

# Tees Valley Tenancy Strategy

Effective from November 2012 - March 2017

*(Updated March 2014)*



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## Section 1: Introduction

### Current Context

A review of the Tees Valley Tenancy Strategy (2012) took place in February 2014 during a period of uncertainty at a local, regional and national level, relating to the impacts of the Welfare Reform Act and the effects on residents and communities. Some areas are experiencing a significant mismatch in the sector between the size and type of housing that residents' need and what affordable housing is currently available in that area. In other areas, due to low demand, single person households have been housed in 2 and 3-bed properties creating issues particularly around under-occupation. The ways in which landlords deal with these issues could indirectly lead to the de-stabilisation of some communities. These changes are bringing significant challenges to all landlords and their tenants and the full implications of welfare reform are not yet fully apparent.

### National Housing Policy

The Government's national housing strategy "Laying the Foundations: A Housing Strategy for England"<sup>1</sup> details its intended direction of travel for housing and sets out the shape of housing provision that the Government wants to see, which involves the primacy of home ownership; social housing as welfare; and an increasing role for private rented sector. This national strategy also reinforces the Government's view that local authorities need to have a greater influence in setting local housing priorities. It introduces a range of new measures to reinvigorate the housing market and recognises that a number of factors, including the economic downturn and the welfare reforms will increase pressures on social housing.

This national strategy provides the basis for a raft of reforms included in the Localism Act<sup>2</sup>. These include:

- The introduction of Affordable Rent tenancies (80% of market rents) as part of changes to the way new social housing development is funded;
- The introduction of fixed-term (flexible) tenancies leading to more social mobility;
- Changes to the statutory guidance on allocations introducing the opportunity to increase flexibility in the ways housing waiting lists are used;
- The self-financing of the Housing Revenue Account allowing stock retaining councils to take full control of decisions on income and expenditure;
- Reforms to homelessness legislation; and
- The introduction of the national homeswap scheme.

### The Localism Act

The Localism Act (the Act) gained Royal Assent in November 2011 and makes significant changes to the law relating to the management and allocation of social housing. In essence, the Act implements the Government's recent policy reform of social housing (as outlined above) and has provided stock holding local authorities (LA) and registered housing providers (RPs) with the option of providing a new 'fixed-term' (flexible) tenancy instead of a tenancy for life.

<sup>1</sup> CLG (2011) *Laying the Foundations: A Housing Strategy for England*.

<sup>2</sup> Some of which were first introduced during the governments' Comprehensive Spending Review in October 2010.

The Act also introduced a requirement for all local authorities to publish a **tenancy strategy**. The main purpose of a tenancy strategy is to set out high level objectives about how tenancies will be used and managed across a defined area. Stock holding LAs and RPs operating in the area should give 'due regard' to these broad objectives when formulating their own tenancy policies.

A **tenancy policy** is the overarching document which all stock holding LAs and RPs should have in place, following changes to the Regulatory Framework governing RPs. It is this document that provides detail on specific procedures.

In order to be effective, a tenancy strategy has to be consistent with the objectives detailed within local housing strategies (these are the documents that set out our priorities for managing the local housing market). The tenancy strategy must also take account of local homelessness strategies and the allocations policies. In the Tees Valley, the allocations policy is managed through the Compass Choice Based Lettings (CBL) scheme. This is a partnership of all five Tees Valley local authorities, plus the majority of the RPs who have property in the area.

## The development of a cross boundary Tenancy Strategy

### How we reached this decision

A number of factors have influenced our decision to come together to agree a single tenancy strategy for our sub-region. They include:

- a. The strong and well established joint working structures that exist between the five Tees Valley LAs. This has resulted in a number of successful partnerships and collaborations including for example, a number of housing market renewal related initiatives and a shared allocations policy (as referenced above).
- b. Consideration of the range of RPs working across our boundaries. As detailed in the Appendix A: Technical Appendix, 35 accommodation providers have a 'stock holding' in the Tees Valley (accounting for nearly 58,000 units of accommodation) and the majority of these providers work across the Tees Valley. A single tenancy strategy for the Tees Valley is therefore a more logical and practical approach.
- c. To inform the development of this strategy the five Tees Valley LAs undertook initial consultation with all partner RPs in the summer of 2011. As part of this consultation, we specifically sought their views on the benefits of a single Tees Valley tenancy strategy. There was consistent support for this approach.

## The remit of our tenancy strategy

The Localism Act states that a tenancy strategy should:

- Set out when/why fixed-term (flexible) tenancies may be used and for what purpose, including:
  - o The length of the tenancy;
  - o The circumstances in which a tenancy will be renewed; and
  - o The circumstances in which a tenancy is terminated.

and

- The means by which the strategy will be reviewed.

In addition to the above, we have also taken the opportunity to detail our expectations in relation to:

- The need for appropriate and consistent housing advice and assistance on the ending of a fixed-term tenancy;
- Rent conversions from social to the new affordable rent model;
- Stock disposals; and
- Local lettings plans.

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1 CLG (2011) *Laying the Foundations: A Housing Strategy for England*.

2 Some of which were first introduced during the governments' Comprehensive Spending Review in October 2010.

## Section 2: Understanding Our Local Context



### About the Tees Valley

The Tees Valley is located in the north east of England and comprises five local authorities: Darlington, Hartlepool, Middlesbrough, Redcar and Cleveland, and Stockton-on-Tees. The resident population of the area is 663,900<sup>3</sup>

Some key characteristics about our sub-region:

- The housing market extends into North Yorkshire and County Durham;
- The prosperity of Tees Valley was originally founded on steel, chemicals and engineering;
- In recent decades the economy has diversified through the growth in the service sector and manufacturing;
- There is good connectivity by road, rail and air via the A1(M), A19, East Coast mainline and Durham Tees Valley airport;
- Our overall population has been in decline due to net out migration; and
- Employment rates are below the regional and national averages.

<sup>3</sup> Office for National Statistics Mid-Year Population Estimates (2012)

**Technical Appendix A** provides key statistical information regarding the key housing issues in the Tees Valley. It highlights key trends relating to our population, housing market, housing need and demand, all of which has informed the thinking behind the development of our tenancy strategy. In summary Appendix A demonstrates:

- Our population is now increasing and like other areas is also aging;
- As a proportion of the total housing stock social housing is decreasing;
- The number of live applications registered on Compass (CBL system) has declined to under 16,000 and the number of transferring applicants has increased from 25% to 36% of the waiting list.
- Under-occupation is a much more significant issue than over-crowding with the percentage of applicants awarded priority for rehousing for this reason having risen from 4% to 11% since November 2012;
- Affordability is an issue across the Tees Valley area; and
- Empty properties are also a challenge with just under 5% of the total housing stock being empty, a figure that is higher than the rest of the region and greater than the average for England.

Whilst there are considerable differences in the local housing market across the sub-region, pressures on social/affordable housing remain a consistent factor. The reductions in traditional forms of funding that have enabled the

development of new affordable housing will inevitably result in a long-term reduction in new housing development across the sub-region. Making the best use of the existing stock a critical issue for the foreseeable future.

### **Current Context**

Since the Tenancy Strategy was adopted in 2012 the Localism Act and Welfare Reform have resulted in some significant changes to demand for social housing. These changes include:

- A decreasing waiting list;
- Decreasing demand for family sized accommodation;
- Decreasing bidding activity on CBL;
- Increasing numbers of tenants moving from social rented to the private rented sector;
- An emerging reduction in demand for affordable rent housing;
- Reasons for homelessness remains steady with affordability the main cause.

## Section 3: Developing Our Tenancy Strategy

The intention of this tenancy strategy is to set out how the five councils intend to work with our partner RPs, in order to make the best use of the opportunities that are now available in the context of the housing pressures that we face. We recognise that, during 2013/14, there will be continuing significant changes within social housing, the consequences of which are difficult to predict. Our tenancy strategy, therefore, needs to be flexible enough to provide the right range of tenancy options to meet the challenges ahead whilst also ensuring that we continue to maintain stable and sustainable communities.

In reaching our conclusions (as set out in Section 4) we have:

- a. Evaluated key information and evidence bases;
- b. Carried out a series of consultation exercises; and
- c. Reviewed the potential opportunities which fixed-term tenancies could bring.

### a. Key information and evidence

Arc4 Limited was commissioned in August 2011 to carry out a comprehensive Strategic Housing Market Assessment (SHMA) for Tees Valley, focusing on the four unitary local authorities of Hartlepool, Middlesbrough, Redcar and Cleveland and Stockton-on-Tees (the TV4 area). Whilst Darlington did not participate in this commission they have however engaged Arc4 Limited to update their previous SHMA (on this basis, some of the information made available from the Darlington SHMA is in a different format to the TV4 report).

