

Draft Ealing Tenancy Strategy-Proposed Changes

Issue	Approach: change from previous tenancy strategy
Types of Tenancy issued	<p>No change. Measures were included in the Housing and Planning Act 2016 to prevent local authorities in England from offering secure tenancies for life in most circumstances. To date, the relevant provisions, sections 118-121 and Schedule 7 of the 2016 Act, have not been brought into force and the government has confirmed they will not implement the 2016 Act provisions at this time.</p> <p>For this reason, it is proposed to retain the Council's position that the maximum security of tenure should be provided, ideally through the issuing of a lifetime tenancy.</p>
Issuing of life-time tenancies	<p>Propose that life-time tenancies continue to be the tenancy of choice in most circumstances. The key exception is where move-on or short term supported accommodation is being provided.</p>
Protecting existing tenant's rights	<p>No change. The Tenancy Strategy continues to recommend that social housing landlords issue lifetime tenancies to all tenants moving from lifetime tenancies, regardless of whether the tenancy is issued after the 1 April 2012.</p>
Vulnerable Tenants	<p>This is a new stand-alone section. It sets out our expectation that vulnerable tenants who have a long-term need for care and support (for example, older people living in sheltered housing) should be offered a lifetime tenancy. For vulnerable tenants who have a need for move-on or short term supported accommodation to help them become independent (eg ex-rough sleepers, ex-offenders etc) it would generally be more appropriate to offer fixed term tenancies of two years.</p>
Approach to offering flexible fixed term tenancies	<p>Registered providers often have social housing stock across different local authorities and are only required to have to have regard to our Tenancy Strategy. For this reason, it is neither practical or enforceable to insist that registered providers refrain from using flexible fixed term tenancies. We have continued to state that our preference for lifetime tenancies to be issued in the majority of circumstances. Ealing Council acknowledge that Registered Providers may wish to issue fixed term tenancies, in which case they should adhere to the RoSH's Tenancy Standard requirements.</p> <p>We previously suggested that fixed term tenancies may be more suitable for the following defined groups;</p> <p>Young people (under 25)</p> <ul style="list-style-type: none"> • Households moving into larger family units (3 & 4 bed properties) • Households moving into an Affordable Rent property • Households with no adult in long-term employment <p>The new draft Tenancy Strategy states a preference for fixed term tenancies only where accommodation is being</p>

	provided for move on or short-term accommodation for vulnerable households to help support a move to independent living.
Length of flexible tenancies	No change. This continues to be a minimum fixed term of five years, except where providing move-on or short term supported accommodation.
The circumstances where flexible fixed term tenancies are issued	<p>It was acknowledged in the previous tenancy strategy that registered providers may have to offer flexible tenancies under part of their grant funding agreements under previous Affordable Homes Programmes. The tenancy strategy 2012-15 stated that the following types of households may be more suitable (regardless of the length of tenancy term):</p> <ul style="list-style-type: none"> • Young people (under 25) • Households moving into larger family units (3 & 4 bed properties) • Households moving into an Affordable Rent property • Households with no adult in long-term employment <p>There is no longer a requirement tied to Affordable Homes Programme funding to offer flexible tenancies for new homes. The new draft Tenancy Strategy provides discretion for a registered provider to offer fixed term tenancies should they choose to, but states these should normally be for the standard 5 year fixed term, unless the accommodation is move-on or short term supported accommodation in which case a shorter fixed-term is usually offered.</p>
The renewal of flexible tenancies	Changed to be less prescriptive. Now a general expectation that fixed term tenancies will be renewed at the end of the fixed term, other than in exceptional circumstances.
Advice and Assistance	No change.
Succession rights	No change.
Approach to rent levels	Less prescriptive approach. The GLA have since introduced new affordable housing products and have adopted a more prescriptive approach to setting rents for social housing, recognising the need to keep rents affordable. This has negated the need for Ealing Council to set out the same level of detailed guidance, as contained in the previous strategy. The proposed approach for the new strategy is to set out some general principles in a Statement on Rent Levels, which complies with the GLA's approach in promoting genuinely affordable homes, with rents no higher than London Living Rent levels, but ideally no higher than London Affordable Rent.
Landlord Tenancy Policies	No change. Sets out that landlord tenancy policies need to comply with the RoSH's Regulatory Framework and Tenancy Standard and GLA's housing & planning policies.