



# WHITE HORSE HOUSING

## Tenancy Matters



“We promote equality of opportunity in every aspect of our business in line with our objectives.”



## **TENANCY MATTERS**

All WHHA properties come with:

- **Assured tenancy**  
An assured tenancy gives you the right to live in a property for as long as you want, providing you do not breach your tenancy agreement.

### **Rights and Responsibilities**

#### **Our main responsibilities are to:**

1. Consult you on any changes we may want to make to the tenancy.
2. Keep the structure and exterior of your home in good repair.
3. Keep all heating appliances, plumbing and other installations in good repair and in working order.

#### **We have the right to:**

1. Once a year increase or decrease the level of rent and service charges in keeping with Government guidelines, provided we give you four weeks notice.
2. Be given access to your home to carry out inspections or repairs.

## TENANCY MATTERS

### Your main responsibilities are to:

1. Pay your rent on time.
2. Look after your home and keep it in reasonable decorative order.
3. Repair or replace items you damage.
4. Carry out repairs that you are responsible for.
5. Keep your garden neat and tidy.
6. Be a good neighbour.
7. Not harass, abuse or threaten other people, including our staff.
8. When moving out, give us four weeks notice and leave your home and garden in a reasonable condition.

### You have the right to:

- Appeal against our decisions
- Exercise your legal rights as a tenant



## **TENANCY MATTERS**

### **Joint Tenancies**

Joint tenants are jointly and individually responsible under tenancy agreement.

You have equal rights and responsibilities.

Each tenant is responsible for the full rent being paid. If there is a breach of the tenancy agreement, either tenant can be held responsible.

Each tenant has the right to apply for housing benefit. If one tenant dies, the tenancy may transfer to the other(s).

If one tenant gives notice that they intend to leave, the tenancy will be ended for all the joint tenants and the home might have to be vacated.

If you get married or have a new partner, your husband, wife, civil partner or long-term partner can apply to become a joint tenant to protect their rights.

A civil partnership is a legally recognised partnership between two people of the same sex. Civil partners have equal treatment to married couples in a wide range of legal matters.

A long-term partner is someone who has been living with you for at least 12 months.

## **TENANCY MATTERS**

### **Breaking a tenancy agreement**

As part of the agreement, residents must be good neighbours as well as pay their rent on time. Anti-social behaviour is taken seriously and can lead to an eviction.

If you break your tenancy agreement, we will always try to resolve the matter with you. Court action is always a last resort.

If you are having problems paying your rent or fall behind with payments, call your Housing Manager.

We can help by making sure you are getting all the benefits you are entitled to. If you are in arrears, we will work with you to help you reduce the debt until it is cleared, so that you do not lose your home.

### **Making a complaint**

We must follow a code of practice and minimum standards set by the Homes & Communities Agency.

This is called the tenants' charter.

If we fail to meet our responsibilities or achieve our stated standards of service, you can make a formal complaint.

## **TENANTS' RIGHTS**

### **Security of tenure**

You have the right to stay in your home for as long as you wish provided you do not breach the terms of your tenancy.

If you break your tenancy agreement, we could take action to evict you from your home. However, only court action can force you to clear leave. We will always follow a clear procedure if we have to take formal action.

### **Succession of tenancy**

When a tenant dies, the tenancy will automatically pass to any joint tenant, or it can be taken over by the spouse, if he or she is living in the home.

If there is no joint tenant or spouse, a person who has been living with the tenant as a long-term partner, civil partner, or a close member of the family, can take over the tenancy, as long as they have been living with the deceased tenant for at least 12 months before the death.

### **Getting repairs done**

You have the right to have certain urgent repairs carried out within a specified time. Urgent repairs are repairs which would seriously affect your health or safety in the home, if they were not completed on time.

**For further information take a look at :  
Repairs, Improvements & Home Safety**

## **TENANTS' RIGHTS**

### **Exchanging homes**

You can swap your home with another tenant from another housing association or council. You must let both landlords know and get our permission in writing before you move.

