

Tenancy Policy



Legal & General Affordable Homes Tenancy Policy

1. Application

This policy will apply to the following entities:

Legal & General Affordable Homes Limited
 Legal & General Affordable Homes (AR) LLP
 Legal & General Affordable Homes (SO) LLP
 Legal & General Affordable Homes (Capital) Limited
 Legal & General Affordable Homes (Development 3) Limited
 Legal & General Affordable Homes (Investment 1) Limited
 Legal & General Affordable Homes (Investment 2) Limited
 Legal & General Affordable Homes (Investment 3) Limited
 Legal & General Affordable Homes (Development 4) Limited

For the purposes of this policy, any reference to LGAH shall be relevant for all the entities listed above and administrated, if applicable, by its Management Providers.

2. Assurance statement

This policy seeks to set out LGAH's approach to the management of tenancies. It addresses:

- What types of tenancies we offer
- How we manage changes to tenancies
- How we best utilise our available housing stock

The aim of the policy is to support our wider customer offer and ensure that LGAH provides long term security of tenure to those households most requiring it.

3. Types of tenancy

This section sets out the different forms of tenancy that LGAH will offer.

Assured Non-Shorthold Tenancies - This type of tenancy will be granted to all new rented customers across LGAH social rent, affordable rent and intermediate rent products. Where customers have previously held secure tenancies with the Local Authority, this type of tenancy offers the equivalent level of security as a Registered Provider.

License - This type of tenancy will be given where a tenant is renting a specific car parking space and a separate agreement is required. In addition, a license will be used where a customer is temporarily rehoused from their permanent home, but expected to move back into their settled home in the near future.

4. Fixed Term tenancy

With the expected introduction of the Renters Rights Bill in spring 2025, LGAH has made the decision to move away from fixed-term tenancies and to issue assured non-shorthold tenancies to all new customers from January 2025.

Where an existing customer is on a fixed-term tenancy, LGAH will grant new assured non-shorthold tenancies through a rolling programme of renewals, prioritising those customers who's fixed-term tenancy is coming to an end imminently.

Where possession action is being taken, or being considered due to serious tenancy breaches by a customer, LGAH will not make changes to their fixed-term tenancy, unless required by legislation, and legal action will be progressed in the interest of effectively managing its housing stock.

This decision will be taken alongside an assessment of the customer to determine if there are any equality or diverse need issues such as specific vulnerabilities or adaptations which can only be provided in their current home.

Where a fixed-term tenancy is not being renewed and the Renters Rights Bill is yet to be introduced, we will give a minimum of 6 months' notice that we are "minded not to" renew the tenancy and provide the customer with the opportunity to seek independent advice and appeal this decision. Help with finding suitable alternative housing across the range of products will also be available.

5. Joint tenancies

LGAH issue joint tenancies where the Local Authority has confirmed that a joint application has been made. Where this is not the case, and the main applicant requests a joint tenancy, LGAH will seek approval from the Local Authority as this may require a reassessment of housing need to ensure the right rehousing priority has been given.

If a joint tenant asks for their partner to be removed from the new tenancy we need confirmation that the partner no longer resides in the property and no longer wants to be a joint tenant. If evidence is not provided we will work with the tenants to understand the issues before agreeing a course of action.

6. Assignment and Succession rights

We will comply with Housing Act 1988 and the Localism Act 2011 when the circumstances of succession or request to add or remove someone from a tenancy arise.

LGAH retain the rights to apply discretion in exceptional circumstances. For example, when an occupant does not have succession rights but clearly has a priority housing need for a social housing tenancy (and the grant of a new tenancy to them would not breach LGAH's obligations in relation to other arrangements such as nominations agreements). In such cases we would gather comprehensive evidence of the individual's circumstances and determine the outcome accordingly.

7. Mutual Exchanges and Transfers

Details of tenants' rights to mutually exchange are set out in the Housing Act 1985 and the Localism Act 2011. On receipt of a request from our tenants to complete a mutual exchange we will comply with any applicable legislation protecting security of tenure.

LGAH will issue an assured non-shorthold tenancy for any new customer as a result of a mutual exchange. Where a management transfer is being considered, and a new tenancy agreement is required, an assured non-shorthold tenancy will be issued.

8. Minors (16 and 17 year olds)

LGAH will house 16 or 17 year olds where they have a trustee appointed/or a legal guarantor who will sign the tenancy and hold this in trust for them until they reach the age of 18. This could be through the trustee signing a sole tenancy, or joint tenancy signed by the minor although they would not have any legal interest in the tenancy until they turn 18. Each circumstance will be considered before determining the best option to take.

In assessing this, LGAH will work closely with the Local Authority to assess the circumstances of the case, and the ability for the minor to sustain the tenancy longer-term, taking into account the ability to cover rent payments.

9. Tenancy Fraud

LGAH is committed to making the best use of its assets, and meeting housing need across the country. We recognize that Tenancy Fraud in form of subletting, key selling, or obtaining a tenancy by deception, can mean that valuable housing stock is not always allocated to those who need it most.

To prevent fraud at the start of each tenancy, or subsequent tenancy review or change we will:

- Verify the identification of each tenant
- Complete a referencing check which may include a soft credit check and income verification
- Referral to a fraud check provider where any risk have been highlighted

We will also carry out periodic, random tenancy audits, covering the above suite of checks and a home visits where needed, to verify the identity and occupancy of tenants.

Staff who are involved in the lettings and tenancy change process will be subject to regular training relating to Tenancy Fraud to ensure they have the knowledge and skills to identify and investigate cases. Further details of LGAH approach can be found in its Tenancy Fraud Policy.

10. Customer Appeals

Where a customer wishes to appeal the decision taken in relation to any aspect of the grant, renewal or non-renewal of their tenancy (including length of fixed term) they should do so by contacting their Management Provider.

The customers individual circumstances and previous tenancy history will be reviewed by a Senior Manager for the Management Provider who will determine the outcome of the appeal, with final approval and review of the decision made by a Service Manager at LGAH. We expect all appeals to be responded to within 10 working days, however where more time or further information has been requested, then this may be extended in consultation with the customer.

11. Equality and Diversity

LGAH considers the diverse needs of its customers when delivering landlord services. We expect all employees, and partners working on behalf of LGAH, to treat all customers with fairness and respect.

The specific needs of customers are considered when delivering services against this policy and at times this may require taking a different approach to ensure customers are not disadvantaged due to their diverse needs. This will include utilising information LGAH holds about its customers and tailoring how customers are to communicate and engage with LGAH services to eliminate any barriers for access and reporting.

Related Documents

Document	Link
Connected policies and procedures:	• Allocation Policy • Tenancy Fraud Policy • Affordability Policy • Decant Policy • Asset Management Policy • Anti-social Behaviour Policy • Domestic Abuse Policy

Accountable Director	Shaun Holdcroft
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Review Date	December 2024
Review Completed	October 2024
Next Review Date	October 2026 (or subject to any changes in regulatory, legislative and/or areas of best practise where a review is required sooner than the stipulated review date)