation and encourages landlords to meet them in order to be advertised to the City's private rented market. Feedback to date from landlord focus groups has been extremely positive.

The system is quite flexible in its set up. This could include, for example, the setting up of a web site with subsections that can direct the user to properties which can be organised on a post code basis or an area basis or other criteria.

The Council, as Scheme administrator, would have ultimate control of exactly which properties were advertised and when they are advertised via the site's administration functions.

It must be noted, however, that the landlords can administer most of the changes themselves with a Council based administrator simply overseeing and vetting proceedings ensuring that time allocated to the operation of the system is kept at a minimum.

The details of each property would be displayed in a table format as well as in a full colour brochure style page. Furthermore, the Council has the opportunity to display any information (relating to properties, areas and general advice) it feels would be useful to prospective tenants, which would be designed in a web format and displayed at no extra cost.

Additionally, the Council will be able to access details on properties, produce numerous reports based on different criteria and use the administration site as a management tool for the accreditation scheme.

It is envisaged that private tenants and prospective tenants will be able to access the information from Council offices and by PC. Housing related staff could also assist prospective tenants by printing off lists of houses, which fit their specific requirements.

Benefits of the scheme include-

Customer focus – The Internet based system will provide tenants and landlords with much more interactivity, assisting people in their search for accommodation and keeping pace with what the “modern consumer” expects.

Empowers tenants – Information about standards that they can expect from properties and landlords can be displayed on the website. They will also be able to see which properties are suitable for tenants who are for example students, on housing benefits or whichever information we want to display including accreditation status and property standards.

Encourages landlords to achieve high standards – The web sites linked with LocalPad are very popular, with over 2 million visitors a year accessing property information. This will mean that landlords will hopefully be very keen to take advantage of the advertising but to be able to do so they will have to have adhered to the standards laid out by the Scheme.

Frequent contact with customers – The software allows the administrator to produce an email / letter to all landlords within seconds. It is also possible to easily contact the landlords using the site’s automated report functions in order to inform them, either by email or post, on any particular subject including the expiration of safety certificates.

Operational benefits – The management software would allow us to manage large quantities of landlord and property details easily and quickly from year to year. It is envisaged that landlords will have access to their own information, parts of which they will be able to update themselves. This task is intuitive for the landlords and its operation will assist in reducing some of the administration of the Scheme.

Institutions’ details are also updated instantaneously meaning it is a live up-to-date service. Certain information such as a property’s registration status may need verifying and can be held in a vetting bay awaiting approval by Council staff. However, large parts of the software such as gas safety expiry warnings can be automated. The system also has a “day to day task manager” which allows the user to set reminders and record a history of dealings with landlords. Different levels of access to

the control software can be given to different administrators within the Council.

Implementation specification:

The website would be designed specifically for York

It would include full branding including colours, logos and styles

Banner adverts would be prohibited

Costs for the system are £4,150 per annum (+VAT) plus £1,000 for every additional licensee to the database, for example if another authority wished to participate in the scheme.

Home > Housing > Private housing

Private housing

Accommodation Search >

My Localpad >

Message Board >

Housing advice >

Go Local >

Agent/Landlord >

Contact Us >

Register now

Get details of new properties straight to your inbox!

Fact Finder

Compare rents for different areas.



Accommodation in York

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Search Available Accommodation

What type of accommodation? Any

Living arrangements? Any

Which area are you looking in? Any

How many bedrooms? Any

What size of property? Any

Rent amount per person weekly? Any

Available? Any

361 Available



Search Accommodation >>

Search by reference number...

GO >

Search by agent/landlord...

GO >

York Council

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Appendix B**Property Standards**

	Standard	
Requirement	York Property Standard	York Property Plus Standard
Property	DHS / No Cat 1 or no high scoring Cat 2 hazards as described in the HHSRS	DHS / No Cat 1 or no high scoring Cat 2 hazards as described in the HHSRS / HMOs meeting licence requirements / Good standard of decoration / Meets Code of Practice recommendations
Gas	Legal Requirement	Legal Requirement / Carbon monoxide detectors should be provided in all properties where a gas appliance is present.
Electricity	Legal Requirement / Instruction manuals for equipment	Electrical Safety Certificate / PAT testing of appliances / Instruction manuals for equipment
EPC	Legal Requirement	Legal Requirement / E+ EPC rating / Introduce recommended energy efficiency measures from EPC report
Security	Doors designated as final exit doors (usually the front door of small premises) must be fitted with a lock or locks that can be immediately opened from the inside when the premises are	Locks must be fitted to all ground floor and any vulnerable first floor windows, such as those accessible from a flat roof, provided this does not contravene fire safety recommendations.

