

TENANCY BREACHES POLICY

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EIA Required?	<input type="checkbox"/>
EIA Completed?	<input type="checkbox"/>
Revision number:	3
Lead officer:	Anila Khalid

1 INTRODUCTION

1.1 Tenants of Stockport Homes Group (SHG) are contractually responsible for adhering to the terms and conditions as set out in the relevant tenancy agreements.

1.2 This policy sets out the framework for the management of tenancy breaches and highlights the actions SHG will take to manage the situation. Such actions may include, providing support to the tenant and their household to resolve the breach directly.

2 STRATEGIC LINKS

2.1 The policy has links to a number of SHG's strategies, policies and action plans, in particular:

- SMBC Tenancy Agreement
- SHG Assured Shorthold Tenancy Agreement
- SHG Assured Tenancy Agreement
- Estate Inspection and Walkabout Policy and Procedure
- Squatting and Illegal Occupation Policy and Procedure
- Tenancy Contact Policy and Procedure
- Eyes Wide Open Policy Statement
- Rechargeable Repairs Policy and Procedure
- Individual Garden Maintenance Policy and Procedure
- Abandonment and Storing of Goods Policy and Procedure
- The High Hedges Act
- Fences and Boundaries Policy
- Anti-Social Behaviour Policy, with a clear thread to all strategic links within that document
- SHG's Mission of 'One Team, Transforming Lives'

3 KEY FEATURES OF THE POLICY

3.1 SHG's staff, usually Neighbourhood Housing Officers (NHOs), Independent Living Officers (ILOs) and Three Sixty Operatives will identify tenancy breaches through routine day to day activities.

3.2 A tenancy breach occurs when a condition of the tenancy agreement is broken, such as a tenant keeping several dogs within one property, a property or garden which are in a poor state of repair or condition

3.3 Any report of a tenancy breach will be managed in a practical way to seek the most pragmatic and sustainable outcome for the tenant, community, and for SHG.

3.4 Complex tenancy breaches including hoarding will be managed through collaborative working between NHOs, SILOs, Anti-Social Behaviour Officers

(ASB Officers) and any relevant external agencies who are able to provide support to resolve the tenancy breach.

3.5 Support will always be offered to tenants who are in breach of their tenancy if it has occurred as a result of a specific vulnerability.

3.6 Legal action will only be pursued when it is necessary, proportionate and in cases where the outcome could not reasonably be achieved

3.7 The impact of the tenancy breach on the tenant, surrounding residents, those visiting the property and Stockport Homes will be considered when agreeing the best outcome for a case.

4 RESOLUTIONS OF TENANCY BREACHES

4.1 The procedure outlines tools available to resolve tenancy breaches which include:

4.1.1 Tenancy Support to address underlying hoarding/property condition

4.1.2 Garden maintenance/Assisted Gardening Scheme to address poor garden condition

- Legal Action:
- Community Protection Notices
- Injunctions
- Notice to Quit
- Notice of Seeking Possession

4.1.3 Non-Legal Remedies:

- Referral for mediation
- Target hardening
- Transfer/mutual exchange.

5 EQUALITY IMPACT ASSESSMENT (EIA)

5.1 This policy is fully accessible to all, including those in minority groups and who have a protected characteristic as defined in the Equality Act.

5.2 Where applicable the appropriate action will be taken if necessary to ensure that the policy is accessible, this may include for example provision of translation services where appropriate and any written communication being in the appropriate format for the customer for example large print.

5.3 Any resolutions to deal with tenancy breaches as defined in this policy will be made taking into account protected characteristics as defined in the Equality Act.

6 OWNERSHIP, MONITORING & REVIEW

6.1 This Policy is owned by the Operations Directorate and will be monitored by the Operations Management Team.

6.2 The Policy will be reviewed in line with the Operations Management Policy and Procedure Review Schedule.