

3.

Your tenancy agreement



beech



This document is available in other languages, larger text, Braille and on audio cd or cassette.



Your tenancy agreement is an important legal document – it is a contract between you and your landlord and it details your rights and responsibilities as a tenant. You should keep your copy of the agreement safe.

This leaflet will help you understand some of the legal obligations, but if you have any queries about your agreement you should speak to your Housing Officer.

About your tenancy

We usually offer one of three types of tenancies:

- **Starter Tenancies**
This is the usual type of tenancy we offer new tenants to the Association.
- **Assured Tenancies**
This is the usual type of tenancy we offer an existing tenant transferring to another of the Association's properties.
- **Assured Shorthold Tenancies**
This is the usual type of tenancy provided for housing that we manage for another landlord.

Starter tenancies

We use Starter Tenancies to help reinforce the need for tenants to conduct their tenancy in an appropriate way.

The Starter Tenancy provides what is, in effect, a trial period of up to one year to allow us to make sure that a tenant is suitable to receive an Assured Tenancy. Our use of Starter Tenancies is primarily aimed at preventing anti-social behaviour and we use them to create sustainable communities.

If a Starter Tenant does not comply with their Tenancy Conditions, we will obtain a court order to gain possession of the property. If on the other hand, the Starter Tenant complies with their Tenancy Conditions, they will become an Assured Tenant at the end of the first year and enjoy a wider range of tenancy rights.

Keeping 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 condition of your tenancy

Your rights

Tenants who hold a Starter Tenancy or an Assured Shorthold Tenancy enjoy many of the same benefits as Assured Tenants, but there are a number of rights that do not apply. The table opposite explains the main differences and similarities:

Tenancy Right	Starter Tenants	Assured Shorthold Tenants	Assured Tenants
To take in lodgers	No	No	Yes
To sub-let part of property	No	No	No
To conduct a mutual exchange	No	No	Yes
To transfer to another Beech home	No	No	Yes
To carry out improvements	No	No	Yes
For your partner to succeed the tenancy	Yes	Yes	Yes
Statutory Right to Repair	Yes	No	Yes
To be consulted on Housing Management issues	Yes	Yes	Yes

The ‘Your questions answered’ section below explains the different rights for each type of tenancy in more detail.

Your questions answered

Q Can I pass on my tenancy?

If you are an Assured Tenant you can pass on your tenancy to a family member in certain circumstances, but there are strict legal conditions.

There are two methods allowed – succession and assignment.

Succession means you pass on your tenancy to a family member or other person living in your home upon your death. We will do all we can to smooth this process.

Assignment means you can move out of your home and pass the tenancy on to a partner or family member who has lived in the property for at least 12 months.

Assignment is not available for Starter Tenants and Assured Shorthold Tenants

Q Can I take in a lodger?

If you are an Assured Tenant you do have the right to take in a lodger, provided that you tell us their name and whether or not they are working or claiming benefits.

Before you take in a lodger, be aware that:

- Your housing and council tax benefits may be affected
- Your lodger will have no security of tenancy
- You are responsible for your lodger's behaviour in your home and liable if they cause a problem
- You cannot take in a lodger if it means your home will become overcrowded

Starter Tenants and Assured Shorthold Tenants do not have the right to take in lodgers

Q Can I make improvements to my home?

If you are an Assured Tenant you can make improvements to your home as long as you get written permission from us.

We will normally give permission as long as a qualified tradesman is carrying out the work, and we are assured that it is not dangerous, and that it will not damage the value of the property. We may inspect the work once it is completed.

You should also always check to see if you need planning permission. For more information on what kind of improvements you can make to your home please see the 'Repairs and Maintenance' leaflet for further details.

You may be entitled to compensation for improvements made to your home when you leave – see the 'Suggestions & Complaints' leaflet for further details.

Starter Tenants and Assured Shorthold Tenants do not have the right to make improvements

Q Can I swap my home with another tenant?

Yes, you can carry out something called a mutual exchange with another housing association tenant – see the 'Moving On' leaflet for more details.

Starter Tenants and Assured Shorthold Tenants do not have the right to mutual exchange

Q Can I buy my home?

If you are an Assured Tenant you may have the Right to Acquire your home. This scheme offers housing association tenants a fixed discount on the open market value of the property.

Access to this scheme depends on how your home was funded when it was originally built or refurbished: You must live in a property that was built or refurbished with a Social Housing Grant, where grant confirmation was received on or after 1 April 1997.

Please contact your Housing Officer if you would like more information or to exercise this right.

Starter Tenants and Assured Shorthold Tenants do not have the Right to Acquire

Q How do I end my tenancy?

If you decide to leave, you must tell us in writing at least four weeks beforehand. You must give us a forwarding address where we can contact you.

Should you decide to end your tenancy we exercise a 'Golden Goodbye' scheme, which provides a one-off payment to residents who fulfil certain criteria when ending their tenancy. For example, the provision of a forwarding address and the property left in good order. Your Housing Officer will be able to provide you with more details regarding this.

If you leave without giving us warning, owing us money, or if you leave your house in poor condition we will not rehouse you in the future, you will not get a reference from us and we will use tracing agencies to recover any monies owed.

You should make sure all your belongings are removed from the property before you leave and arrange to have meters read and the phone line disconnected before you leave.

The keys to your property should be returned to your Regional Office. You should not send us your keys in the post unless you do so by recorded delivery.

Getting in touch

Lǎngüagê Liǎnè

Head office: 01942 608715

Turner House, 56 King St
Leigh, Lancs WN7 4LJ

West office: 01942 263630

82 Railway Road,
Leigh, Lancs WN7 4AN

North office: 0161 230 4070

Elizabeth House, off Victoria St,
Openshaw, Manchester M11 2NX

Neston & Parkgate office:

0151 353 0917

43 Liverpool Road, Neston,
Cheshire CH64 3RB

South office: 0161 232 6030

Parkway 5, Parkway Business Centre,
Princess Road, Manchester M14 7HR

Bootle office: 0151 284 5756

34 Eleanor Road, Bootle,
Merseyside L20 6BR

ARABIC

هذه الوثيقة متاحة باللغة العربية
عند الطلب.

BENGALI

অনুরোধ করলে এই ডকুমেন্টটি
বাংলা তে ও উপলব্ধ

CANTONESE

本文件可以應要求，製作成中文
(繁體字) 版本。

FARSI

این مدرک در صورت درخواست به فارسی
موجود است.

FRENCH

Ce document est disponible en français
sur simple demande.

GUJARATI

આ દસ્તાવેજ વિનંતી કરવાથી ગુજરાતીમાં
મળી રહેશે.

HINDI

अनुगोध पर यह दस्तावेज़ हिन्दी में भी
उपलब्ध है

KURDISH

ئەم بەلگەیه بە پێی داواکاری بە زمانێ
کوردی ش دەس دەکەوێت

MANDARIN

本文件可以应要求，制作成
中文(简体字)版本。

POLISH

Dokument ten jest na życzenie udostępniany
w języku polskim.

PUNJABI

ਪੰਜਾਬੀ ਵਿਚ ਵੀ ਲਿਖਿਆ ਜਾ ਸਕਦਾ ਹੈ
ਇਹ ਦਸਤਾਵੇਜ਼ ਮੰਗ ਕੇ

SOMALI

Dokumentigaan waxaa lagu helaa Soomaali
haddii la codsado.

URDU

درخواست پر یہ دستاویز اردو میں بھی مل سکتی ہے۔

VIETNAMESE

Tài liệu này có sẵn bằng tiếng Việt khi
được yêu cầu.