	<p>occupied, without the use of a key. External doors must be properly fitted and free from damage, have secure hinges and close fitting into the frame.</p>	<p>Keys for the locks must be issued to tenants. All external doors, except for designated fire doors (normally the main front entrance door), must be fitted with mortice bolts, top and bottom, to reinforce the existing lock. Modern, multi-locking UPVC doors would be acceptable without mortice bolts. Doors designated as final exit doors (usually the front door of small premises) must be fitted with a lock or locks that can be immediately opened from the inside when the premises are occupied, without the use of a key. External doors must be properly fitted and free from damage, have secure hinges and close fitting into the frame. Where locks are fitted to bedroom doors in shared houses/houses in multiple occupation, they should be either the type that can be opened from the inside without the use of a removable key or a mortice type lock. If the property has a</p>
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		<p>burglar alarm installed, details of alarm key holders must be made available to the tenants.</p> <p>Five lever mortice locks complying with BS 3621 are fitted.</p> <p>Locks complying to BS 8621 and BS EN12209 are used for doors with keyless egress.</p>
Fire Safety	Carry out a fire-risk assessment.	<p>Carry out a written fire-risk assessment.</p> <p>Smoke detectors on each floor level. / HMO licence conditions / Code of Practice recommendations</p>
Furniture / Furnishings Safety	Must comply with the Furniture and Furnishings (Fire Safety) Regulations 1988 (as amended)	<p>Must comply with the Furniture and Furnishings (Fire Safety) Regulations 1988 (as amended) / All furnishings and fittings must be clean and in a reasonable condition / All rooms let as bedrooms must contain a bed at least 90 cm in width, with an adequate mattress.</p> <p>For a student room there must also be reasonable clothes storage space, a desk or working surface and a chair.</p>

**YorProperty Self-Inspection Sheet
York Landlord Accreditation Scheme**

YorProperty acknowledges two levels of property standard, and properties will be listed and advertised as such. The two standards are YorProperty and YorProperty Plus. You can indicate below which standard you expect your property to meet or it will be placed in a standard based on the information supplied. As a basic standard of accreditation it is expected that all properties held by a landlord will comply with all the basic legal standards and requirements of the Housing Health and Safety Rating System [HHSRS]. Those properties to be advertised as student accommodation must meet the YorProperty Plus Standard.

PLEASE COMPLETE A SEPERATE SHEET FOR EACH PROPERTY OWNED AND RETURN COMPLETED INSPECTION SHEETS TO:

#

Date:

Landlord's / Agent's name

Property address

Postcode

Property type

Date of construction: pre-1920; 1920–1945; 1946-1979; Post 1980 (please circle)

Energy Performance Certificate reference no.
(Please enclose a copy)

Energy Efficiency Rating:

Annual Gas certificate reference no. and expiry date:
(Please enclose a copy)

*Five year Periodic Electric Inspection Certificate
reference no. and expiry date (if obtained):
(Required for YorProperty Plus standard. Please enclose a copy.)

*PAT Testing Certificate no. and expiry date (if obtained)
(Required for YorProperty Plus standard. Please enclose a copy).

Is the property: (A) Single Household Accommodation;
(B) Flat / Apartment occupied by a Single Household;
(C) Shared Housing occupied by a group of people;
(D) Student Accommodation;
(E) Bedsit / House in Multiple Occupation.

(Please enter relevant letter)

If you have answered A or B to the question above please complete Sections 1 and 2; if you have answered C, D, or E please complete Sections 1,2 and 3.

Section 1

1) How many of the following are in the property:-

- | | |
|--|--------------------------|
| Bedrooms (Letting Rooms for HMOs) | <input type="checkbox"/> |
| Living Rooms | <input type="checkbox"/> |
| Shared bathrooms / shower rooms | <input type="checkbox"/> |
| Toilets within bathrooms | <input type="checkbox"/> |
| Separate toilets with wash hand basins | <input type="checkbox"/> |
| Ensuite bathrooms (sole use) | <input type="checkbox"/> |
| Kitchens | <input type="checkbox"/> |
| Sinks | <input type="checkbox"/> |
| Cooker rings / hobs | <input type="checkbox"/> |

Section 2

Please answer Y (Yes), N (No), NK (Not Known) or NA (Not Applicable)

- | | |
|--|--------------------------|
| 2) Is there a fixed form of heating in every room which can be temperature and timer controlled by the occupant? | <input type="checkbox"/> |
| 3) Is the heating controlled by the occupier? | <input type="checkbox"/> |
| 4) Are all floors and surfaces safe, secure and free from trip hazards? | <input type="checkbox"/> |
| 5) Is there adequate natural/artificial lighting to the whole of the dwelling? | <input type="checkbox"/> |
| 6) Are the stairs in a safe condition with a secure handrail provided? | <input type="checkbox"/> |
| 7) Is the property free from damp or mould growth? | <input type="checkbox"/> |
| 8) Is there mechanical ventilation fitted to the kitchen and bathrooms? | <input type="checkbox"/> |
| 9) If not PAT certified, have all portable appliances supplied been checked visually for signs of wear and tear? | <input type="checkbox"/> |

- 10) Do all the windows and doors open and close properly?
- 11) Are all of the window sills above 800mm?
- 12) Does all furniture and furnishings provided comply with the Furniture and Furnishings (Fire Safety) Regulations 1988?
- 13) Is the cooker in a safe position?
- 14) Is the kitchen in good working order with adequate storage and work surfaces?
- 15) Is there adequate storage for refuse?
- 16) Is there a suitable two course splash-back of tiles provided to all work surfaces that abut a wall and are the joints adequately sealed?

Section 3

17) How many of the following are in the property:-

Smoke / Heat detectors

Carbon Monoxide detectors

Please answer Y (Yes), N (No), NK (Not Known) or NA (Not Applicable)

18) Does the property have interlinked fire detection / fire doors?

