

LOCAL CONDITIONS OF TENANCY

Report of the Director of Derby Homes

SUMMARY OF REPORT

1. This report provides general background information on local conditions of tenancy that are used to deal with specific local issues.

RECOMMENDATIONS

2. The local housing board is requested to note the contents of this report.

MATTER FOR CONSIDERATION

- 3.1 Local conditions of tenancy were introduced in early 1990s following a major refurbishment programme in the North. The tenants who lived in refurbished flats expressed their desire for a local condition of tenancy to prohibit dogs from flats.
- 3.2 The introduction of local conditions of tenancy received a lot of support from tenants' movement, in particular, the Derby Association of Community Partners. These conditions were further developed over a period of time and were introduced in response to specific issues faced by tenants and leaseholders or identified by the local office staff.
- 3.3 These conditions of tenancy are in addition to the main conditions of tenancy and whilst offering a quite useful management tool to deal with specific local issues these also provide an opportunity to residents to seek improvement in their quality of life.

There are six local conditions of tenancy in use and these are summarised below:

A Prohibition of Dogs

Dogs are generally banned from the property except for guide dogs.

B Default Powers

Damage to any part of common areas or litter in common areas is prohibited in block of flats.

C Contract Cleaning

Derby Homes takes the responsibility of cleaning common areas in block flats and cost of this is added to weekly rent.

D Pets

No pets other than caged birds or aquaria are allowed.

E Gardening

Derby Homes through its' contractors maintains the garden area of the property and cost of this added to weekly rent.

F Home Decoration

Derby Homes undertakes to decorate one room per year for a set weekly charge included in the rent.

- 3.4 Local conditions of tenancy from A to D are usually applied to blocks of flats to curb a particular activity or nuisance in the locality. Given the very close proximity of properties in block of flats any infringement of tenancy conditions can affect a number of residents. These conditions, therefore, provide a useful tool to deal with nuisance related issues in blocks of flats.
- 3.5 Local conditions E and F are aimed at helping elderly and disabled people who would otherwise find it difficult to maintain their tenancies.
- 3.6 All of the above local conditions are now used across the city but to a varying degree. Local offices with high number of flats tend to use more local conditions A to D whilst offices with high number of elderly populace i.e. bungalows use E and F.
- 3.7 The first four conditions have been successfully introduced in many blocks of flats such as Rivermead House, Durley Close, Derbyshire flats and more and implementation of these conditions have helped greatly to reduce ASB and nuisance in those localities.
- 3.8 Similarly a number of our elderly tenants are now benefiting from local conditions of tenancy E and F across the city and these have proved to be the most popular of all.

CONSULTATION IMPLICATIONS

- 4.1 Essentially a thorough consultation with tenants and leaseholders is always carried out to determine their aspirations. If a majority of tenants and leaseholders vote against the proposed local condition of tenancy than no further action is taken.
- 4.2 As a result of this there are blocks of flats across the city stood side by side with different conditions of tenancy.

FINANCIAL IMPLICATIONS

5. Any costs incurred by contract cleaning, garden maintenance and home decoration are added to weekly rent.

LEGAL IMPLICATIONS

6. The Housing Act 1985 section 128 states that we must consult with our tenants and leaseholders prior to implementing any rent variations. A letter giving 28 days notice must be served before any rent variation.

PERSONNEL IMPLICATIONS

7. None

ENVIRONMENTAL IMPLICATIONS

8. Introduction of local conditions of tenancy has helped in maintaining cleaner environment in and around blocks of flats.

EQUALITIES IMPLICATIONS

9. Over 40% of Derby Homes tenants and leaseholders are elderly or disabled, this figure is likely to increase, and most of them benefit from local conditions of tenancy E and F.

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