

Grainger Trust Limited ('GT') Tenancy Policy

February 2025

Introduction

Grainger Trust is a For-Profit Registered Provider (FPRP), we create strong, safe cohesive communities of the future. Our houses and apartments are built and designed to meet our strategic priority of providing high quality, sustainable homes. Our approach to property management services is to deliver high quality, responsive services that achieve our ambitions to be “best in class.” We do not build houses, we build homes.

Grainger Trust delegates aspects of its tenancy management to third party organisations. Within such agreements third parties will be required to comply with this policy and Grainger Trust will equip them with the documentation to enable this. Grainger Trust will monitor third party compliance with this policy through its contract management arrangements.

Legal and Regulatory responsibilities

This policy aims to satisfy the requirements of the Regulator of Social Housing (RSH) Tenancy Standard which requires Grainger Trust to offer tenancies or terms of occupation which are compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community, and the efficient use of their housing stock.

Legal requirements that Grainger Trust will adhere to are outlined in:

- Data Protection Act 2018 (DPA 2018)
- Localism Act 2011
- Housing Act 1988
- Housing Act 1985

Policy purpose and aims

This policy provides local authorities, partners and customers with details of how we let homes and how we aim to meet local need and contribute to delivering local housing strategies.

The key aims are:

- Enable effective use of affordable housing
- Explain the tenure approaches to the different affordable housing products we offer
- Indicate to current and prospective tenants, what they can expect from the tenancies offered by Grainger Trust
- Describe how our tenancies develop and promote sustainable communities
- Set out how we work with our partners to ensure we achieve their local aims

Grainger Trust supports tenancies being offered that provide residents with an appropriate level of security while ensuring a balance between creating flexibility in affordable housing and promoting settled, mixed communities.

Products

Grainger Trust offers a range of affordable housing products to ensure the best use of affordable housing within a specific area. The products offered are as follows:

- Affordable Rent social housing
- Grainger Let (Discount Rental Product)
- Discounted Market Rent
- Shared Ownership

All these products are considered to serve general needs customer groups.

Grainger Trust will create Local Lettings Plans in conjunction with the local authorities to ensure properties are let to those families in most housing needs while also reflecting the wider neighbourhood and the promotion of sustainable communities as well as sustainable tenancies. The Local Lettings Plans will be mindful to local authority tenancy strategies while also considering consistency and equity of practice.

Tenancies

Type and Length of Tenancy

Grainger Trust offer Affordable Rent social housing, Grainger Let and Discounted Market Rent homes on fixed term Assured Shorthold Tenancies (ASTs). Grainger Trust let all rented homes on five-year fixed tenancies, with an additional year incorporated as a probationary period for the first tenancy (a total of six years).

Probationary Periods

During the probationary period, Grainger Trust will closely manage and monitor the conduct of the new tenancy to ensure the household is adding to the cohesive and stable community in which they live.

Any reports of ASB, breaches of the tenancy, nuisance and/or disturbance during this period will be taken very seriously and may result in possession being required at the end of the probationary term, subject to the appeals process. If the appeal is not successful but Grainger Trust is satisfied by the engagement and progress shown by the resident, Grainger Trust may choose to offer a new 6-year fixed term tenancy with a further 12-month probationary period. Grainger Trust may also extend the first probationary period, if allowed by the lease.

Granting and Reviewing Criteria

Applicants are advised through the initial letting process that tenancy renewals for additional five year periods are highly likely where resident's circumstances are broadly the same. Exceptions to this will include homes specifically adapted for a family member with a disability, where a longer tenancy period may be granted on request.

The below criteria will be used when granting or reviewing a tenancy.

- Under-occupation - where this is by one or more bedrooms
- Over- occupation - where this is by one or more persons
- Adaptations - where a property has been extensively adapted for someone with a disability who no longer lives at the property
- Financial - the tenant or their spouse has an income/assets/savings greater than the amount stipulated in the relevant local authorities Housing Allocations Scheme and it is reasonable and affordable for them to pursue another form of tenure or if the property is unaffordable
- Conduct - where there is evidence of a trend of tenancy breaches which have been formally documented and reported but have been left unresolved

Grainger Trust will also undertake an assessment of the following issues when granting or reviewing a tenancy:

- Health and disability of any member of the household
- Employment or income
- Education and training
- Community and family connections
- Housing need
- Ability to access alternative housing
- Homelessness prevention
- Any other relevant circumstances

Grainger Trust will clearly set out its reasons for not granting or renewing a tenancy.

Tenancy Reviews

Grainger Trust see the use of fixed term tenancies as supporting our aim of making the best use of our affordable housing stock, while also providing security of tenure for those that need it and ensuring residents buy in to the areas, they live in to create settled communities.