19) Are there sufficient sockets throughout the dwelling?
See guidance notes

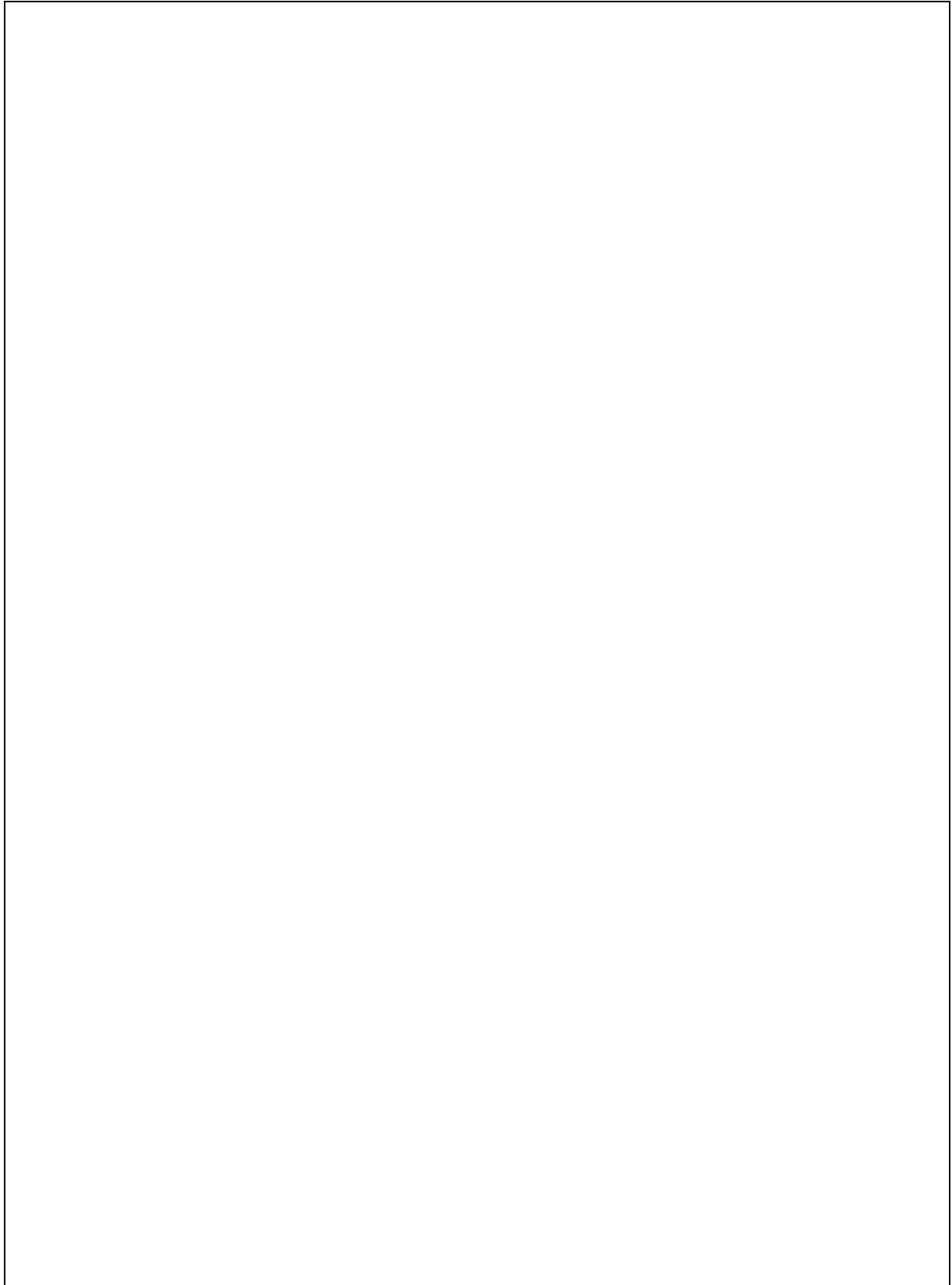
20) Are there sufficient sanitary amenities for the number of occupants living in the dwelling? **See guidance notes**

21) Security features

22) Room size

If you have answered N (No) to any of the questions please give details, with the reference number and the location of the deficiency, in the box below. For further advice please contact:

#

A large, empty rectangular box with a thin black border, intended for the user to provide details of deficiencies as requested in the text above. The box is currently blank.

LANDLORD DECLARATION OF BEING A "FIT AND PROPER" PERSON

1. I declare that I am a fit and proper person to be accredited. I, nor any person associated or formerly associated with me, have any unspent convictions that are relevant to my application, in particular:
 - a. Any offence involving fraud or other dishonesty, or violence or drugs, or any offence listed in Schedule 3 to the Sexual Offences Act 2003
 - b. Undertaken any unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with, the carrying on of any business;
 - c. Contravened any provision of the law relating to housing or of landlord and tenant law; or
 - d. Been found to have acted otherwise than in accordance with any applicable code of practice approved under section 233 of the Housing Act 2004.

2. Additionally in the last five years, neither I nor any person associated or formerly associated with me have:
 - a. Been in control of a property subject to a Control Order under section 379 of the Housing Act 1985.
 - b. Been refused a licence, had a licence removed, or breached conditions of a licence for any property in relation to a mandatory, additional or selective licensing scheme under the Housing Act 2004.
 - c. Been in control of any property that has been subject to an Interim or Final Management Order or a Special Interim Order under the Housing Act 2004.
 - d. Been in control of any property on which a Local Authority has carried out works in default.
 - e. Been in control of any property where you have been found guilty of a criminal offence or been the subject of legal proceedings commenced by a Local Authority or other Regulatory Body (such as breaches of the Environmental Protection Act 1990, Planning Control, Compulsory Purchase or Fire Safety Requirements).

f. Been convicted of any charges relating to harassment or illegal eviction.

