

Tenancy types explained

If the council offers you a tenancy, the offer letter will provide details (type and length) of the tenancy offered and this will be in line with the council's tenancy policy. There are four types of tenancy that can be offered for council properties:

- **introductory tenancy;**
- **secure periodic tenancy**
(called a "secure tenancy" in the council's Tenancy Conditions booklet);
- **flexible fixed term tenancy**
(called a "flexible tenancy" in the council's Tenancy Conditions booklet);
- **non-secure tenancy.**

Most applicants offered Wandsworth Council properties will be offered an introductory tenancy (which usually lasts for a year, see below) followed by a flexible fixed term tenancy of five years (see over page).

Introductory tenancies

In most instances, you will start your tenancy as an 'introductory tenant'. Introductory tenancies normally last for one year but your introductory tenancy may be shorter if you were an introductory tenant or a housing association tenant with an assured shorthold tenancy immediately before we made the offer.

As long as you comply with the tenancy conditions (including paying your rent) during your introductory tenancy period you will, at the end of this time, generally become a flexible fixed term tenant or a secure periodic tenant (depending on the offer you have been made as set out in your offer letter).

However, if you breach the tenancy conditions during your introductory tenancy we may decide to extend the introductory tenancy for a further six months or start legal action to end the tenancy. You will be notified of our decision and have the right to request a review.

During your introductory tenancy, you will not have all of the legal rights that you will have during your flexible fixed term tenancy or secure periodic tenancy. You will not be able to:

- apply to buy your property (but the introductory tenancy period will count towards the discount you are entitled to if you apply for the right to buy once you have a flexible fixed term tenancy or secure periodic tenancy);
- vote for a change of landlord;
- sub-let part of the property or take in a lodger; or
- exchange your tenancy.

Secure periodic tenancies

If you are granted a secure periodic tenancy you will have the right to stay in the property for an indefinite period of time. We will not interfere with this right unless we have to take action because of reasons given in the Housing Act 1985 or any future law. If you break any of the tenancy conditions (by, for example, engaging in anti-social behaviour or not paying your rent) we may take action but you cannot be evicted unless we can prove grounds to a court and the court agrees to evict you.

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Flexible fixed term tenancies

As set out over the page, most applicants offered Wandsworth Council properties will be offered an introductory tenancy followed by a flexible fixed term tenancy of five years. Flexible tenancies last for a fixed period of time (normally five years but can, in exceptional circumstances, be as short as two years). During your flexible fixed term tenancy, you will have many of the same rights that secure periodic tenants have and if you break any of the tenancy conditions (by, for example, engaging in anti-social behaviour or not paying your rent) we may take action and apply to the court to evict you.

When your flexible fixed term tenancy ends, the council does not have to give you another tenancy.

Early in the final year of your tenancy, we will contact you to discuss what your future housing options might be. We will decide in accordance with our tenancy policy whether to offer you another tenancy and, if so, what length of tenancy to offer. In deciding whether to offer you another tenancy we will take into account:

- your behaviour, including payment of rent and arrears, and the behaviour of your household members during the tenancy;
- the extent to which you and your household members are making an active and positive contribution to the community through, for example, seeking to secure and remain in employment, volunteering and fostering; and
- your income and whether you own or can afford to purchase a suitable property outright or on a shared ownership / equity basis.

If we decide to offer you a further tenancy, we will usually offer you a tenancy of the same property. However, in some cases, a tenancy /tenancies of one or more different properties that are suitable to your household's needs may be offered to you and, in some cases, your household members. For example, if you no longer need a family sized home we may offer you a tenancy of a smaller property instead.

If we decide not to offer you a further tenancy of the same property, we will give you at least six months' notice in writing, explain the reason for our decision and tell you how to request a review of the decision. We will also, if required, provide advice and assistance on finding alternative accommodation. If we decide not to give you another tenancy of the property and you refuse to leave we can ask the court to make a possession order requiring you to vacate the property.

Non-secure tenancies

You may be offered a non-secure tenancy if a property is let to you temporarily (for example, under homelessness legislation or if you are required to temporarily leave your home at the request of the council because of the need to carry out major works or essential repairs).

Where to get further advice

A full description of your tenancy rights and obligations including the council's legal repairing obligations is set out in the council's **Tenancy Conditions** booklet. You should read the Tenancy Conditions booklet carefully so you know what your obligations are as well as your legal rights.

For further information and advice about the tenancy you have and / or the tenancy you have been offered, contact the housing department. For independent advice, contact the Citizens' Advice Bureau, a solicitor, Law Centre or housing advice centre.

The council's tenancy policy is on the website (www.wandsworth.gov.uk) and copies will be provided free of charge on request.

If you have any questions about the type and length of tenancy you have been offered, please contact the accommodation placement team: (020) 8871 5884.

If you need this leaflet in an alternative format (e.g. large print) contact the housing and community services department: (020) 8871 6800.