The TV4 SHMA was published in May 2012 and the Darlington study was published in June 2013. Both are consistent with Government guidance, provide a robust and defensible evidence base for future policy development and consider the dynamics of different tenures in the sub-region. This evidence has been essential in informing our views regarding appropriate tenancy options. With regard to the affordable (RP) sector, the findings detailed in Tables 1, 2 and 3 are particularly noteworthy:



Table 1: **SHMA Headlines**

<b>TV4 Area:</b>	<b>Darlington:</b>
There are around 53,000 households who live in an affordable (social) rented property across the TV4 area, accounting for 22.6% of all occupied dwellings;	7,950 households live in affordable (social) rented property accounting for 17.6% of all occupied dwellings;
30.5% of households living in affordable dwellings are single and under 60 years of age and  A further 27.6% are older singles and couples, 17.4% lone parents, 11.6% couples with children, 7.9% couples (under 60 with no children) and 4.8% are other types of household;	Almost half (48.8%) of households are either singles over 60 (33.2%) or couples where at least one person is over 60 (16.6%) and  A further 11.9% are lone parent families, 5.3% couples with children and 9.8% are other household types;
26.4% of all people aged 16 or over living in affordable housing are in employment;	Only 19.3% of social tenants are working;
A further 24.7% are permanently sick/disabled, 23.2% are wholly retired from work, 12.7% are looking after the home/a full-time carer or volunteer, 11.9% are unemployed and 1.1% are in full-time education or training;	6.2% are unemployed and a further 23.9% are economically inactive;
Incomes are generally low, with 87% receiving an income of less than £300 gross each week and 64.5% receiving less than £200 gross each Week;	Incomes are low, lower quartile earnings in 2011 were £16,344 compared with £17,092 regionally;
Across the TV4 area, there are 18,320 existing households in need which represent 7.8% of all households.	Across Darlington Borough, there are 2,644 existing households in need which represent 5.9% of all households.

*Reasons for housing need are summarised in Table 2 and Table 3 overleaf:*

Table 2: TV4 'Households in Need'

Category	Factor	Total
<b>Homeless households or with insecure tenure</b>	Under notice, real threat of notice or lease coming to an end.	2,264
	Too expensive, and in receipt of housing benefit or in arrears due to expense.	2,714
<b>Mismatch of housing need and dwellings</b>	Overcrowded according to the 'bedroom standard' model.	2,752
	Too difficult to maintain.	4,197
	Couples, people with children and single adults over 25 sharing a kitchen, bathroom or WC with another household.	1,669
	Household containing people with mobility impairment or other special needs living in unsuitable accommodation.	4,817
<b>Dwelling amenities and condition</b>	Lacks a bathroom, kitchen or inside WC and household does not have resource to make fit.	138
	Subject to major disrepair or unfitness and household does not have resource to make fit.	1,323
<b>Social needs</b>	Harassment or threats of harassment from neighbours or others living in the vicinity which cannot be resolved except through a move.	4,527
<b>Total no. households in need</b>		<b>18,320</b>
Total Households		235,487
<b>% households in need</b>		<b>7.8%</b>

Source: Tees Valley SHMA (2012)

Table 3: **Darlington 'Households in Need'**

Type of housing need	No. households
Homeless households and those in temporary accommodation	234
Overcrowding and concealed households	214
Other groups (too expensive, difficult to maintain, household sharing facilities, living in unsuitable housing, lacking bathroom/kitchen/inside WC, major disrepair, harassment)	2,196
<b>Total no. current housing need (gross)</b>	<b>2,644</b>
Total households	44,624
<b>% households in housing need</b>	<b>5.9%</b>

Source: Darlington SHMA (2013)

Table 4 and 5 demonstrate how the proportion of households in housing need varies by tenure for the TV4 area and Darlington area. As detailed, social renters and private renters are most likely to be in housing need. Social renters also account for over one third of all households in housing need.

Table 4: **TV Area**

Tenure	No. H'holds in need	% H'holds in need	Total no. households
Owned (no mortgage)	2,508	4.0	62,601
Owned (with mortgage)	4,573	4.9	93,383
<b>Rented Privately (furnished)</b>	<b>830</b>	<b>20.9</b>	<b>3,968</b>
<b>Rented Privately (unfurnished)</b>	<b>3,338</b>	<b>18.9</b>	<b>17,639</b>
Tied accommodation	119	20.3	586
<b>Rented RP</b>	<b>6,524</b>	<b>12.3</b>	<b>53,243</b>
Shared Ownership, Discounted for Sale (intermediate)	429	10.5	4,069
Total	18,321	7.8	235,487

Source: Tees Valley SHMA (2012)

Table 5: **Darlington**

Tenure	No. H'holds in need	% H'holds in need	Total no. households
Owned (no mortgage)	643	4.1	15745
Owned (with mortgage)	926	5.0	18401
<b>Rented from Council</b>	<b>393</b>	<b>7.1</b>	<b>5509</b>
<b>Rented from RP</b>	<b>125</b>	<b>7.5</b>	<b>1657</b>
Rented Privately (furnished)	74	17.6	424
Rented Privately (unfurnished)	467	17.9	2609
Tied accommodation	15	9.0	169
Intermediate tenure	0	0.0	109
Total	2644	5.9	44624

Source: Darlington SHMA (2013)

In addition to the information detailed in this chapter, **Technical Appendix A** provides further information on a range of issues including for example; housing need and supply, affordability and earnings and homelessness data. This broad range of information/evidence has been critical to the development of our strategy.

#### **b. Consultation summary and how this has influenced the development of our strategy**

In preparing this tenancy strategy, we have undertaken wide ranging and comprehensive consultation. This included an early consultation event with RPs in July 2011 and a further consultation exercise undertaken during November/December 2011. In this second

consultation exercise we sought views on a tenancy strategy 'framework' which detailed our thinking at that time and specifically sought their views on the issues we intended to cover in this tenancy strategy.

The findings of these consultations have been used to help develop this strategy. A summary of the main findings is set out below:

- A general view was that there is no strong evidence for a radical introduction of fixed-term tenancies and that lifetime tenancies would continue to be the norm in the Tees Valley;
- Concerns were expressed that fixed-term tenancies will undermine sustainability and communities being able to establish themselves;

- Linked to the above a concern that any introduction of fixed-term tenancies may result in a loss of continuity for families for example children remaining at the same school;
- In areas where demand from properties is not high, that fixed-term tenancies may have a negative impact upon lettings and, consequently, upon financial viability;
- That, as such, fixed-term tenancies should be the exception rather than the norm;
- Broad agreement that, in the exceptional cases where fixed-term tenancies may be appropriate, a period of five years would generally be the appropriate term;
- A general view that, where a fixed-term tenancy has been allocated and reaches the end of its term, the option of **not** renewing it should be the exception and not the norm;
- Decisions not to renew fixed-term tenancies should **not** be influenced by issues such as the tenant's behaviour (existing housing management policies should be pursued in such cases); and
- In instances where a fixed-term tenancy is brought to an end, that suitable and alternative accommodation should be available to meet the tenant's needs.

A copy of the strategy whilst in a draft form was also widely consulted upon during the summer of 2012. On this occasion views were sought from both RPs and a range of other stakeholders/interest groups. Once again, the feedback received from this exercise influenced

the development of this document. On this basis we are confident that this strategy has been developed having given due regard to the views expressed by a range of interested parties.

(A copy of the collated consultation responses can be provided upon request).

### **c. A review of the potential opportunities that fixed-term tenancies may offer and for what purpose**

As part of the process of developing this strategy, consideration has been given to the various forms of tenancy that are now available. Lifetime tenancies and introductory/starter tenancies are widely used across the Tees Valley and, in our opinion, these types of tenancy help to provide stability within communities. The consultation exercise undertaken with RPs has confirmed that the use of fixed-term tenancies should not undermine the sustainability of our communities and neighbourhoods.

It is understood why the Government has introduced fixed-term tenancies to allow for more flexible arrangements for people entering social housing, to enable social landlords to manage their social homes more effectively and fairly and deliver better results for local communities. In some circumstances, a fixed-term tenancy may be appropriate and we understand that our RP partners will be considering in what instances this tenancy offer could be a 'viable' tool. For example:

- To address under and over-occupation. Clearly this is a significant issue for RPs who are currently working to negate (as/when possible)

the impact of the housing benefit restrictions on bedroom size for working age households. This reform has added further pressure on social housing providers to ensure their properties are not under-occupied;

- To increase social mobility and potentially improve employment opportunities;
- To make best use of stock in areas where social housing is in short-supply;
- In circumstances where people's income has improved and they no longer need social housing;
- To change the view that social housing is a home for life towards being a resource for a particular time.

There may also be other specific and exceptional circumstances where housing providers may need to make use of fixed-term tenancies. These might include:

- Family Intervention Tenancies;
- For prospective adopters or foster carers;
- Adapted properties; and
- Where there are severe shortages of specific types of property.

Fixed-term tenancies have been introduced by a number of providers in the Tees Valley since this

strategy was first published but this has been limited to the circumstances outlined above.

Having taken all of these factors into consideration and balanced these against our current evidence base, we do not at the present time, consider that circumstances exist in the Tees Valley which make the use of fixed-term tenancies appropriate on a 'standard' basis.

## Section 4: Our Tenancy Strategy

### a. The kinds of tenancies to grant

The clear preference of the Tees Valley local authorities is for our RPs to continue to offer **lifetime tenancies**. In addition, and where appropriate, we continue to support the use of starter/probationary/introductory tenancies.

That said we do understand that there will be occasions when fixed-term tenancies will be offered by RPs. Accepting that this may be necessary it is our expectation that fixed-term tenancies should be the **exception rather than the norm**.

