

**Report to
Housing Tenancy Board**

Date: **18 March 2013**

Report of: **Director of Community**

Subject: **TENANCY AGREEMENTS**

SUMMARY

This report to Board outlines plans to review and update the current tenancy agreements.

RECOMMENDATION

That Board members note the contents of the report and nominate a tenant representative to join a working group of officers and elected members from the Health and Housing Policy Development Review Panel to look more closely at the agreements, with a view to making proposals on the way forward for further consideration by the Board and consultation with other key interested parties.

INTRODUCTION

1. At the present time the Council have three different tenancy agreements in use, these are:
 - Secure Tenancy Agreement;
 - Introductory Tenancy Agreement; and
 - Non Secure Tenancy Agreement
2. The secure tenancy agreement was last updated in June 2006; the introductory tenancy agreement has not been updated since the Council set up Introductory Tenancies in April 2002. As a result it is proposed to review and update these tenancy agreements in 2013/14.
3. The non secure tenancy agreement used for temporary tenancies such as in homelessness cases was reviewed and updated in 2012 and as such there is no need for further review at this time.

REVIEW PROCESS

4. To help carry out a review of the current tenancy agreements a proposal has been made to the Health and Housing Policy Development and Review Panel to set up a working group made up of 3 members; comprising of two elected members from the Health and Housing Panel and one tenant representative nominated by the Housing Tenancy Board, who will work with key housing officers over the next 3 months (April - June 2013) to come up with revised draft agreements for consultation purposes.
5. It is envisaged that the working group will meet on a monthly basis, the key stages of the review being:
 - (a) To look at existing tenancy agreements and identify any possible shortcomings;
 - (b) Following research; to look at other organisations tenancy agreements; and
 - (c) Agree revised draft tenancy agreements for consultation purposes
6. As part of the review officers will liaise with colleagues in Legal Services as necessary in ensuring that any revised agreement and terms meets legal requirements and is enforceable.
7. Following review and updating of the tenancy agreements a further report will be presented to the Board and Panel outlining draft revised agreements.

CONSULTATION

8. The Board will be asked for any further comments on the draft revised agreements before wider consultation.
9. In regard to a review and updating of the secure tenancy agreement existing secure tenants will need to be consulted on the proposed revised agreement. Any comments received will be considered and included as necessary in any further revised agreement.

10. When consultation is complete a report will be prepared for the Council's Executive to seek final approval prior to implementation.

RISK ASSESSMENT

11. There is a risk that unless any revised agreements and terms contained within meet legal requirements these may not be legally binding and enforceable.
12. To eliminate the risk colleagues in Legal Services will be consulted at regular intervals during the review process.

CONCLUSION

13. This report has considered the need to review and update the existing secure and introductory tenancy agreements and;
14. Recommends that the Board nominates a tenant representative to join a working group to help in the review process.

Background Papers: None

Reference Papers: None

Enquiries:

For further information on this report please contact Jon Shore. (Ext 4540)