**For further information take a look at :  
Moving or Exchanging homes**

### **Making home improvements**

In most cases you have the right to make improvements to your home, as long as you have written permission from us before you start your work.

We can only refuse permission, if the work you want to do is unsafe, could damage the property or does not have the necessary planning permission.

When you move out of the property, you might receive some compensation money towards the cost of the improvements.

**For further information take a look at :  
Repairs, Improvements & Home Safety**

### **Taking in lodgers**

If you have our written permission, you can take in lodgers as long as you do not overcrowd your home. This is known as sub-letting.

## **TENANTS' RIGHTS**

Your tenancy agreement will tell you the maximum number of people who can live in your home.

You need to let us know: the name, age and sex of the lodger or sub-tenant you are planning to take on; where they will live; and the amount of rent they will pay.

Whoever lives with you, you remain the legal tenant. You must live in the property as your only or main home and are responsible for paying rent and keeping to your tenancy conditions.

You are not allowed to sub-let the whole of your property.

Remember that tenants are responsible for their lodger's behaviour.

If you receive benefit, you must let the Council know when someone moves in or out of your home. Taking in lodgers could affect your benefit entitlement.

If you need more advice about sub-letting, speak to your Housing Manager.



**For further information take a look at :  
Lodgers leaflet**



## **TENANTS' RIGHTS**

### **Consultation about changes that affect you and your home**

We must consult you, if we want to:

- Make changes to your tenancy agreement
- Make improvements to your home
- Change the way we provide services

We are committed to encouraging residents to get involved in decision making to make sure we provide the services our customers want.

**For further information take a look at :  
Tenant Involvement leaflet**

### **Confidentiality and data protection**

We hold information about you, most of which is supplied by you when you fill in a form to apply for a home.

Other information comes to us during your tenancy. Sometimes we receive it from other agencies with or without a request from us.

Under the Data Protection Act 1998 we must look after the information we hold about you and we take this very seriously.

## **TENANTS' RIGHTS**

You have a right to see any of the information that we hold about you.

**For further information take a look at :  
Confidentially and data protection.**

### **Your rights to stay in your home**

If you experience a relationship or family break-up, your rights to stay in your home will vary depending on whether:

- You are named as a tenant
- The tenancy is in joint names
- You and your partner are married
- You have children living with you

If you are married, you both have the same right to stay until a court decides one of you must leave. Do not give up your right to stay in the home without first getting legal advice.

If you are unmarried and not the tenant, you have some rights. Talk to your Housing Manager for more information.

### **Changing the name of the tenancy**

The tenancy can only be changed if the other joint tenant(s) or spouse agrees to give up the tenancy and WHHA agrees to transfer tenancies.

## TENANTS' RIGHTS

Otherwise, only a court has the power to enforce a change of tenancy. The court's decision will be influenced by whether you have children, who has care of the children and the length of time you have been together.

### **Who can terminate the tenancy**

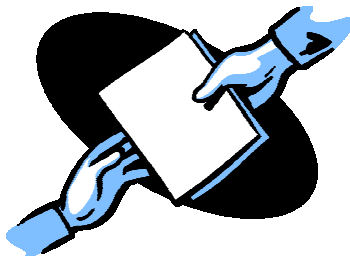
Any tenant named on the tenancy agreement can terminate the tenancy, even a joint tenancy.

If your partner tries to terminate the tenancy, contact your local Citizens' Advice Bureau or ask us for contact details. It may be possible to get a court injunction to stop the action.

### **Domestic violence**

If you are threatened with or are victim of physical or emotional abuse from your partner, contact the Police and a Solicitor.

We can also help and advise you. You can ask your Housing Manager to arrange for a member of staff to visit you at home or meet you at our offices.



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White Horse Housing Association is a Registered Society under the 'Co-operative and Community Benefit Societies Act 2014' (24672R) and is an exempt charity under the Charities Act 2011.  
Affiliated to the National Housing Federation

**This leaflet is part of the Resident Handbook and can be viewed or  
downloaded from [www.whitehorsehousing.co.uk](http://www.whitehorsehousing.co.uk)**