- Should a RP decide to use a fixed-term tenancy, it will be anticipated that each Tees Valley local authority is notified in terms of why this decision has been made, the length of term and the number of properties to which this decision relates. In addition, when the property is advertised on CBL it must state it is a fixed term tenancy.

### b. The circumstances in which the landlord will grant a tenancy of a particular kind

Unless a prospective tenant is moving into 'move-on', 'temporary' or 'specialist' accommodation, we consider that **accommodation should be classed as permanent** and therefore a lifetime tenancy offered.

If a registered provider operates starter/probationary/or introductory tenancies we consider that on the successful conclusion of a 12 month period a lifetime tenancy should be offered.

Furthermore, our preference is that the allocation of a tenancy should not be informed by the needs of specific groups (for example; the elderly, those with families, the vulnerable etc). RPs should continue to offer the most secure form of tenure compatible with the purpose of the accommodation, the needs of the household, the sustainability of the community and the efficient use of their housing stock.

### c. Where a tenancy is set for a term, the length of term

As stated previously, we understand that on occasions fixed-term tenancies may be offered by RPs. Should RPs decide to offer this form of tenancy, the Tees Valley local authorities consider this should be set for a minimum 5 year term<sup>4</sup>.

Where RPs have initially decided to offer a starter/probationary/or introductory tenancy if it is to be followed by a fixed term tenancy this again should be for a **minimum 5 year term**.<sup>4</sup>

Should an RP decide, in **exceptional circumstances**, to offer a lesser term, then they are requested to notify their respective local authority and explain why this decision has been made. Exceptional circumstances may include, but are not limited to, properties allocated in regeneration areas; households with complex needs; accommodation originally developed for outright sale.

A minimum of six months before the end of a fixed term tenancy the RP should contact the tenant to begin a review process prior to making a decision about renewing the tenancy or ending it.

<sup>4</sup> Following a revision to the Directions to the Social Housing Regulator issued by the Housing Minister on 28 July 2011, RPs will be required to offer fixed term tenancies for at least 5 years, except in exceptional circumstances. The exceptional circumstances where fixed term tenancies may be offered for less than 5 years, but no less than 2 years, must be set out in the landlord's tenancy policy.

#### **d. The circumstances where the landlord will grant a further tenancy on the coming to end of the existing tenancy**

We expect that, following a review of the tenancy, it will be **renewed** for a further period. This will, preferably, be for a lifetime tenancy but, if not, then for a minimum of 5 years.

It is an expectation of the Tees Valley local authorities that not renewing a tenancy should be the **exception and not the norm**.

#### **Ending a fixed-term:**

- The decision to either offer a further term or end the tenancy should not be influenced by a tenant's behaviour. Should a tenant breach their tenancy, then we would expect that each RP operates their existing housing management policies and pre-eviction protocols. Breaches of tenancy should be dealt with under the normal possession grounds so that a court can consider each case.

#### **Should an RP decide to end a tenancy, the Tees Valley local authorities expect:**

- To be provided with adequate notice that this course of action has been taken. All RPs will be provided with an appropriate contact name (and contact details) for the local authority concerned; and
- Be notified of the date of any RP appeals panel hearing and have the option to either attend and/or make representation.

We would expect the appeals process to be included in the RP's tenancy policy<sup>5</sup>.

**Mutual exchanges** (between a lifetime tenant and fixed-term tenant):

- In all instances, the RP must adhere to Section 158 of the Localism Act.
- A Lifetime tenant must retain their right to a lifetime tenancy. With regard to the exchanging fixed-term tenant, unless the property (they are exchanging into) has been designated for future use as a 'fixed-term tenancy' within a RPs Tenancy Policy, then we would expect that a lifetime tenancy be offered.

In addition to covering the specific requirements of what a tenancy strategy must cover, we also consider it appropriate to detail (as explained previously) our thoughts and expectations in relation to:

#### **e. What we expect in terms of appropriate and consistent housing advice and assistance (on the ending of a tenancy)**

RPs are asked to note that this is a **key issue** for the Tees Valley local authorities. As such, it is imperative that all RPs offer their tenants clear, consistent and timely advice.

To ensure that advice is consistent, the TV local authorities have produced a protocol which we would expect all RPs give due regard (copy attached at Appendix B).

Each of the TV local authorities would expect RPs with stock (or proposing new developments within their boroughs) **and** operating fixed-term tenancies to sign up to this Tees Valley wide protocol.

<sup>5</sup> The Flexible Tenancies (Review Procedures) Regulations 2012



#### **f. Rent conversions from social to the new affordable rent model**

We understand that in order to secure Homes and Communities Agency (HCA) Affordable Homes funding (from the 2015-2018 Affordable Homes Programme), agreeing a further rent conversion policy will be necessary. On this basis, we accept the need for setting targets for converting a proportion of stock from social to affordable rents.

Social rents should, therefore, continue to be the norm for the vast majority of properties developed prior to the 2011-2015 Affordable Homes Programme.

As local authorities, we have a key role in understanding our local housing markets and, on this basis, we have a clear expectation that individual TV local authorities will be informed on future rent conversion proposals before these plans are well advanced.

Once a decision has been agreed by the board of a RP, the respective TV local authorities would expect to be notified of the final decision (information to include details of: which stock; the percentage of stock to be converted; and the proposed level of rent being considered). This will enable us to take a broad view about what is happening at a local level.

#### **g. Stock disposals**

The TV local authorities expect that any disposals are only undertaken in the context of local evidence and are consistent with an RP's asset management strategy.

We expect to be consulted on any proposals (again before they are well advanced), including future site use. Where possible, any income secured should be re-invested within the borough where the property was sold.

#### **h. Local letting plans**

In order to ensure balanced communities, we understand the need (where appropriate) for local lettings plans. We believe that these should only be operated on a limited basis, responding to specific issues within a local area that can be clearly evidenced.

As a matter of good practice we would ask to be informed and consulted by RPs as/when they proposed to enter into such agreements and once again before the plans are well advanced. This will enable the Tees Valley local authorities to take a strategic overview of the local housing market and local housing needs.

## Section 5: Monitoring and Review

### Monitoring

Whilst we generally welcome the flexibilities made available to affordable housing providers via the Government's reform of social housing, at this present time and based on the information/evidence we have available, we do not consider that radical change is appropriate within our sub-region. However, this position may change over time and, therefore, to ensure that our strategy remains appropriate and fit for purpose, our intention is to monitor key drivers and information sources. These include:

- The number, type and location of properties being allocated on a fixed-term basis;
- The number, type and location of properties being allocated on an 'affordable rent';
- Emerging housing need and homelessness issues;
- Broader economic issues including: income levels; employment trends; and deprivation; and
- The potential consequences (both direct and indirect) of other legislation, such as the Welfare Reform Act.

### Review

A light touch review of the strategy was undertaken and adopted in February 2014. Our intention is to undertake a full review every three years, taking into account the monitoring activities detailed above. This information will support us in assessing the impact of the changes being introduced by our affordable housing partners and the key challenges that they and our local communities face. However, where necessary, reviews may be carried out on an ad hoc basis in response to national policy changes.

## Section 6: Glossary

<b>Adapted properties</b>	Properties which have received changes to the physical fabric of the home to make it suitable for the occupier. The most common adaptations include stair-lifts, grab rails, level access showers and ramps.
<b>Affordable housing</b>	Housing options available to residents who cannot afford to rent or buy a home in the private market. Includes social rented housing, affordable rented housing and intermediate housing solutions such as shared ownership. It also includes the Affordable Rent Model.
<b>Affordable rent</b>	Homes made available to tenants at up to a maximum of 80% of market rent and allocated in the same way as social housing is at present. RP will have the freedom to offer Affordable Rent properties on flexible tenancies tailored to the housing needs of individual households.
<b>Choice Based Lettings (CBL) - 'Compass'</b>	Scheme for the allocation of social housing designed to offer more choice and involvement for customers in selecting a new home. Social rented housing is advertised allowing customers to 'bid' (register an interest) for those homes.
<b>Family intervention tenancies</b>	Used in circumstances where the tenant is likely to be evicted on the grounds of anti-social behaviour and to support the provision of behaviour support services. They are created voluntarily on the part of the tenant.
<b>Fixed-term (or flexible) Tenancy</b>	A new power for RPs to offer a new 'flexible' tenancy with a minimum term of two years that ends the automatic 'home for life'.
<b>Homes and Communities Agency (HCA)</b>	The national housing and regeneration agency for England. A non-departmental public body, sponsored by the Department for Communities and Local Government (DCLG). It provides funding for affordable housing and is the social housing regulator.
<b>Homelessness</b>	The 1996 Housing Act states that a person is homeless if: there is no accommodation that they are entitled to occupy; or they have accommodation but it is not reasonable for them to continue to occupy this accommodation.