The tenancy review will be undertaken at least six months before the fixed term is due to come to an end to ensure that both households and Grainger Trust are aware of the decision, implications and associated actions. An appeals process will be available for all tenants that wish to contest a review decision.

It is anticipated that:

- Where no material changes have taken place to a household's circumstance or income and there have been no breaches of the tenancy, a further five-year tenancy will be offered at each review period.
- Where homes no longer meet the needs of the household living in the home, for example, through under/ over -occupation or too great a household income – then the fixed term tenancy period will be used to review circumstances and discuss or look to offer an alternative future housing solution. Where possible this will be in an alternative Grainger Trust home where the household is still in social housing need or else in an alternative Grainger plc home as a landlord with stock at a variety of price points for residents.

Where Grainger cannot provide an alternative housing option, we will work with both the household to find a swap and the local authority to find an alternative Registered Provider or a private sector solution to meet the household's housing need.

Letting to Existing Registered Provider Residents

Residents moving to Grainger Trust properties from other social housing providers, and who have assured or secure tenancies, will be offered Assured Shorthold Tenancies with a probationary period.

Tenancy Changes

Grainger Trust won't amend a tenancy until a tenant has passed the initial 12-month probationary period.

For any changes to the tenancy to be considered the rent account must be clear and there must not be any current tenancy conduct concerns.

Sole tenants may request to have a joint tenancy agreement. Grainger Trust will allow the addition of a joint tenant where:

- The additional tenant has resided at the property as their sole or principal home for a period of 12 months
- The original tenant has not breached their tenancy and is not in rent arrears
- The original tenant has been advised of the implications of entering into a joint tenancy
- The additional tenant being added to the tenancy will need to pass our usual referencing procedure, detailed in our Allocations and Lettings Policy.
- The addition of the new tenant does not create a multi-generational tenancy.

Once a joint tenancy has been created, Grainger Trust has no unilateral power to 'transfer' the tenancy to one party. Joint tenants cannot transfer, relinquish, surrender or assign their

'part' of the tenancy to the other tenant without Grainger Trust's consent. They hold the whole of the joint tenancy jointly and severally.

If one tenant informs Grainger Trust that the other has left and requests a sole tenancy without cooperation from the other tenant, legally we cannot assist. The tenant who has left is able to request to be removed from the tenancy and Grainger Trust will prepare a Deed of Variation which needs to be signed by both parties.

Grainger Trust will consider granting a new sole tenancy if one or other parties to an existing joint tenancy serves a Notice to Quit to end the tenancy.

Tenants have a right of appeal through the appeals process regarding Grainger Trust decisions relating to tenancy changes.

Grainger Trust will usually only allow one tenancy change per fixed term period unless there are exceptional circumstances when additional changes will be actioned at Grainger Trust's discretion.

Tenancy Fraud

We are committed to tackling tenancy fraud to ensure that social housing stock is used for those in need of it.

As part of our allocations process Grainger Trust will establish and verify the identity of tenants and their household. We will require photo identification for all our tenants in order to assist us in preventing tenancy fraud.

If a tenant has been fraudulently obtained the property (based on misinformation) we will take action to terminate the tenancy.

Our tenancy agreement will set out the requirement for the tenant to live in the property as their only or principal home and their obligations and the restrictions in terms of subletting and assignment. During routine visits to our properties, we check who is occupying the premises.

Where appropriate and in accordance with the law we will cooperate with other agencies where tenancy fraud is suspected.

Tenancy Management and Support

We will offer support to our tenants to help them to sustain their tenancies. This will include:

- Being clear at the start of the tenancy our expectations, and the obligations of our residents
- Offering advice around arrears and affordability
- Tackling ASB through engagement with the resident, following our Anti-Social Behaviour Policy

- Notifying resident as soon as we become aware of any breach of tenancy that the breach means they are at risk of losing their home
- Working with local agencies to ensure that our residents are appropriately supported

Tenancy Termination

Where a tenancy is terminated, either due to breach of tenancy, or at the end of a fixed term, Grainger Trust will ensure reasonable notice of our decision is given to residents to provide them with the opportunity to make arrangements.

We will signpost our residents to the relevant local authority housing service for advice and support, as well as any local agencies or charities operating in the area.

Succession

For Affordable Rent tenancies we will grant tenancy succession to a tenant's partner, married or unmarried, same or different sex, provided they lived with the tenant at the time of their death and for at least 12 months prior and it was their only or principal home.

We will also grant a tenancy succession to the adult child of a deceased tenant who has resided at the property as their principal home for at least 12 months prior to the death where the deceased did not have a partner in residence.

Only one succession is permitted; therefore, if the deceased tenant was themselves a successor no further succession can take place.

