



Wythenshawe
Community Housing Group



Your Guide to Your Tenancy Agreement

Introduction

As a provider of social and affordable housing, Wythenshawe Community Housing Group has a number of statutory and regulatory obligations that it must carry out.

The Group has a responsibility to its tenants and residents of the wider community to recognise that whilst the majority of residents are committed to the area in which they live, a small number of people fail to maintain their tenancy to an acceptable standard which can detract from our objective to provide sustainable communities where customers want to live.

A Tenancy Management Policy is also in place to allow us to manage tenancies effectively and this covers:

- Starter Tenancies
- Successions
- Abandoned properties
- Unauthorised occupiers
- Mutual Exchanges
- Subletting

Starter Tenancies

All new tenants to Wythenshawe Community Housing Group are signed to an Assured Shorthold or Starter Tenancy. A Starter Tenancy will last for the first 12 months and we will visit during this time to check that the tenancy is being managed well. As long as the tenancy is conducted satisfactorily with no issues, it will automatically convert to a fully Assured Tenancy at the 12 month anniversary.

Starter Tenants do not have the same rights as Assured Tenants:

- There is no right to improve, exchange or acquire for Starter Tenants
 - The Starter Tenancy can be terminated by serving a Section 21 Notice in cases where a tenant breached their tenancy.
- If there have been any breaches, the Starter Tenancy may be extended for a further period of 6 months or ended with the serving of a Section 21 Notice.



Keeping to your promises

We can only end your tenancy by applying for a court order, but we will do so if you;

- Don't pay your rent
- Fail to look after your home
- Provide us with false information
- Are responsible for anti social behaviour
- Allow criminal acts to take place in your home
- Breach any other conditions of your tenancy.

If a Section 21 Notice is served the tenant has the right of appeal and details can be obtained by emailing customerenquiries@wchg.org.uk



Successions

Succession is when a tenant dies and another person applies to take over the tenancy of the property, including the tenancy agreement and terms and obligations of the tenancy.

The statutory right of succession for Assured tenants is limited to one right of succession to a partner or spouse of the tenant or a qualifying member of their family.

Under the Housing Act 1985 and the Housing Act 1988, where a joint tenant becomes a sole tenant following the

death of the other joint tenant, he or she is treated as a successor and no further statutory succession is possible.

As the Group uses Assured and Assured Shorthold (Starter) Tenancy agreements, the rule of one succession per tenancy will apply.

Any person applying to succeed to a tenancy must be able to meet the following criteria:

- They occupied the property as their only or principal home
- They lived with the tenant throughout the period of 12 months prior to their death
- They notify the Group in writing of their claim to succeed within 6 months of the death of the tenant.

Evidence is required to support all claims and a decision will be made within 14 days of the claim being received.

Decisions may vary depending on the tenancy type and we may ask qualifying successors to move to a more suitable property, for example if there are adaptations or the property is under occupied.

Applicants can appeal a decision by writing to our head office, Wythenshawe House, 8 Poundswick Lane, M22 9TA.

Abandoned Tenancies

The Group ensures that abandoned properties across our neighbourhoods are identified and dealt with promptly. We don't want to leave properties to stand empty and vulnerable to unauthorised occupiers or damage and aim to regain possession as soon as we can.

Where we receive reports that a tenant of one of our properties no longer appears to be living there, the Group ensures they are fully investigated. We will speak to neighbours, any family or relatives living nearby and will check our records for any information on the tenants' whereabouts.

If we're satisfied that the tenant has left the property then we will take action to repossess the property.

Sub-Letting

The Assured tenancy agreement states that a tenant may take in a lodger or sub-let part of their home. They cannot sub-let the whole property and if found to be doing this we will apply to the court for a court order to gain possession of the property.

Unauthorised Occupiers

If we suspect or receive reports that a property is being occupied by a person who is not authorised to be there, we will check whether the occupier has any legal right to the tenancy and if not we will investigate and take appropriate action.

If you think that someone is living in one of our properties who is not the tenant, please email us at info@wchg.org.uk



Mutual Exchanges

A mutual exchange is an exchange of tenancies and therefore properties between tenants of a social landlord.

Mutual exchanges are an important option for those who would not necessarily have any housing need or priority if they registered for rehousing.

They also support those who are affected by under occupation and where we can, we will work with tenants to match them to a suitable exchange.

As we are a member of Homeswapper, this allows all tenants to access this service free of charge.

Mutual exchange is not available to tenants on Starter Tenancies as they are not able to exchange during the first 12 months of their tenancy.

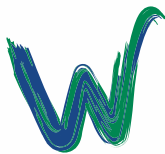
All mutual exchange requests are completed within 42 days and require inspections and gas and electric checks of all involved properties.

Mutual exchanges can be refused as set out in Housing Law for the following reasons:

- One or both parties do not have a clear rent account or a Notice of Seeking Possession has been served
- Tenants moving in or out would be under occupying or overcrowding the property
- Either property is specifically adapted for elderly or disabled tenants
- There is a current possession order in place or the Group has commenced proceedings to end the tenancy.

For further information about how tenancies are managed across the Group, email info@wchg.org.uk





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