

# Portsmouth Tenancy Strategy

## Background

Clause 150 of the Localism Act 2011 places a new duty on every local housing authority to publish a tenancy strategy. All registered providers of social housing should then have regard to this tenancy strategy in framing their own tenancy policies

The tenancy strategy must summarise the policies relating to tenancies or explain where they may be found.

The act states that a local housing authority must have regard to its tenancy strategy in exercising its housing management functions.

A local housing authority must publish its tenancy strategy before the end of the period of 12 months beginning with the day on which this section comes into force. It must keep its tenancy strategy under review, and may modify or replace it from time to time

## The Tenancy Strategy

***Providers of non-market housing in Portsmouth are expected to use their new powers based upon what they have learnt about the demand upon their stock in Portsmouth. This process should determine how the Portsmouth properties are managed and will form the basis of discussions with the local authority when certain tenancy issues are discussed.***

- I. The kinds of tenancy that should be granted

***Portsmouth City Council considers that people should be offered security of tenure over a life time (i.e. a household should be assisted over their lifetime but not necessarily in the same property).***

***In order for the City Council to support the use of tenancies other than over a lifetime the providers must explain the particular circumstances which have led to tenancies over a lifetime not being utilised.***

***Providers must ensure that their actions concerning tenancies do not undermine individual tenancy, social or community sustainability.***

***All landlords will be expected to provide advice and assistance to tenants about their housing options and the type of tenancy they hold before taking the tenancy and when carrying out a review at the end of any fixed term period***

- II. The circumstances in which a tenancy of a particular kind will be granted.

Landlords can have the flexibility to determine the type of tenancy they offer to new tenants

***All landlords will be expected to grant tenancies over a lifetime unless there are particular reasons why this should not be the case. In determining what tenancy to be offered both the Housing and Support needs of the tenant or prospective tenant should be considered***

III. The length of tenancy terms

Landlords have the flexibility to determine the length of tenancy that they offer to new tenants

***Portsmouth City Council considers that where fixed term tenancies are to be offered then these should be for a minimum of 5 years, excluding any probationary period. Any period of less than 5 years (i.e. between 2 years and 5 years) will not be supported unless the circumstances have been agreed by the local authority***

IV. The circumstances in which a further tenancy will be granted on the coming to an end of the existing tenancy.

***Portsmouth City Council presumes that there will be the provision of another tenancy. The possible exceptions to this are:***

***(a) Where a household is under occupying and possession would provide an opportunity to make best use of the property in question and suitable alternative accommodation is available***

***(b) Where there are significant breaches of tenancy which would warrant `outright possession` and where eviction proceedings are underway***

***(c) Where there is an adaptation that is no longer required and possession would provide an opportunity to make best use of the property in question and suitable alternative accommodation is available***

***(d) Where the property is not suitable to meet the needs of the tenant and a suitable alternative property is available for their occupation***

***(e) Where a tenants financial circumstance have changed significantly to enable access in the private sector whether through renting or home ownership***

V. Expectations of providers both at the end of a tenancy and pre-tenancy

***Portsmouth City Council expects providers to proactively advise tenants prior to tenancy sign up. This advice should particularly focus on the implications of signing for the tenancy and information about ending the tenancy. This***

**advice should be made available to those who are seeking a transfer or mutual exchange as well as new tenants.**

**Registered Providers should ensure that tenancy reviews are undertaken at least 6 months prior to the end of the fixed term. This time period will allow appropriate advice to be given and any move-on to be facilitated.**

**Registered providers should ensure that advice at both the beginning and at the review of tenancy is written into their tenancy policy.**

**It is expected that providers will have a clear written process to allow for appeals from residents relating to the granting of tenancies**

- VI. Conversions and Disposals - Some Registered Providers have the ability to convert tenancies from socially rented properties to an affordable rental model. There may also be an ability to dispose of stock in order to make best use of assets

**Portsmouth City Council accepts that the use of these powers of conversion and disposal will be necessary in order to fund the development of new housing.**

**Providers should however ensure, especially with regard to conversions, that:**  
**i) Homes remain affordable and do not exceed Local Housing Allowance levels**

**ii) Providers should consider individual tenancy and social and community sustainability issues when exercising their powers**

**iii) Providers should ensure that there is not a concentration of conversions in one particular area.**