In addition, the person succeeding would normally be expected to be at least 18 years old and must not own or rent another property, with this being their principal home.

If the succeeding tenant's household is over or under-occupying the property, we will allow the succession to the deceased tenant's tenancy but not the property. In this case, we will endeavour to find a more suitable sized property for the succeeding tenant's household to move to. This allows us to make best use of our social housing stock.

We will always take into account the vulnerabilities within a household when considering and applying succession rights for a property.

External Applications for re-housing

Local Authority Nominations

Grainger Trust has a statutory duty to assist local housing authorities in meeting their housing obligations.

Grainger Trust does this through:

- Local Authority Letting Agreements – Grainger Trust enters into nomination agreements with individual local authorities. These are negotiated by Grainger Trust with each individual borough.

Chain Lettings and Mutual Exchanges

Grainger Trust is supportive of chain lets and mutual exchanges. All applicants must satisfy Grainger Trust's eligibility requirements and any other relevant checks that the Trust deems relevant and applicable. All applicants will be granted a tenancy in line with Grainger Trust usual checks and standards outlined in the Allocations and Lettings Policy and Procedure.

If a tenant with a pre-April 2012 secured or assured tenancy swaps or exchanges with a Grainger Trust tenant, they will not be granted a secured tenancy. All tenants would be granted an Affordable Rent Assured Shorthold Tenancy.

Grainger Trust uses House Exchange in order to coordinate its mutual exchanges and chain lettings.

Right to Appeal

Grainger Trust operates an Appeals Process which is separate to our Complaints Process.

Our complaints handling process considers issues about the services we provide. The appeal process is a separate process for customers wishing to challenge decisions we have made regarding lettings decisions, tenancy issues, our housing information, advice and letting process.

Our teams make decisions on a variety of housing matters. If a customer is unhappy with the decision made, they have the right to appeal.

A customer has the right to appeal our decisions where they feel that we have not taken all information into consideration, or the customer is unhappy with the outcome we have reached.

Customers have the right to appeal certain decisions we make on housing information, advice and letting and tenancy related matters. These include, but are not limited to, decisions about:

- Withdrawing/rejecting an offer of accommodation
- Extending a probationary period
- Not granting a fixed term tenancy following the end of a probationary period
- Changing your tenancy: single/joint
- Adding additional members to your tenancy
- Any additional costs (e.g. damage to Grainger Trust property)

A customer must request an appeal within five working days of receiving our initial decision.

The appeal process will be covered by two stages:

- Stage 1: The decision will be reviewed by a Senior Manager within Grainger Trust.
- Stage 2: If following the outcome of the first stage the customer remains dissatisfied, then the decision will be reviewed by a Director.

The appeal will review the decision made with regards to a customer's application or any tenancy related issues along with any supporting information provided by the customer.

Should the customer wish to appeal the stage one determination, they must do so in 5 working days.

Once an appeal has reached Stage 2 and a decision made, this will conclude the appeal, and no further appeals will be considered.

Appeals can be made in person, by email, telephone or by letter.

Developing Communities

Grainger Trust takes very seriously the conduct of its tenants.

In order to achieve our aims of creating a cohesive and stable communities, Grainger Trust will have a close relationship with its tenants to ensure management is effectively responding to the need of the community and these environments are being created. Individuals and/or households that breach tenancy terms and threatens the stable, cohesive and safe community will be subject to investigation and/ or legal proceeding through the statutory powers granted under the Housing Act and powers granted to Grainger Trust as a registered provider.

Working in partnership

Grainger Trust fosters and promotes open and collaborative working practices. This approach is reflected in all aspects of the business from resident relationship management through to local councils and third-party relationship building.

Grainger Trust's flexible approach to partnership working allows it to adapt to strategy changes and shifts by Councils and relevant third-party organisations. By fostering openness and transparency in working relationships Grainger Trust are able to adapt to most effectively manage and achieve the aims and expectations of all parties involved.

Equality and Diversity

Grainger Trust values diversity and is committed to ensuring and promoting equality of opportunity in housing and in the provision of its services. Grainger Trust will ensure this policy is applied in line with our Equality & Diversity Policy.

Monitoring

Grainger Trust will undertake monitoring and reporting on its working practices. This monitoring and reporting will be reported to the Grainger Trust Board to ensure the values are being upheld and aims of the business are being achieved.

Review

This policy will be reviewed every three years or when there is a change in circumstances, in work practices or the introduction of new legislation.

Document Owner and Approval

The Head of Grainger Trust is the owner of this document and is responsible for ensuring that this procedure is reviewed in line with the review requirements of Data Protection.

A current version of this document is available to all members of staff on the corporate intranet.

Document History

Policy Owner	Head of Grainger Trust
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