

Waltham Forest Housing Association

Tenancy Guidance

Who does this policy apply to:	Staff and tenants and Board Members
Review Date (minimum every three years)	Reviewed February 2025, next review February 2028
Policy Author/Reviewer and Job Title	Michael Pughsley , Director of Housing

POLICY

1.0 Purpose and Scope of the Policy:

WFHA's tenancy agreement is a legally binding document that determines the relationship between the landlord and the tenant. WFHA only permit tenancies to be granted to persons aged 18 years of age or over.

All tenancy types have a written tenancy agreement outlining:

- The full name and registered address of WFHA
- Registration with the relevant social housing regulator
- Tenants' rights to live in their home from a set date, provided it is their main principal home
- Tenants' right and responsibilities
- Landlord's rights and responsibilities
- The rent and any other charges payable
- The property which is the subject of the tenancy is owned by WFHA

In all cases the tenancy agreement is supplemented by the Tenants Handbook.

The main terms of the tenancy agreement cannot be altered without the agreement of the tenant, and they have the right to stay in their home provided the conditions of tenancy are kept to.

WFHA will only serve notice and apply for re-possession under the following circumstances, where there is sufficient evidence:

- Non-payment or late payment of rent
- If on applying for a tenancy, a false statement was made
- If the tenant or people who live with them, or visitors to their home, have caused a nuisance or annoyance to other people or committed a criminal offence in or near their home
- If the tenant, people living with them, or visitors to their home, have been convicted of using the home for immoral or illegal purposes
- If the tenant, or people living with them, have caused serious damage to their home
- If the Tenancy Agreement has been broken

WFHA will make every reasonable effort to help tenants stay in their homes and, working with other agencies, have particular regard to the impact on vulnerable members of the household.

2.0 Policy

WFHA's policy is to issue assured tenancies except, at specific schemes or circumstances where an Excluded Licence agreement or Assured Shorthold tenancy may be granted. The Association also has a number of tenants whose tenancies commenced prior to 15th January 1989 and they remain secure tenants.

The Associations Policy is in line with the Landlord and Tenant Act 1985 and the Housing Act 1998.

This Policy also outlines the procedure to follow when terminating a tenancy, the abandonment of a property and succession rights to a property.

Serving members of staff or the board who are also tenants of the association will benefit from the data protection procedures like all tenants. All tenants are subject to the same procedures and will not be advantaged or disadvantaged because of the position they hold or once held.

In addition, wherever possible, staff senior to the position held by the tenant will deal with matters of breach of tenancy, significant arrears, nuisance or anti-social behaviour.

In the case of a staff member tenant, the executive will consider whether the breach compromises the position of the member of staff's employment and determine what action should be taken with respect to their contract. The executive will have regard to relevant staff policies and take legal advice.

In the case of a board member tenant, members of the executive in liaison with the Chair of the Board will conduct a similar investigation as to the fitness for office of that board member having regard to any relevant terms of the Board Member Dispute and Grievance Policy.

3.0 Related Policies

Allocations, selections and lettings

Rent Arrears

Eviction

Anti –Social Behaviour Policy

Safeguarding Policy

Domestic Violence

Policy Appendices

Internal review: May 2025

Appendix 1	Assured tenancy
Appendix 2	Licence agreement
Appendix 3	Succession letter - joint tenancy to sole tenancy
Appendix 3A	Succession to household member
Appendix 4	Tenancy termination form
Appendix 5	Abandonment notice
Appendix 6	Tort notice
Appendix 7	Notice to Quit
Appendix 7A	Notice to Quit covering letter
Appendix 8	Staying Connected form