<b>Housing Market Renewal (HMR)</b>	An approach to tackle low demand in areas where the housing market has collapsed.
<b>Housing needs</b>	The requirements that individuals and households have for housing.
<b>Local lettings plan</b>	A local lettings plan is intended to support and sustain a diverse and balanced community. It may for example include some targets around letting properties to particular groups. For example; under-occupying some family homes to balance child density, a percentage of lets to transfer applicants, the need for a local connection etc.
<b>Move on accommodation</b>	For people moving from a supported environment, this accommodation is sometimes transitional accommodation to full independence.
<b>Private landlord</b>	A company or individual (e.g. not a local authority or registered provider) who owns and lets properties for an income.
<b>Registered Provider (RP)</b>	Also known as Housing Associations or Registered Social Landlords (RSLs). They are not for profit organisations that provide social housing and are regulated through Homes and Communities Agency (HCA).
<b>Social housing</b>	A general term for subsidised rented and intermediate tenure housing provided by RPs.
<b>Strategic Housing Market Assessment (SHMA)</b>	Practice guidance issued by Communities and Local Government, along with Planning Policy Statement 3, which sets out a framework that local authorities and regional bodies can follow to develop a good understanding of how housing markets operate.
<b>Starter / Introductory/ Probationary Tenancy</b>	A trial period (tenancy) lasting for 12 months.
<b>Tenancy policy</b>	A document a RP must have in place detailing their approach and use of fixed-term tenancies should they decide to implement.



# Appendix A

Technical Appendix

## Tees Valley Tenancy Strategy

Effective from November 2012 – March 2017

*(Updated March 2014)*



## Section A: Housing Tenure and Population information

### Housing Tenure:

Table 1 shows the estimated current levels of tenure across the Tees Valley:

**Table 1**

	Owner-Occupier	Affordable*	Private Rented	Other
Darlington	75.2%	17.6%	7%	0.2%
Hartlepool	62.4%	26.6%	11%	0.2%
Middlesbrough	62.3%	28.3%	9.3%	0.1%
Redcar & Cleveland	68.4%	22.8%	8.8%	0%
Stockton on Tees	69.4%	21.5%	9.1%	0%

\* Affordable housing includes: social rent / affordable rent / intermediate  
Source: TV4 SHMA 2012 Darlington SHMA 2012

### Population Information:

Over the period to 2033 the population is expected to increase across Tees Valley. There will be an overall decline in the proportion of working age population and a significant increase in the retired/elderly population. (2012 SHMA)

#### The proportionate change in population by age cohort is shown below:

0-19	reduction of 13.1%
20-39	reduction of 5.9%
40-59	reduction of 11.8%
60-74	increase of 36.8%
75+	increase of 69.4%

#### Disability Information is shown in Table 2.

**Table 2**

	% of households containing someone with an illness/disability
Darlington	19.6%
Hartlepool	23.2%
Middlesbrough	20.9%
Redcar and Cleveland	22.8%
Stockton on Tees	19.0%
<b>Tees Valley</b>	<b>20.8%</b>

Source: 2011 Census information

Ethnicity Information is shown in Table 3.

**Table 3**

	White British	Other Ethnicity
Darlington	96.2%	3.8%
Hartlepool	97.6%	2.4%
Middlesbrough	88.2%	11.8%
Redcar and Cleveland	98.6%	1.4%
Stockton on Tees	94.7%	5.3%
<b>Tees Valley</b>	<b>94.8%</b>	<b>5.2%</b>

Source: 2011 Census information

Housing Providers across the Tees Valley are shown in Table 4.

**Table 4**

	Darlington	Hartlepool	Middles- brough	Redcar & Cleveland	Stockton on Tees
Abbeyfields	33				
Accent North East	10	103	501	406	677
Affinity Sutton			658		
Anchor Trust	150	333	112	210	190
Broadacres HA Ltd	24			8	
Carr Gomm Soc Ltd	22		18		
Coast and Country Housing			6	10039	16
Darlington BC	5500				
Darlington Housing Ass.	232				
Dimensions UK Ltd			3	6	2
Endeavour HA	44	271	653	132	574
Erimus Housing			9968		100
Guinness Trust/Northern Counties		364	230	168	0



### Housing Providers across the Tees Valley (cont.):

	Darlington	Hartlepool	Middles- brough	Redcar & Cleveland	Stockton on Tees
Habinteg HA			236		130
Hanover HA	129		50	24	35
Hartlepool Borough Council		82			
Home Group Ltd	238	884	718	263	67
Housing Hartlepool		6961			
Housing 21	28	45	71		37
ISOS	13				150
JRF		97			
Mind	15				
Oxford Housing Co-op Assoc.			29		
Places for People Homes Ltd	229	3	316	95	370
Progress Care HA			2		
Railway Housing	377	12	18	24	53
Riverside NE			15	51	1
Salvation Army HA			13		
Sir William Turners				24	
Tees Valley Housing Group	162	329	989	688	1113
Three Rivers HA Ltd	73	344	21	22	35
Tristar Homes Limited					10298
Two Castles	31				
YMCA	31				
700 Club	28				

The above shows that there are 57,818 social rented properties and 35 Registered Providers across Tees Valley (as at May 2012).

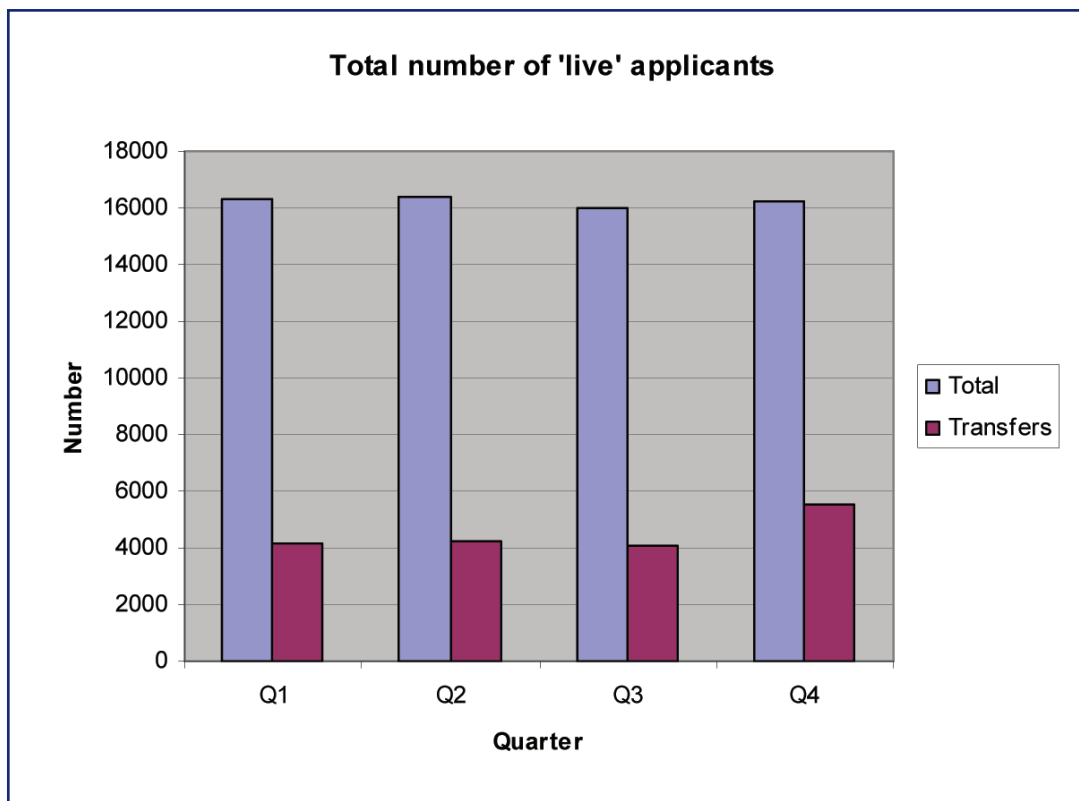
## Section B: Housing Needs and Housing Supply

### Number of applicants on the Compass Choice Based Lettings Housing Register

(all information is taken from the Compass CBL Quarterly Reports):

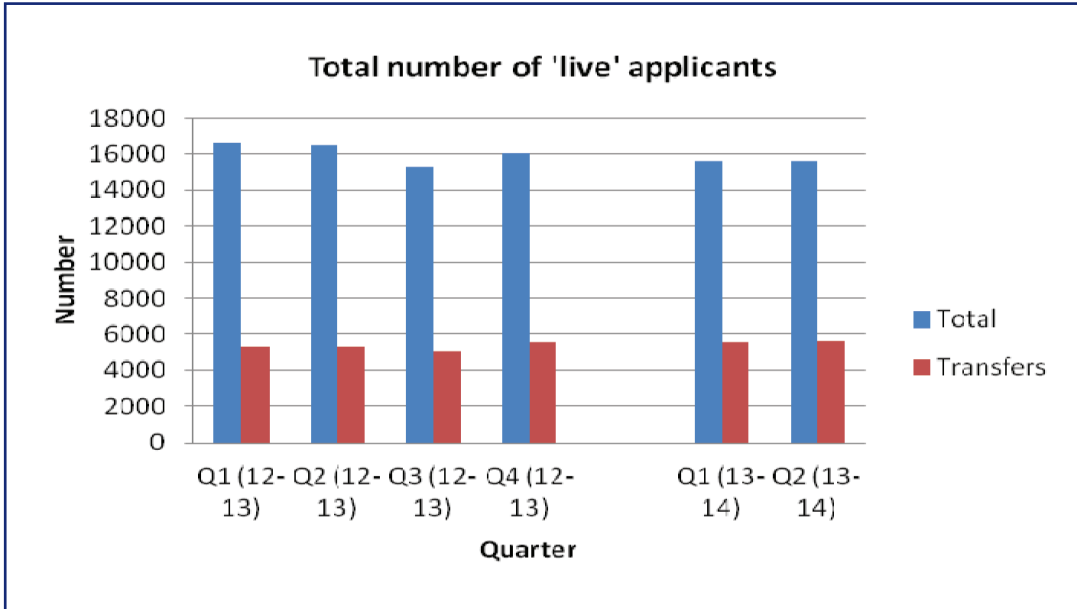
- The number of applicants who are 'live' on the system and able to bid has stayed consistent since 2011/12.
- Since 2012/13 the number of applicants who are 'live' on the system and able to bid has decreased by approximately 6%
- In 2011/12 transfer applicants on the Housing Register made up approximately one quarter of the waiting list. The number of transfer applicants has since increased and now make up 36% of the register. The rise in transfer applicants could be attributed in part to an increase in tenants seeking to down size as a result of Welfare Reforms.