Signature..... **Date**

Print name.....



**Cabinet Member for Health, Housing and Adult
Social Services**

30 July 2013

Report of Denis Southall, Housing Landlord Service Manager

Tenancy Policy

Summary

1. The Cabinet Member is asked to consider a draft tenancy policy for Housing Services and agree to its adoption.

Background

2. As part of a wider set of social housing reforms, the Government has introduced the requirement for all social landlords to publish a tenancy policy. The reforms include the introduction of flexible (fixed term) tenancies and affordable rent, changes to allocations and homelessness and promotion of increased mobility for social tenants. These reforms are implemented through the Localism Act and the regulatory standards that all social landlords are expected to meet
3. From April 2012, the Homes and Community Agency replaced the Tenants Services Authority as the social housing regulator. The Tenure element of the revised Tenancy standard states the requirement for all social housing providers to publish clear and accessible tenancy policies
4. The tenancy policy must have regard to the tenancy strategy of the local authority.
5. The tenancy policy should be an overarching document that sets out:
 - the kind of tenancy that the Council will offer

- the circumstances in which tenancies will be granted
- the process for reviewing tenancies
- whether the Council will grant discretionary succession rights, and if so to who.

Note: Succession rights for new tenants after April 2012 were restricted by the Localism Act 2011 to a single statutory succession for spouse or partner of the deceased tenant only. Social Landlords have the ability to grant discretionary second successions via the tenancy agreement to others such as other family members or resident carers. No formal decision has been taken on this. I have therefore based the information in the tenancy policy on the pre April 2012 succession rules for City of York Council tenants which still apply until changed for 2nd successions. I will put a report on the forward plan for advice and a formal decision detailing any legal implications.

- interventions used to sustain tenancies
 - the Council's approach to tackling tenancy fraud
 - how frequently the policy will be reviewed
6. The tenancy policy (annex A) provides clarity to City of York Council tenants, and protects the Council from legal challenge.
 7. It should be noted that the requirement for social housing providers to publish a tenancy policy is different to the statutory requirement, under the Localism Act, for all local authorities to develop a tenancy strategy by January 2013.

Flexible tenancies (Fixed Term tenancies)

8. The tenancy policy sets out where City of York Council will issue Flexible tenancies. The term flexible tenancies is used to apply to all tenancies that are offered for a specified period of time, as opposed to traditional 'lifetime tenancies'. The revised Tenancy standard specifies that providers are required to offer a tenancy for a minimum fixed term of 5 years, other than in exceptional circumstances where they may offer a minimum term of no less

than 2 years. Any exceptional circumstances must be set out in the tenancy policy.

9. The tenancy strategy advocates 'a cautious approach to the use of flexible tenancies in York', emphasising the need for housing providers to issue the most secure form of tenancy 'compatible with the purposes of the accommodation, the needs of the individual households, the sustainability of the community and the efficient use of the housing stock'.
10. The Localism Act created this new type of tenancy which came into force on 1 April 2012.
11. A flexible tenancy is a form of secure tenancy and generally, tenants with a flexible tenancy have the same rights as other secure tenants (as set out in Housing Act 1985), including the Right to Buy after a qualifying period, and the Right to Repair.
12. The same grounds for possession are available and can be used during the fixed term, for example if there are rent arrears or another breach of tenancy.
13. However, the tenancy agreement determines whether tenants with a flexible tenancy have a right to improve their property as the statutory right to improve does not apply. Flexible tenants do not have a statutory right to be compensated for improvements.
14. Flexible tenancies are only used where local authorities choose to do so. The rights of existing secure and introductory tenancies are unchanged. This means that adopting this tenancy policy will be confirmation that City of York Council has formally chosen to issue Flexible tenancies in very restricted circumstances.
15. The Right to Buy extends to flexible tenancies subject to the same qualifying criteria.
16. The Localism Act reduces the automatic statutory rights of succession for all new secure tenancies (including flexible tenancies) from April 2012. Any additional contractual succession rights granted in the tenancy will also apply if included in fixed term tenancy agreements

17. **Transfers:** The revised Tenancy Standard states that tenants with an existing social tenancy on 1st April 2012 must be given 'a tenancy with no less security where they choose to move to another social rented home'. This means their security of tenure is protected should they transfer to another social rented home. However, this does not apply to tenants granted a traditional 'lifetime' tenancy after 1st April 2012.

18. In addition, the standard also says that 'this requirement does not apply where tenants choose to move to accommodation let on affordable rent terms'. In those circumstances an existing tenant, with a secure tenancy can be offered a flexible (fixed term) tenancy (unless this is for reasons other than the tenant's choosing e.g. demolition).

19. **Mutual Exchanges:** Most take place via a deed of assignment where each tenant 'steps in to the other tenant's shoes' and takes over the other tenant's tenancy type and terms. New tenancies are not signed. The provisions of the Localism Act cover those situations where:

- At least one of the tenants who wishes to transfer has a secure tenancy, which began before 1st April 2012, and
- At least one of the tenants has a flexible tenancy or a fixed term tenancy

These exchanges must be done by surrender and then granting of new tenancies. The new Landlord must grant the tenant(s) whose secure or assured tenancy predated 1st April 2012 a secure (not flexible) tenancy.

