



Your guide to **Your Tenancy**





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Residents should note that the information contained within this handbook is supported by the Gravesham Borough Council's policies.

Tenancy Types

All Council housing tenants will sign a legal document called a tenancy agreement.

The council will usually offer one of two types of tenancy; these are known as introductory or secure tenancies and will form the basis of the contractual relationship between Gravesham Council and our tenant(s).



Introductory Tenancy

An introductory tenancy is given to all new council tenants and lasts for up to 12 months. An introductory tenancy has similar rights as a secure tenancy, but during the introductory period, a tenant cannot:

- Buy their home
- Make alterations to their home
- Exchange their home with another tenant via mutual exchange

Your tenancy will be monitored with three home visits to ensure compliance with tenancy terms. If all conditions are met, your tenancy automatically becomes secure after 12 months.



Please note: Breaching any terms may result in extension or termination of your tenancy.



Secure Tenancy

A secure tenancy gives tenants' rights to:

- Apply to make improvements and alterations to their home
- Mutual Exchange – exchange their home with another tenant
- Succession – pass their tenancy on when they die (in applicable circumstances)
- Right to Buy – apply to buy their home

Whilst the tenancy remains secure, the Council can only terminate the tenancy if the tenant has breached their tenancy conditions.



Demoted Tenancy

If you are a secure tenant and we believe that you or members of your household or visitors that you are responsible for are causing anti-social behaviour, we can apply to the courts for a demoted Tenancy Order.



Demoted tenancies reduce your security of tenure and are an effective means of controlling anti-social behaviour for existing tenants.

Changes to Tenancies



Sole to Joint Tenancies

Joint tenancies are usually granted to married and non-married couples. Joint tenants have equal rights and are jointly and severally responsible for all the conditions of the tenancy agreement. In the event of a relationship breakdown the tenant who wishes to remove themselves from the tenancy will be required to complete a Deed of Assignment.

Switching to a Joint tenancy

If you have a sole tenancy and wish to have a joint tenancy with your partner, please contact your Neighbourhood Officer. Your partner will need to meet certain conditions before a joint tenancy can be granted.



Assignment

If you want to assign your tenancy, you must ask us for permission in writing. If you assign your tenancy without our agreement, you will be in breach of your tenancy agreement and the council may take court action to terminate the tenancy.



Succession

Succession allows the tenancy to be passed on to certain qualifying people when the tenant dies. The tenancy agreement sets out the statutory rights to succession.

A member of your family may be entitled to succeed if they have been living with you at the property as their principal or only home for at least 12 months prior to the death.

If, in the event of the death of the tenant, the property becomes under-occupied, they may be asked to move to more suitable accommodation. The successor may also be required to move if the property has been adapted to suit a specific need (e.g., for the disabled) where the successor does not have such a need.



**The law allows only
one statutory
succession to each
tenancy**



Mutual exchange

A mutual exchange is a home swap between two social housing tenants. This is a right available to most secure council tenants and most secure housing association tenants.

You can find another home by registering with Homeswapper where other tenants advertise their properties.

How it works

We will assess your mutual exchange application within 42 days and write to you with our decision and reasons. We will take into account your rent account balance, any tenancy breaches and ensure any rechargeable repairs have been completed.

Accepting a property

It is important that you know your rights, which are outlined in the Mutual Exchange policy which can be found online at <https://www.gravesham.gov.uk/>



There may be times when a mutual exchange may be refused in line with legal requirements or it may be agreed subject to certain conditions being met.



Top tips for applying for a Mutual exchange



Ensure there are no tenancy breaches



All rent payments are up to date



Transfers

We will consider transfer requests in the following instances:

- There is a medical need to move.
- There is an overcrowding or under occupancy.
- Our Repairs team advises that a home requires major works that are not financially viable.
- You and your household need to move house urgently due to an evidenced risk of physical or emotional harm should you continue to remain at home.

To be considered for rehousing

Please ensure an application is made via
<https://www.kenthomechoice.org.uk/login/>



You must have an identified housing need to be considered to join the register.



Lodgers & Sub-letting

Introductory tenants

Introductory tenants are not permitted to take in a lodger under the terms of the tenancy agreement. Any such action will be considered a breach of the tenancy agreement and could result in the Council seeking possession of the property.

Secured tenancies

Secure tenants have a right to sub-let part of their home by taking in a lodger; however, permission from the council must be obtained first.



Subletting of the whole property is not permitted within the terms of the tenancy agreement for any council tenant. This will be considered a breach of the tenancy agreement and could result in the Council seeking possession of the property and/or other remedies.

Risk of overcrowding

Tenants cannot allow their property to become overcrowded by taking in a lodger.



Think carefully before letting someone into your home

Tenancy fraud

The Council will take action to tackle any potential social housing tenancy fraud.

This includes tackling issues such as:

- Non-occupation of a tenanted property by the tenant
- Unauthorised sub-letting
- Fraudulently obtained social housing tenancy
- Key-selling (where a tenant passes on the keys to their property in return for payment)



If the Council suspects that social housing fraud is taking place, it will be investigated and referred to the Counter Fraud Team, which could result in prosecution.



Right to Buy

Right to Buy allows most council tenants to buy their council home at a discount.

You can apply to buy your council home if:

- It's your only or main home
- It's self-contained
- You're a secure tenant
- You've had a public sector landlord



Application information

To find out more or make an application please visit the government website.





Gravesham
Borough Council