**Figure 1 – CBL 'live' applicants 2011/12**



Source: Compass CBL Quarterly Reports

**Figure 2 – CBL 'live' applicants 2012/13 and 13/14**

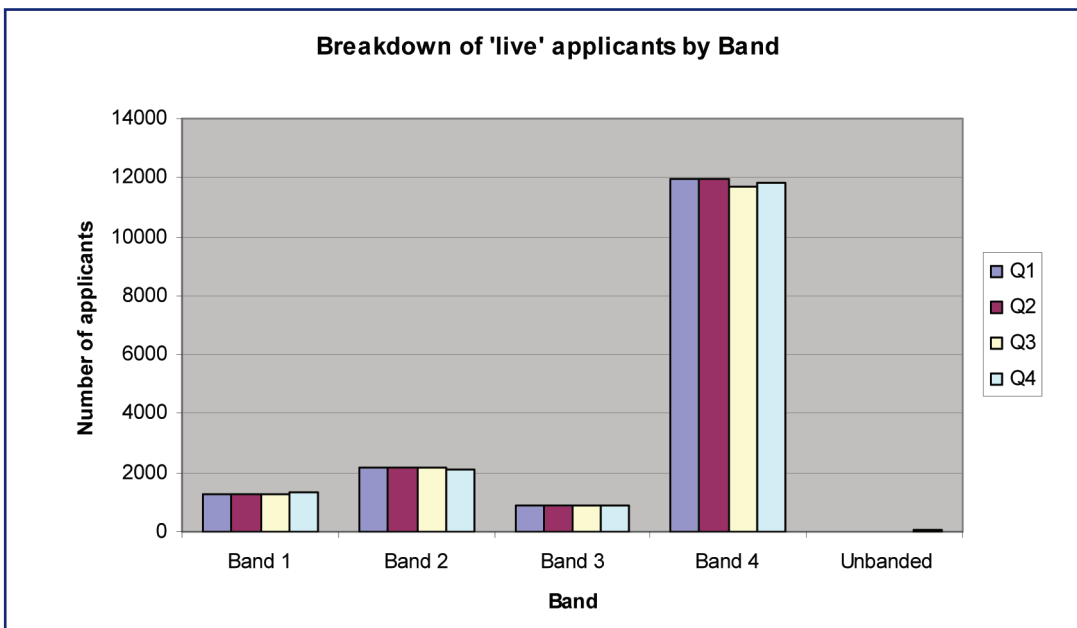


Source: Compass CBL Quarterly Reports

**Number of Applicants within each Band:**

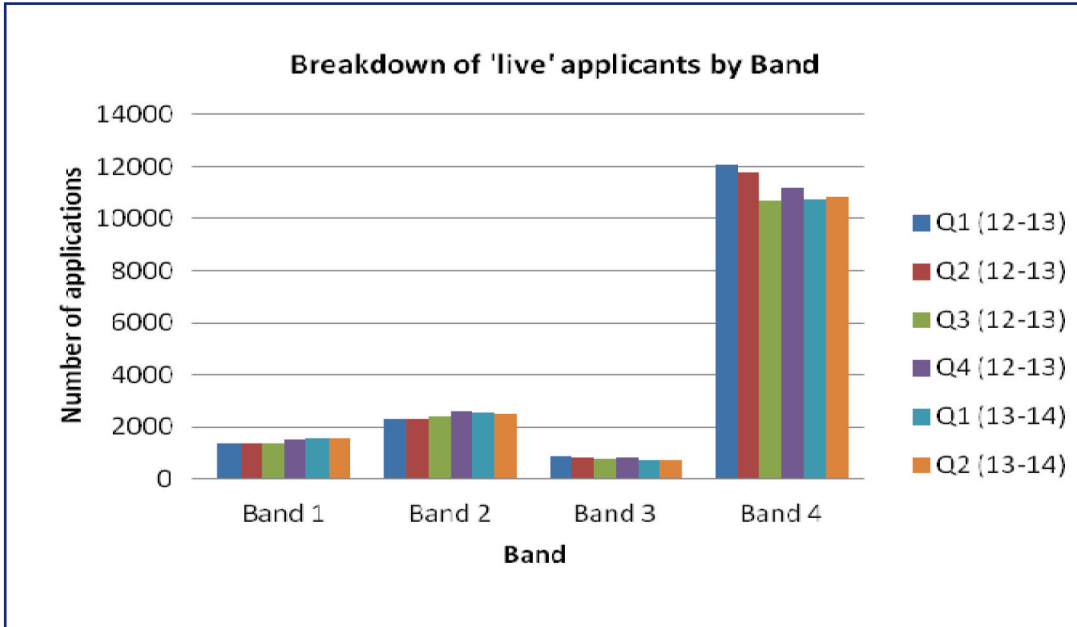
The number of applicants who qualify for Band 4 (no or low level housing need) has reduced since 2011-12 from three quarters of the total waiting list to 70%.

**Figure 3 - 'live' applicants by Band 2011/12**



Source: Compass CBL Quarterly Reports

**Figure 4 - 'live' applicants by Band 2012/13 and 13/14**

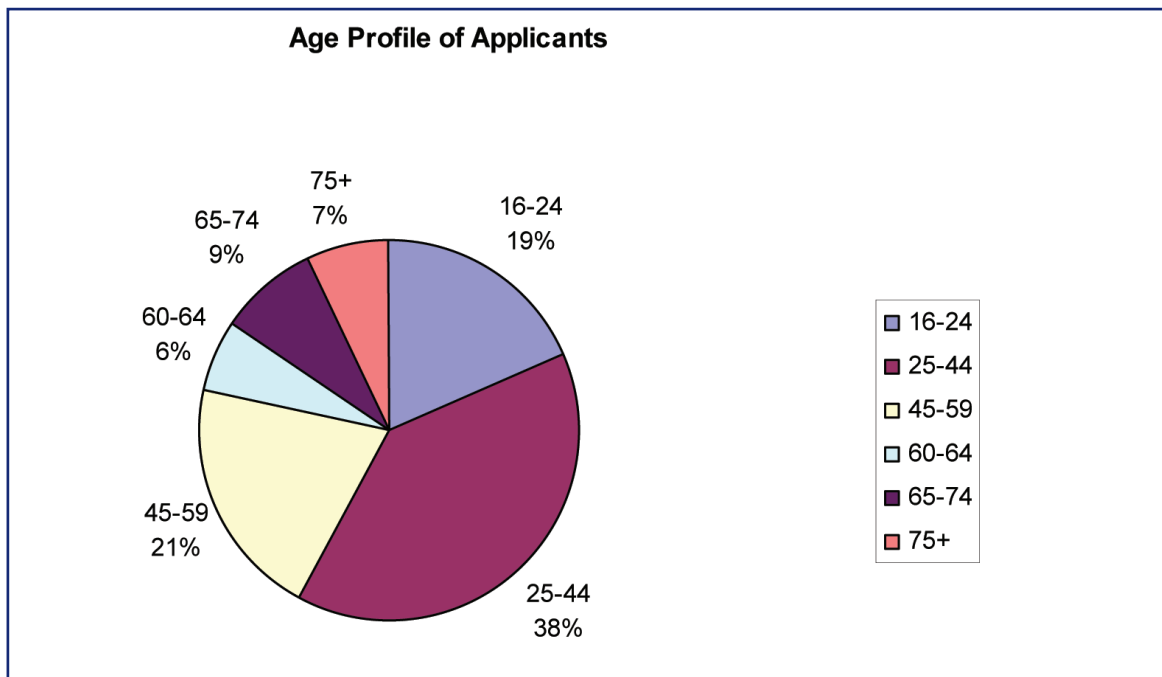


Source: Compass CBL Quarterly Reports

**Age Profile of Applicants:**

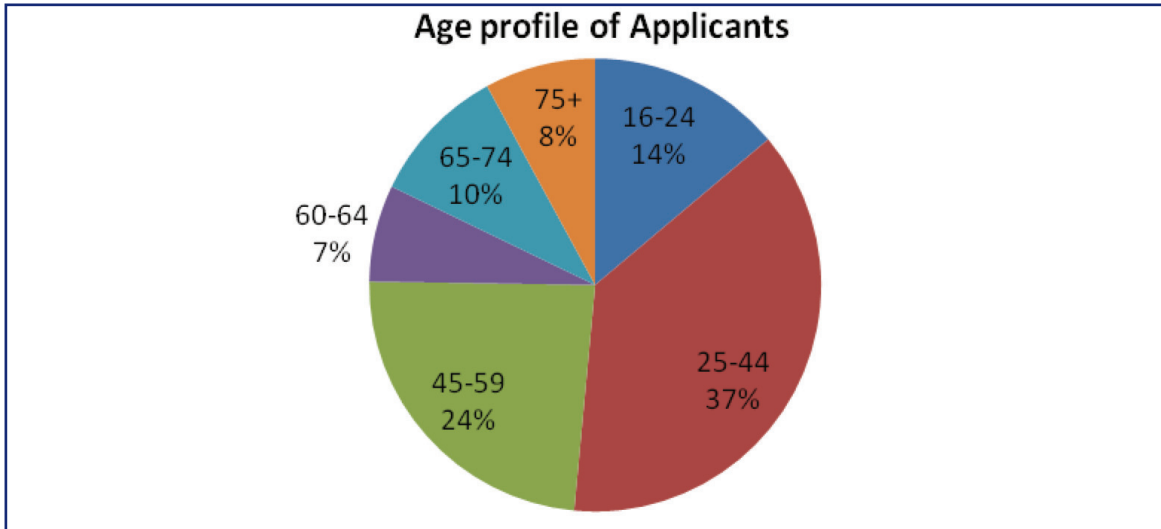
The majority of the waiting list is made up from applicants aged between 25 and 59.