Existing tenants will therefore retain similar security of tenure to that of their original tenancy.

Regulations provide that these provisions do not apply where an existing secure tenant chooses to exchange with:

- Someone with a fixed term tenancy of less than 2 years.
- Someone with a tenancy at an affordable rent, intermediate rent, mortgage rescue properties and shared ownership leases.

A Landlord can still refuse an exchange and the grounds for this are set of in the Localism Act. They have 42 days to make a decision. These are different to the 'grounds' and 'conditions' found in the Housing Act 1985 which apply to secure tenants, they are actually grounds for refusal.

20. **Landlords ending the tenancy during the fixed term:** Local Authority landlords apply for a court order to end the tenancy if any grounds for possession can be proved. The grounds for possession are the same as for secure tenancies.
21. **Tenants ending the tenancy during the fixed term:** Tenants can give a minimum 4 weeks (written) notice.
22. **Landlords ending the tenancy at the end of the fixed term:** The procedure for local authorities who decide not to grant another tenancy at the end of the fixed term are set out in the Localism Act. A court can only refuse possession if the correct procedure has not been followed by the landlord or if the court is satisfied that the decision not to grant another tenancy was otherwise 'wrong in law'.

There are 3 conditions to get a court order for possession to terminate the tenancy:

- A. The fixed term has ended
- B. The tenant has been given no less than six months notice in writing stating:-
 - I. That the landlord does not propose to grant another tenancy on the expiry of the fixed term
 - II. The reasons why
 - III. The tenant has a right to request a review and the timescale for this.
- C. The tenant has been given no less than 2 months notice in writing stating that the landlord requires possession of the dwelling house (notice requiring possession).

If the tenant refuses to vacate the property possession proceedings must be taken to evict them legally.

23. **Review of the decision to end the flexible tenancy:** The procedure for a review of decisions relating to flexible tenancies is set to secondary legislation. The regulations are modelled very closely on those for introductory tenancies.

They require that the tenant request a review of the decision not to review the tenancy in writing within 21 days of the first notice. The tenant is entitled to request an oral hearing and the review must be conducted by someone senior to the officer that made the original decision and not involved in that decision. The review must be carried out before possession proceedings begin.

24. **Legal challenges:** Caselaw has indicated that tenants can mount a human rights appeal although the threshold for such an argument will be a high one (Pinnock and Powell, Hall & Frisby Supreme Court judgements). There will be a strong presumption that the landlord is justified in seeking possession. More recently the Corby BC v Scott; West Kent HA v Havcroft cases (2012) have confirmed this high threshold when an occupier needs to consider whether they have a realistic prospect of success.

To minimise the chances of challenge the Chartered Institute of Housing recommend that organisations:

- Have a clear policy and procedure around renewal and the criteria to be applied
- Follow the policy and procedure carefully
- Offer an internal review process as established in the Localism Act as indicated at paragraph 21.

25. A full policy and procedure for flexible tenancies is in development in addition to information in the tenancy policy. The tenancy policy sets out indicative circumstances for decisions on when these will be introduced. It is proposed that:

- Decisions on individual tenancies be taken by the Assistant Director for Housing and Community Safety in consultation with the Cabinet Member for Health, Housing and Adult Social Services.

- Decisions on scheme (e.g. accommodation developed to meet specific support needs for a time limited period) or initiative specific (loft conversions) use of flexible tenancies be taken by the Assistant Director for Housing and Community Safety in consultation with the Cabinet member for Housing.

Please see the tenancy policy for situations where flexible tenancies may be considered for use.

Consultation

26. As this policy reflects current policy and practice and the guidance offered by the Tenancy Strategy it has not gone for formal consultation. Extensive consultation was undertaken on the Tenancy Strategy itself. The policy reflects current practice in the main. The policy will be available to the public and presented to the next Federation of Residents Association meeting for information and discussion. It will also be made available to the Tenant's Scrutiny panel.
27. Any future substantial amendments will go out to consultation.

Options

28. Option 1: Agree to the adoption of the policy as it is.
29. Option2: Indicate changes to be made before the adoption of the policy.

Analysis

30. Option 1: This will mean that City of York Council Housing Services is complying with regulatory requirements.
31. Option 2: As option 1.

Council Plan

32. Having a tenancy strategy will help:
- 'Build strong communities' by ensuring that our customers are clear about what they can expect from City of York Council as a social

landlord as well as being made aware of their direct responsibilities as a tenant and of those to the wider community.

'Protect Vulnerable people'. City of York Council provides homes to customers with a wide range of abilities, many of whom are vulnerable. Having a tenancy policy clearly sets out what they can expect as a tenant in an appropriate, well supported and managed home.

Implications

33. **Financial** – none

34. **Human Resources (HR)** – none

35. **Equalities** – A Community Impact Assessment will be needed for the tenancy policy and for any future use of flexible tenancies none

36. **Legal** – this is a regulatory requirement and the fixed term tenancy is based on new legislation which may be subject to challenge. If a tenancy policy is not available Housing Services would be in contravention of the regulatory regime put in place by the TSA

The issues around current rules around succession need clarifying and a formal decision taken on whether a discretionary 2nd succession will be granted and to whom. Legal advice is currently being sought.

