

INTRODUCTORY TENANCIES

Why is there a need?

For many residents, the problem of nuisance and anti-social behaviour has brought about illness, stress, or in the more severe cases, caused people to leave their homes and move to other areas. In addition, many people are failing to pay their rent, not returning their housing benefit forms and falling into arrears. This cost falls on other tenants.

Derby Homes wants to reverse these trends, and make the City a safer place to live - improving the general quality of life for residents who live on our estates; a major part of this overall plan is to establish the concept of Introductory Tenancies throughout the City.

What are 'Introductory Tenancies'?

An Introductory Tenancy is a temporary tenancy, which lasts initially for a 12 month period. During this time the tenant is effectively on probation, and if the tenancy is conducted satisfactorily within this period then the tenancy will become secure.

What rights do 'Introductory Tenants' have?

Introductory tenancies are not Secure Tenancies, and therefore new tenants will not have the same statutory rights as existing tenants.

However, Introductory Tenants have the right of:

- Succession
- Repair

They will not have the right to:

- The same protection from eviction for any breach of the tenancy agreement
- Buy their council property
- Assign (transfer) the tenancy, to take in lodgers, carry out improvements or mutually exchange with another tenant

What will happen during the 12 month tenancy?

The tenancy will be monitored and reports made to the tenant on their progress. Introductory Tenants causing nuisance of a minor nature will be served a formal notice of the breach of their tenancy agreement. Minor breaches of tenancy might include:

- Littering
- Occasional noise
- Failure to maintain gardens to a satisfactory standard
- Minor damage to the property

Incidents, which are likely to be considered a serious breach and therefore leading to the Council taking action to bring the tenancy to an end, may include:

- Rent arrears
- Violence or threat of violence
- A risk of damage to a property
- If there are a substantial number of incidents, including those of a minor nature which have continued despite warnings to the tenant
- Harassment, which is having a seriously detrimental effect on the victim or members of his or her family.
- Use of the property for illegal or immoral purposes (eg drug dealing)

It should be noted that the tenant may be held liable for breaches caused by members of their family/friends, (eg their own children or visitors to the premises).

The ultimate purpose of these procedures is to encourage people to behave responsibly in a manner which is acceptable to the rest of the community. However, it should be stressed that Introductory Tenancies are not simply a tool which Derby Homes can use to evict at will.

There are very stringent methods imposed on us to ensure fairness, and to monitor Derby Homes actions when dealing with an alleged breach of an Introductory Tenancy. Every Introductory Tenant has the right of appeal to a body containing people not involved in the original decision. If tenants are under investigation for anti social behaviour, all elements of the investigation will be required to meet the requirements of natural justice.