**Figure 5 - % of applicants by age at Quarter 4, 2011-2012:**



Source: Compass CBL Quarterly Reports

**Figure 6 - Currently 25% of the waiting list is made up from applicants over the age of 60. % of applicants by age at Quarter 2, 2013-2014:**



Source: Compass CBL Quarterly Reports

### Ethnicity of Applicants:

Ethnicity information is collected on applicants to the Housing Register. However, this is not mandatory information. The percentage of applicants indicating that they are White British has increased from 81.8% (during Quarter 4, 2011-2012) to 92% during Quarter 2, 2013-2014.

### Number of Lets through Compass CBL:

The majority of lettings made through Compass are to waiting list applicants rather than transfer tenants. Approximately 54% of lettings are made to applicants with a priority band (Band 1-3) which is down from 60% during 2011-2012.

Table 5 below details the number of lets and percentage to each band made across Tees Valley (CBL partners only) during 2011-2012.

**Table 5**

	Band 1	Band 2	Band 3	Band 4	Decants	Total no. Lets	% lets to transfers
Quarter 1	32%	23%	7%	40%		<b>857</b>	25.5%
Quarter 2	31%	23%	6.9%	39%	5.9%	<b>916</b>	24%
Quarter 3	32%	24%	5%	40%	4%	<b>697</b>	19%
Quarter 4	29%	21%	9%	41%	6%	<b>842</b>	21%

Table 6 illustrates the number of lets and percentage to each band made across Tees Valley (CBL partners only) during 2012-2013 and the first three quarters of 2013-2014. There was a visible increase in lets to transfers which could be related to Welfare Reforms, however that number has dropped as RPs look to restrict transfers where possible to address low demand issues.

**Table 6**

	Band 1	Band 2	Band 3	Band 4	Total no. Lets	% lets to transfers
<b>2012-2013</b>						
Quarter 1	30%	23%	7%	40%	1095	30%
Quarter 2	32%	22%	7%	39%	1237	23%
Quarter 3	32%	22%	7%	39%	1169	23%
Quarter 4	30%	24%	7%	39%	1245	23%
<b>2013-2014</b>						
Quarter 1	26%	21%	7%	43%	1470	28%
Quarter 2	25%	21%	8%	46%	1454	23%
Quarter 3	26%	18%	8%	48%	1274	22%

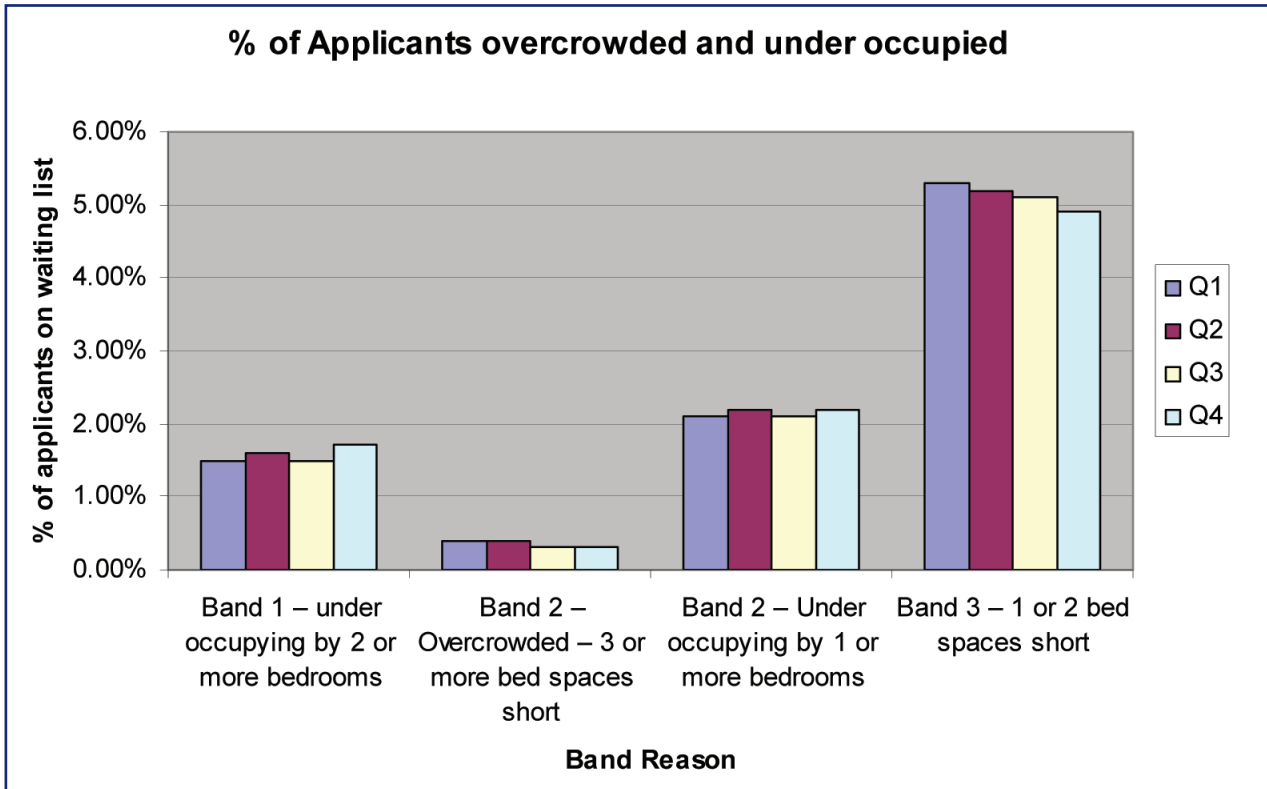
During 2012 the CBL partnership increased from 9 partners to 12 and this is reflected in the increased number of lettings made through CBL.

### **Overcrowding and Under-occupation figures:**

The percentage of applicants on the Housing Register for under-occupation has increased since 2011/12 from approximately 4% to 11%. It is important to note that the under-occupation priority is only awarded to social housing tenants of the CBL partner organisations so information is only available for transferring tenants. The percentage of applicants on the Housing Register indicating that they are overcrowded has remained fairly consistent at nearly 5%.

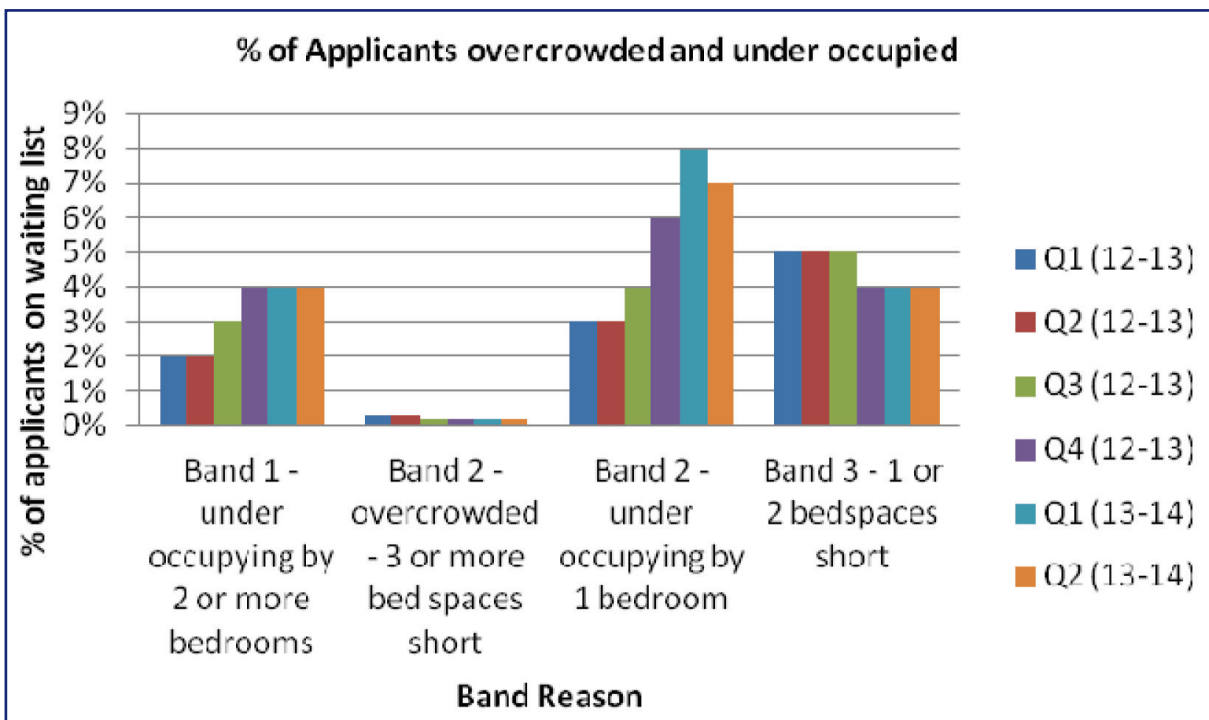
Figure 7 shows the percentage of applicants overcrowded or underoccupying in 2011/12 and Figure 8 shows percentages for 2012/13 and the first two quarters of 13/14.