Adopting this tenancy policy indicates that City of York Council is endorsing the use of flexible tenancies. The implication of this is detailed from paragraphs 8 to 25

37. **Crime and Disorder** – none

38. **Information Technology (IT)** – changes may be needed to accommodate fixed term tenancies.

39. **Property** – none

40. **Other** – none

41. **Risk Management** - No major risks involved.

Recommendations

42. The Cabinet Member is asked to adopt a tenancy policy in its current or amended form and note that a further report on tenancy successions will be submitted at the earliest opportunity.

Reason: All social landlords are required under the Localism Act and the regulatory framework to have a tenancy policy in place by Jan 2013.

Contact Details

Author:

Denis Southall
Housing Landlord
Service Manager
CAN, Housing
Tel No: 1298

Chief Officer Responsible for the report:

Steve Waddington
Assistant Director, Housing &
Community Safety

Report
Approved

Date

15.7.13

Wards Affected: List wards or tick box to indicate all

All

For further information please contact the author of the report

Background Papers:

TSA Regulatory Standards

<http://webarchive.nationalarchives.gov.uk/20120514075635/tenantservicesauthority.org/server/show/nav.15065>

Localism Act 2011

<http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>

Housing Act 1996

<http://www.legislation.gov.uk/ukpga/1996/52/contents>

Housing Act 1985

<http://www.legislation.gov.uk/ukpga/1985/68/contents>

Tenancy Agreement, Tenant's Handbook and Fact Sheets
Copies online only

City of York Council tenancy strategy

http://www.york.gov.uk/downloads/file/1645/tenancy_strategy

Annexes

Annex A

City of York Housing Services Tenancy Policy (May 2013)

City of York Housing Services Tenancy Policy (May 2013)

Legislation and regulation:

- Tenant Services Authority Regulatory Standards
- Localism Act 2011
- Housing Act 1996
- Housing Act 1985
- City of York Council Tenancy and Accommodation Agreements
- Housing Tenant Handbook and Fact Sheets.
- City of York Council Tenancy Strategy

Authorisation:

This policy was adopted by the Housing & Community Safety Management Team / Cabinet Member for Health, Housing and Adult Social Services on ???.

Introduction

This is City of York Council's policy for tenants and people who want to become tenants of the housing that it owns.

It sets out the approach to tenancy management, tenancy support and the types of tenancy on offer.

The policy takes account of the City of York Council Tenancy Strategy which can be found at www.york.gov.uk/housing .

Our aim is to help all of our tenants sustain their tenancies through effective tenancy management, providing advice and helping tenants access the support that they need.

Tenants of Tees Valley Housing properties managed by City of York Council should refer to the Tees Valley Housing tenancy policy.

Tenancy types

The general rule is that local authorities can only grant secure (lifetime) tenancies unless they decide to operate Introductory Tenancies. City of York Council decided to issue Introductory Tenancies in 2003.

The Localism Act 2011 gave local authorities the ability to offer fixed term tenancies known as Flexible tenancies. City of York Council wants to help sustain communities and believes that one of the ways to do this is to grant lifetime tenancies wherever possible.

Introductory tenancies (IT)

We grant these to tenants who do not already have a secure or assured tenancy with City of York Council or other social housing provider. An IT is a probationary tenancy that lasts 12 months unless it is extended to 18 months.

ITs have fewer benefits than secure tenancies including:

- Guaranteed repossession for serious tenancy breaches as long as the correct procedure has been followed
- No Right To Buy your home
- No Right To exchange your home with another tenant

Secure tenancies (ST)

We give secure tenancies to tenants who are existing secure or assured tenants with City of York Council or other social housing provider. Introductory tenants will also become secure tenants if they successfully complete their time on an IT.

Secure tenants have full tenancy rights as set out in the tenancy agreement and Tenants Information Handbook and Housing Fact Sheets.

Demoted tenancies (DT)

A secure tenancy may be downgraded to a DT by a court in cases of severe anti-social behaviour. The DT has fewer rights and is broadly the same as an IT. It will revert to a secure tenancy again after 12 months if it is not ended. City of York Council may apply to have a secure tenancy downgraded to an IT as an alternative to asking the court for possession of a secure tenancy.

Non secure tenancies (NST)

These are granted in specific or exceptional circumstances only. They have very limited security of tenure and rights. They normally apply to

short term tenancies such as accommodation provided to families to whom the Council has duties under homelessness or other legislation.

Families accommodated for this reason will be issued with a temporary accommodation agreement.

Gypsy and Travellers sites

Tenants housed on these sites will be issued with a Travellers Accommodation Agreement.

Flexible tenancies (FT)

These are secure tenancies granted for a fixed term of at least 5 years although they can be granted for as few as 2 years in exceptional circumstances.

FTs will not be used unless there are exceptional or specific circumstances that require this.

Individual tenancies

Decisions on whether to grant an FT on an individual tenancy will be taken by the Cabinet Member for Health, Housing and Adult Social Services in consultation with the Assistant Director for Housing and Community Safety.

A flexible tenancy will only be granted on individual tenancies where:

- An introductory tenancy or non secure tenancy is not appropriate
- The property has been extensively adapted and it is foreseeable that the need for the adaptation will no longer exist in future
- Other exceptional circumstances relating to the future status of the tenant e.g. limited leave to remain in the country with a duty to house in the interim.