**Figure 7 - 2011/12**



Source: Compass CBL Quarterly Reports

**Figure 8 - 2012/13 and quarters 1 & 2 of 13/14**



Source: Compass CBL Quarterly Reports

Under-occupation mainly affects owners, particularly owner occupiers and smaller households including singles and couples as shown in Table 7 below.

**Table 7**

<b>Local Authority</b>	<b>% households overcrowded</b>	<b>% households under-occupied*</b>	<b>Total Households</b>
Darlington	0.5	8.2	44,624
Hartlepool	2.8	5.5	39,931
Middlesbrough	3	4.7	56,934
Redcar & Cleveland	3.2	6.5	59,534
Stockton on Tees	2.3	8.3	79,087
<b>Tees Valley</b>			

\* Severe under-occupation  
Source: TV SHMA 2012



## Section C: Affordability

### Income of Applicants:

The Compass Housing Register application form asks if the applicant is employed and also asks for income details. However, this is not a mandatory field and is generally not completed. Available information is shown in Table 8.

### Effect of Under-occupation Charge:

Table 8

Household composition	Benefit Amount from April 2012	u/o charge	Remaining	Charge as % of income
Single person 1 bed under-occupying	£71.00	£11.87	£59.13	16.7%
Single person 2 bed under-occupying	£71.00	£21.65	£49.35	30.4%
Couple 1 bed under-occupying	£111.45	£11.87	£99.58	10.6%
Couple 2 bed under-occupying	£111.45	£21.65	£89.80	19.4%
Single parent/1 child 1 bed under-occupying	£178.49	£11.87	£166.62	6.6%
Single parent/1 child 2 bed under-occupying	£178.49	£21.65	£156.84	12.1%
Couple/1 child 1 bed under-occupying	£214.14	£11.87	£202.27	5.5%
Couple/1 child 2 bed under-occupying	£214.14	£21.65	£192.49	10.1%
Single parent/2 children 1 bed under-occupying	£235.66	£11.87	£223.79	5.0%
Single parent/2 children 2 bed under-occupying	£235.66	£21.65	£214.01	9.1%
Couple/2 children 1 bed under-occupying	£292.53	£11.87	£280.66	4.0%
Couple/2 children 2 bed under-occupying	£292.53	£21.65	£270.88	7.4%

Continued



### Effect of Under-occupation Charge (cont.):

Household composition	Benefit Amount from April 2012	u/o charge	Remaining	Charge as % of income
Single parent/3 children 1 bed under-occupying	£330.47	£11.87	£318.60	3.5%
Single parent/3 children 2 bed under-occupying	£330.47	£21.65	£308.82	6.5%
Couple/3 children 1 bed under-occupying	£370.92	£11.87	£359.05	3.2%
Couple/3 children 2 bed under-occupying	£370.92	£21.65	£349.27	5.8%

### Average earnings of Tees Valley population:

Lower quartile and median incomes in Tees Valley are shown in Table 9.

**Table 9**

	Lower Quartile	Median
Darlington	£16,344	£21,627
Hartlepool	£18,548	£24,471
Middlesbrough	£16,344	£21,627
Redcar & Cleveland	£17,441	£23,015
Stockton on Tees	£17,992	£25,776

Source: 2012 SHMAs

### Average social rents, market rents and 80% market rents:

The potential impact of affordable rent on the relative affordability of rental options is explored in Table 10. This considers the affordability of different rental prices on the basis of household income and assumes a property is not affordable if the rent is at least 25% of household income. The analysis demonstrates that across the TV4 area, 59.7% could not afford social rents on the basis of income alone. This increases to 67.4% for rents charged at 80% of private sector rents (or a 7.7% increase). For individual districts, this increase is 2.4% in Hartlepool, 8% in Middlesbrough, 11.7% in Redcar and Cleveland and 7.7% in Stockton on Tees. Therefore, an increase in rents coupled with likely changes in welfare benefits will have a detrimental impact on affordability.

## Relative affordability of renting options:

**Table 10**

District	Affordability of Social Rent			Affordability of Private Rent			Affordability of 80% of Private Rent			Base
	% Can Afford	% Cannot Afford	Total	% Can Afford	% Cannot Afford	Total	% Can Afford	% Cannot Afford	Total	
Darlington	*	*	*	*	*	*	*	*	*	
Hartlepool	32.4	67.6	100.0	25.3	74.7	100.0	30.1	69.9	100.0	4327
Middlesbrough	39.4	60.6	100.0	31.7	68.3	100.0	31.5	68.5	100.0	4549
Redcar and Cleveland	46.2	53.8	100.0	25.7	74.3	100.0	34.5	65.5	100.0	4095
Stockton-on-Tees	42.9	57.1	100.0	31.1	68.9	100.0	34.2	65.8	100.0	5351

Source: 2011 RSL rents; 2011 Private sector rents

\* Not included in Darlington SHMA

## Affordable housing shortfall figure (SHMA):

**Table 11**

	General Needs		Older Person	Total
	1/2 bedroom	3+ bedroom	1/2 bedroom	
Darlington	61	186	58	<b>305</b>
Hartlepool	103	-43	29	<b>89</b>
Middlesbrough	218	-43	15	<b>190</b>
Redcar & Cleveland	192	-99	4	<b>97</b>
Stockton on Tees	466	48	46	<b>560</b>

Source data: 2012 SHMAs



## Number of empty homes:

Vacancy rates across Tees Valley are higher than national rates are shown in Table 12.

**Table 12**

	<b>Total dwellings</b>	<b>Vacant</b>	<b>% Vacant</b>
Darlington	48,293	1,791	3.7
Hartlepool	42,186	2,255	5.3
Middlesbrough	60,632	3,698	6.1
Redcar and Cleveland	62,112	2,578	4.2
Stockton on Tees	82,731	3,644	4.4
<b>Tees Valley</b>	<b>295,954</b>	<b>13,966</b>	<b>4.7</b>
<b>North East</b>	<b>1,176,531</b>	<b>41,831</b>	<b>3.6</b>
<b>England</b>	<b>22,847,142</b>	<b>651,127</b>	<b>2.8</b>

Source data: 2012 SHMAs

Number of empty homes brought back into use is shown in Table 13.

**Table 13**

	<b>2011/12</b>	<b>2012/13</b>
Darlington	96	233
Hartlepool	75	135
Middlesbrough	16	161
Redcar & Cleveland	25	35
Stockton on Tees	53	98

Source: Local Authority Statistics

## Section D: Homelessness Information

### Housing Advice and Homelessness Prevention Activity:

Housing Advice and Homelessness services carry out the Council's statutory duties in relation to homelessness and housing advice.

Figures for 2011/12 are shown in Table 14

**Table 14**

	Number of customers seeking advice	Homelessness Prevented*	Number of Homeless Acceptances	Intentionally Homeless	No Priority
Darlington	1507	537	13	9	2
Hartlepool	1909	326	20	4	4
Middlesbrough	1835	402	87	15	4
Redcar & Cleveland	1690	430	12	11	6
Stockton on Tees	2818	820	84	7	117

Source: Local Authority Statistics

- Homeless prevention casework leading to households being able to remain in their home or plan a move to more sustainable accommodation.