Housing Schemes or initiatives

Decisions on whether fixed term tenancies will be taken by the Cabinet Member for Health, Housing and Adult Social Services in consultation with the Assistant Director for Housing and Community Safety granted for:

- Specific initiatives within the stock of housing e.g. the prevention of future under occupation.
- Accommodation provided for specific purposes e.g. time limited support linked to specific accommodation
- Other defined reasons where an introductory or full secure tenancy would not be appropriate.

In all cases Flexible tenants will be advised at least 6 months in advance of when their tenancy will end. Other appropriate accommodation will normally be offered to the existing tenant before the end of the Flexible tenancy following review, unless there have been serious evidenced breaches of the tenancy agreement or other specific circumstances that make a further offer unsuitable.

Please refer to the detailed policy and procedure for flexible tenancies for information on the rights of flexible tenancy and the rules around granting and ending flexible tenancies.

Minors and tenancies

A person under the age of 18 can not hold a legal tenancy. In these circumstances we will seek to grant the tenancy to an adult such as a member of the minor's family or if this is not possible, to another adult, for example a social worker, who will hold the legal tenancy on trust for the minor's benefit until they reach 18. Alternatively an equitable tenancy could be granted which is an agreement to grant a tenancy when the minor reaches 18.

Looked after children

City of York Council also grants a small number of tenancies to other departments of the Council. These will be used to help looked after children work towards being able to live independently.

Ending a tenancy

The Council can not end a tenancy and recover possession without an order of the court.

Most tenancies and non secure tenancies will continue indefinitely unless formally ended by the courts or the tenant or by the agreement of both.

Tenants should end tenancies and non secure tenancies by providing notice in writing.

Where this is not done the tenant may be liable for rent until the tenancy or licence is formally ended by a court order.

For weekly tenancies a minimum of 4 weeks notice is required. This does not apply where the tenant is mutually exchanging homes or transferring to another social rented home through North Yorkshire Home Swap.

A tenant should always seek advice from Housing Services, CAB, solicitor or other appropriate agency before they leave a tenancy, especially if they are a joint tenant and are leaving the other tenant(s) in occupation. This is because they still remain a tenant although they are not living there. This can cause problems if re-applying for social housing elsewhere.

Tenancies with no security

The Council may bring a tenancy to an end if a tenant has lost their security of tenure, for example because they no longer occupy the property as their own or principle home or they have died and there are no further rights to succession. A notice to quit will be served. The Council will then take proceedings through the courts to end the tenancy where needed.

Tenancy surrender

If the Council and the tenant agree to bring the tenancy to an end, this may be done by surrender. For a surrender to take effect the tenant must offer the tenancy to the Council and the Council must agree to accept it. Offer and acceptance must be in writing and can be proved by a Deed of Surrender which is a legal document.

Court order

All tenancies issued by City of York Council can be ended by a court order. This will require the Council to serve the correct notice for the tenancy advising the tenant that possession proceedings are to be taken. The discretion of the court to grant possession differs with each type of tenancy.

Property abandonment

If it is clear, following thorough investigation, that a tenant has left a property without telling us or giving notice, the Council will serve a notice to quit that ends the contractual tenancy. Once the notice has expired (the date on the notice has passed) the Council will then take proceedings through the courts to end the tenancy where needed.

Succession

For secure tenants whose tenancy began before April 2012:

It may be possible for members of a tenants family to take over a tenancy when the tenant dies. This is called a succession. The law says that the following people have a right to inherit a tenancy:

- A husband, wife or person living with the tenant as their partner at the time of death.
- Another family member or relative including parents, grandparents, children, grandchildren, brothers, sisters, aunts, uncles, nephews and nieces. It also includes adopted children and step children, and people who are relatives by marriage. Any relatives wanting to inherit the tenancy must have lived with the tenant for at least twelve months before the death of the original tenant. You potential successor will be asked to prove this.

It is our policy to allow two successions of tenancy but a second succession may not be possible if your home:-

- Has been specially designed or adapted for the elderly or disabled and would normally be given to people with special needs.
- Is larger than necessary - and has more bedrooms than are needed. In these cases alternative accommodation will be offered

For tenants whose tenancy began April 2012 or after:

Tenants granted a secure tenancy after 1st April 2012 only have one statutory succession and this is to the spouse or partner only.

A second succession may be granted if the Council agrees to extend succession rights and sets this out in its tenancy agreement. This can be extended to other family members or resident carers. City of York

Council has not formally changed its tenancy with regard to succession rights and this means that the same succession rights that applied prior to April 2012 still apply. This will be reviewed shortly in consultation with customers.

Rents

City of York Council charges social rents on all of its tenancies. Rent levels are determined as per the 'target rent' guidelines issued by the government each year. This will result in social rents between housing providers in an area converging (becoming broadly similar for each property type) over time.

Mutual exchanges

Tenants of City of York Council (where eligible) can exchange their home with other Council or registered providers of housing.

Tenants can do this using the Homeswapper website which is free for City of York Council tenants to use.

www.homeswapper.co.uk

Mutual exchanges are based on legislation and are a right for tenants who are eligible. City of York Council operates a flexible exchange system where tenants in proven hardship may be allowed to move even though there are reasons which would normally stop them doing so, for example rent arrears. This will only happen after certain specified conditions are met.

Tenants wanting to exchange should discuss this with their Housing Estate Manager.

Tenancy agreements, responsibilities and sign up

City of York Council will ensure that tenants are fully informed about their tenancy rights and obligations at the pre-tenancy sign up stage and beyond. The Council provides a DVD outlining responsibilities to all new tenants.

Tenants in temporary accommodation are expected to attend specific information sessions about being a responsible tenant before they are made an offer of a property.

We will conduct a sign up for a new home with all new tenants to ensure that they fully understand their rights and responsibilities and the conditions of the tenancy agreement on offer. We will also discuss what the tenant can expect from the Council and opportunities to get involved in shaping the Housing Services.

At sign up financial issues will be discussed as well as the support needs of the tenant if these are not already being met.

Joint tenancies

We normally grant joint tenancies to two people living together as partners. However, in exceptional circumstances we may give a joint tenancy to up four people regardless of gender or marital status, including any relevant members(s) of the family.

Tenancy reviews

Introductory Tenancies

Introductory tenancies will be reviewed at 6 weeks, 3 months and 9 months as a minimum and where extended to 18 months at 12,15 and 18 months

Secure tenancies

The Council will visit many tenants on an ad hoc basis in the normal course of it's work but we will also have a planned programme of customer care visits where the Council will aim to visit every home at least once every 3 years.

These visits will cover a range of purposes which broadly summarised include:

- Ensuring that the terms of the tenancy are being complied with and that the property is being looked after
- Identifying any support need and any changes in the households circumstances
- Signposting the tenant to any other services as appropriate.

Visits will be arranged in advance unless there are exceptional circumstances and tenants should allow access and be present. Appointments can be re-arranged if not convenient.

Other tenancies

All other tenants will receive visits as needed depending on their support needs or the type of tenancy granted.

Anti-social behaviour and Tenancy Fraud

City of York Council will not tolerate its homes being used for illegal or immoral purposes or in a fraudulent manner.

Housing Services work with other departments, organisations and tenants to investigate and act on breaches of the tenancy agreement and fraud such as illegal sub letting of its homes.

All available legislation, investigatory powers and information will be used. The Council will seek to prosecute in all cases where it is reasonable to do so and seek possession of its homes where this is appropriate.

It may also be appropriate to provide support as this can help reduce the incidence of anti-social behaviour and help tenants comply with the terms of their tenancy agreement.

Support

Regardless of tenancy the Council will help tenancy sustainment by ensuring that tenants are aware of and accessing appropriate support at all times.

Staff will assist customers with accessing support where this is requested and will signpost tenants as a minimum.

The Council provides some support directly but also works with many partners to provide appropriate support and accommodation. The Council also offers a range of resettlement services for those who wish to work towards accessing mainstream housing.

Most tenancy related support will be accessed through the Single Access Point referral system. This process determines the customers

specific needs and ensures that the services that they access are appropriate.

Money, debt and employment advice is also available for Council tenants through the Money and Employment Workers as well as at a range of local advice sessions provided by the CAB.

A range of services and housing is also available to support independent living for older people including:

- Sheltered accommodation and sheltered accommodation with extra care
- Warden Call emergency service, services to support you to live at home and home care services
- Garden maintenance and decoration schemes for older people and people with disabilities

Tenants can ask the Housing Estate Manager or Support Worker for details or visit www.york.gov.uk/housing for more details.

Complaints and Appeals

Making a Complaint

If you are not happy with our services you can make a complaint. You can make your complaint directly to the staff involved or contact the complaints team if you prefer. You can also fill in a 'Have Your Say' leaflet which will be sent to the Complaints Manager. If you need any help in making your complaint staff will do their best to assist you. Your complaint can be dealt with at a number of different stages.

For more details ask a member of staff or visit http://www.york.gov.uk/info/200167/customer_services/42/comments_comments_complaints_and_suggestions/2

You can also contact your councillor or MP about your problem.

Residents Associations and York Federation of Residents and Community Associations may also be able to help.

If you are unhappy about how Housing Services have dealt with your complaint then you can contact the Housing Ombudsman.

For more information on any of the please contact Customer Services on 01904 551550 or visit www.york.gov.uk

How to Appeal

If you disagree with our decisions on housing policy you have the right of appeal to a panel of Councillors. If you are unhappy with our decisions and want to appeal you need to write to the Assistant Director of Housing & Public Protection. Speak to a member of staff for more details.

Equal Opportunities

Housing Services is committed to providing a high quality, customer centred service which meets all legal requirements. Housing Services will:

- Treat individuals fairly, with dignity and respect
- Understand the rights of individuals and the communities in which they live
- Make sure that the opportunities provided are open to everyone
- Make sure that there is a safe environment for customers of the service, and for those providing the service

Each member of staff is responsible for delivering the service fairly, consistently and openly, as well as keeping within Housing Services policies and procedures, and the law. Any agencies or organisations that work with Housing Services will also be expected to make sure that they do not discriminate or act unfairly against any section of the community. These principals will be adopted in all the work of Housing Services.

Review

This policy will be reviewed every 2 years as a minimum or sooner should the need arise due to changes in legislation, policy or procedures.

Contact details

Communities & Neighbourhoods
City of York Council
Housing Services
West Offices
Station Rise
York
YO1 6GA

Tel: 01904 551550
Fax: 01904 551190