Figures for 2012/13 are shown in Table 15

**Table 15**

	Number of customers seeking advice	Homelessness Prevented*	Number of Homeless Acceptances	Intentionally Homeless	No Priority
Darlington	1801	1080	27	19	1
Hartlepool	1124	491	9	2	2
Middlesbrough	1780	510	63	27	3
Redcar & Cleveland	1677	461	11	9	12
Stockton on Tees	3292	770	47	5	89

Source: Local Authority Statistics

Figures for 2013/14 (Quarters 1 to 2) are shown in Table 16

**Table 16**

	Number of customers seeking advice	Homelessness Prevented*	Number of Homeless Acceptances	Intentionally Homeless	No Priority
Darlington	1004	455	18	7	2
Hartlepool	547	258	20	4	2
Middlesbrough	737	328	39	6	1
Redcar & Cleveland	733	280	4	4	4
Stockton on Tees	1705	412	22	1	4

Source: Local Authority Statistics

Priority Need Reasons of Homeless Acceptances 2011/12 are shown in Table 17

**Table 17**

	Dependent children	16/17 year old	Leaving Care	Mental Illness	Pregnant	Other
Darlington	8	1	0	2	1	
Hartlepool	15	2	1	1	1	
Middlesbrough	51	1	0	0	2	
Redcar & Cleveland	5	0	0	3	0	
Stockton on Tees	53	0	0	8	5	

Source: Local Authority Statistics

Priority Need Reasons of Homeless Acceptances 2012/13 are shown in Table 18

**Table 18**

	Dependent children	16/17 year old	Leaving Care	Mental Illness	Pregnant	Other
Darlington	9	2	0	4	1	<b>12</b>
Hartlepool	7	0	0	0	2	0
Middlesbrough	37	1	1	3	1	20
Redcar & Cleveland	4	0	0	2	0	0
Stockton on Tees	31	0	2	4	0	10

Source: Local Authority Statistics

**Priority Need Reasons of Homeless Acceptances 2013/14 (Quarters 1 to 2) are shown in Table 19**

**Table 19**

	<b>Dependent children</b>	<b>16/17 year old</b>	<b>Leaving Care</b>	<b>Mental Illness</b>	<b>Pregnant</b>	<b>Other</b>
Darlington	8	0	0	3	1	<b>6</b>
Hartlepool	6	2	2	2	0	8
Middlesbrough	16	1	1	2	1	18
Redcar & Cleveland	1	0	0	0	0	0
Stockton on Tees	16	0	1	0	0	5

Source: Local Authority Statistics

# Appendix B

Tees Valley protocol for ending a fixed-term tenancy

## Tees Valley Tenancy Strategy

Effective from November 2012 – March 2017

*(Updated March 2014)*





## Section 1: Introduction

- 1.1** Recent reform of social housing tenure has provided housing authorities and registered housing providers (RPs) with the power to offer a new form of tenancy for a fixed period of time. The primary aim of offering such tenancies, as opposed to traditional lifetime secure or assured tenancies, is to help social housing landlords balance the demand for accommodation against the supply, and to, where necessary offer some tenancies for a fixed period of time.
- 1.2** Tees Valley authorities have stated a clear preference that fixed-term tenancies be used by local RPs only as an exception, and that where possible, the security offered by lifetime assured tenancy be provided for sustainability of communities and neighbourhoods, e.g. continuity for families who establish themselves in a community (children remaining at the same school).
- 1.3** However, it is recognised that there are exceptions where circumstances prevent a lifetime tenancy being offered. Such circumstances should be included within individual tenancy policies. Examples may be found on page 13 of the tenancy strategy document.

## Section 2: Purpose of this protocol

- 2.1** The purpose of this document is to establish an agreed protocol between Tees Valley local authorities and RPs in regard to appropriate and consistent housing advice and assistance should an RP decide to end a fixed-term tenancy.
- 2.2** This protocol has been drafted having due regard to the fact that fixed-term tenants of RPs should continue to be given a high standard of service. Clear advice and information should be provided to them, ensuring informed decisions are made about their housing future, in partnership with their RP landlord. We believe this will also be of benefit to the RP, and will mitigate the risk of any challenge from the tenant about the advice they have received, in addition to minimising the potential for negative media coverage.

## Section 3: Roles and Responsibilities

### 3.1 Procedures for the review process to which local authorities expect RPs to have regard:

#### 3.1.1 Term of tenancy

RPs should not, as a matter of course, end the tenancy prior to the preferred 5-year fixed-term.

#### 3.1.2 RP review of fixed-term tenancy

It is a legal requirement to notify the tenant that the fixed-term will be coming to an end at least 6 months prior to the termination of tenancy.

However, we recommend that the review:

- Takes place between 9-12 months prior to the end of the fixed-term;
- Written notifications are issued promptly following the conclusion of the review; and
- In circumstances whereby the RP determines not to renew the tenancy, then in addition to confirming this in writing, a home visit should also be arranged to ensure the tenant is aware of the forthcoming termination, and that the opportunity to discuss future housing options with the tenant can be taken.

The review should consist of considering whether:

- The tenant(s) income exceeds the income threshold for which a mortgage is obtainable in the area;

(Note: it is strongly advised that a recognised affordability tool is used, that costs of relocation are taken into account and that up-to-date market information is used on house prices and financing products)

- The tenancy is still suitable for their needs;
- There are any relevant social factors, such as how established the household is in the area, e.g. children in local school(s); and
- The household is under-occupying their home.

The outcome of the review should not be influenced by a tenant's behaviour. Should a tenant breach their tenancy conditions, the RP should deal with this through the operation of their housing management policies.

#### 3.1.3 Review outcomes

There are three legal outcomes that may follow a fixed-term tenancy review:

1. RP decides not to renew the tenancy, and is able to provide rational evidence of how this decision was made.
2. RP decides to renew the tenancy, either as a lifetime tenancy, or for a minimum term of another 5 years.
3. RP takes no action, tenant remains in situ, and the tenancy therefore

becomes a periodic assured shorthold tenancy.

Whilst outcome 3 is available to RPs, the Tees Valley local authorities expect that this would only be an option in exceptional circumstances and where a specific rationale can be demonstrated.

#### **3.1.4 Notification of review – to the tenant and local housing authority**

The outcome of the review should be communicated in writing to the tenant at the earliest opportunity.

The decision should be understandable. It is recommended that any communication clearly states how the tenant may request an appeal against any decision not to grant another tenancy on the expiry of the fixed-term.

The tenant should also be informed of their right to be represented at any appeals panel hearing.

It is recommended that, where a decision not to renew has been made, this decision is rational, has regard to the RP's own policies and procedures, the Equalities Act and cannot be deemed to be wrong in law.

A decision not to renew a tenancy should be communicated to the relevant local housing authority at the earliest opportunity.

The RP should also notify the local housing authority of the date of any appeals panel hearing, so that they have the option to either attend and/or make representation at the agreement or request of the tenant concerned.

If there remains an unresolved housing problem, the local housing authority needs to be notified at the earliest opportunity in order to prevent homelessness.

The relevant contact details for each local authority are contained in Section 4.

All organisations will notify their partners of any changes to their relevant contact details.

*Should an RP decide to end a fixed-term tenancy, the local authorities expect that suitable alternative accommodation will be made available to the tenant. If this is not available within that RP's stock, then we would expect that they assist in facilitating the provision of alternative accommodation.*

### **3.2 Procedures for ending a fixed-term tenancy and not offering an alternative tenancy within the RP's own stock:**

#### **3.2.1 What we expect in terms of appropriate and consistent housing advice and assistance (on the ending of a tenancy)**

Advice and information provided to tenants should, as a minimum, be aligned with the RP's own tenancy policy.

It is the expectation that RPs should provide advice and information on local housing options and discuss with their tenants the following:

- Affordable homeownership schemes, if it is indicated that the tenant may be able to access these with their current level of income;
- Alternative and suitable properties within the private rented sector;
- Alternative and suitable properties within other RPs' housing stock; and
- Alternative and suitable properties within the stock of partners to the Compass choice based lettings system.

Signposting information should also be provided on:

- Finance options, where appropriate, for low cost or other home ownership schemes;
- Information on removals/ relocating assistance;

- Where to buy low cost furniture (if the tenant has been in a partly or wholly furnished fixed term tenancy);
- Decorating assistance.

It is also expected that RPs provide the contact details of local advice agencies within any correspondence to their tenants.

#### **3.2.2 Mechanism for ending fixed-term tenancies**

There are legal powers enabling tenants themselves to surrender fixed-term tenancies, by providing 4 weeks notice (if there are no outstanding housing related arrears on the account or other breach of tenancy).

Where an RP chooses not to renew a fixed-term tenancy at the end of the term, this should be undertaken in line with the new Localism Act powers.

#### **3.2.3 Appeals and review**

It is the view of Tees Valley local authorities that, on the ending of a fixed-term tenancy, each tenant should have the opportunity for a review and/or appeal of the decision.

The process that RPs are asked to follow is:

- The tenant is advised that they should request the review within 21 days of receiving the notice of proposed non-renewal;
- The tenant's request for a review must be

carried out, and the tenant notified, before the date specified in the notice of proceedings as the date after which proceedings for the possession of the property may be commenced;

- The review to be undertaken by a different officer of appropriate seniority, within the RP's organisation;
- The reviewer must consider if the decision was made in accordance with the organisation's policy;
- The reviewer provides, in writing, to the tenant, the reasons for their decision following the review; irrespective of whether the decision has been upheld or overturned; and
- The local authority is also notified of the outcome.

## Section 4: Contacts

### Local Authority Contacts:

Local Authority	Contact
Darlington Borough Council	Janette McMain – Housing Options Team Leader
Hartlepool Borough Council	Karen Kelly – Principal Housing Strategy Officer
Middlesbrough Borough Council	Sharon Caddell – Principal Homelessness Co-ordinator
Redcar & Cleveland Borough Council	Alistair Wood – Housing Services Team Leader
Stockton-on-Tees Borough Council	Julie Lathan – Team Leader – Housing Options

### Registered Provider Contacts:

The following registered providers have read and given due regard to this protocol:

Registered Provider	Contact

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Registered Provider	Contact