

Introductory tenancy

A guide



Introduction

Medway Council created introductory tenancies for all new tenants that have not had a secure or assured tenancy previously. This is because it wants to make a safer neighbourhood for the community – including new tenants – and it is easier and quicker to evict the residents who are responsible for nuisance and anti-social behaviour if they are introductory tenants.

What is an introductory tenancy?

All new tenants are given a trial period to show that they can keep to their tenancy agreement, look after their home and not be a nuisance to neighbours. This trial period is called an introductory tenancy and lasts for 12 months. At the end of this period, if there have been no problems, you automatically become a flexible or secure tenant. In some instances we may find it reasonable to extend this by a further 6 months.

What is the difference between a secure tenancy and an introductory tenancy?

You start living in your council home as an introductory tenant. This means that you do not have all the rights of a secure tenant and could be evicted more quickly if you break any of the conditions of your tenancy agreement.

For example:

You do not have the right to:

- take in lodgers or sub-let part of the property;
- buy your council home;
- make improvements to your home;
- exchange your home with another tenant;
- transfer to another landlord.

Although you do not have an automatic legal right to do any of the above, you can apply to the council for permission to take in a lodger and improve your home. Providing you seek permission in writing first.

Why would Medway Council end an introductory tenancy?

We would only apply to end your tenancy if you break your tenancy agreement and we have evidence to prove that is the case.

Medway Council would not take this action to deal with low level disputes such as children playing normally. All complaints would be investigated thoroughly and you would be given the opportunity to give your version of the event or reasons for the alleged breach in your tenancy agreement.

Rent arrears

If you have problems paying your rent please contact your neighbourhood housing officer straight away. He/she can check that you are in receipt of all benefits and support that you are entitled to and set up an agreement with you to pay off the money in regular amounts, on top of your weekly rent. We will take action quickly to evict you if you allow rent arrears to build up and if you are persistently late in paying.

Anti-social behaviour

It is important that you realise that Medway Council will not tolerate anti-social behaviour. It would be unfair to the local community if we ignored it. If someone tells us that you have been acting in an anti-social way, we will investigate the complaint thoroughly. If we find that the problem is minor, then we will tell you to modify your behaviour. If you will not co-operate, or if your actions are severe for example, violence or racial harassment you will not be given a second chance and we will take immediate action to evict you.

It is important to remember that you are not only responsible for your own behaviour, we would take action against you if the person(s) causing the nuisance lives with you or even if he/she is a visitor to your home.

Secondly, we would take action if the nuisance takes place in your home, outside it, or anywhere in the neighbourhood around your home.

Thirdly, the following are examples of nuisance and anti-social behaviour that the council considers unacceptable:

Violence and criminal activity - Violence, or carrying out criminal activity such as prostitution, theft, burglary or selling drugs in the neighbourhood.

Racial and other harassment including verbal and physical abuse - Using or threatening violence; using racist or other offensive behaviour or language; injuring or threatening to injure a member of the community or representative of the council; damaging or threatening to damage property or possessions in the neighbourhood or incitement to riot.

Noise and other forms of nuisance - Loud music; rowdiness; offensive drunkenness and offensive drug abuse; rubbish dumping; trespassing on neighbour's gardens or disruptive car repairs.

Damage - Vandalism and damage to property including graffiti.

Pets - Kept without permission or not kept under control and allowed to frighten people in the neighbourhood or dogs that are allowed to stray, foul communal areas or bark persistently.

Other circumstances

It is unlikely, but a situation may arise where we would need to move you out of your home so that we can carry out major work to it – or even demolish it. If this became necessary then we would offer you another suitable home and your tenancy would remain introductory until the original 12-month period expires.

How would Medway Council end an introductory tenancy?

Following a thorough investigation, if the council decides it is necessary to evict you it can do so easily and quickly.

We would tell you in writing that we are going to court to evict you and give you full details of the reasons for us taking eviction proceedings.

Review

You have the right to ask for a review of the case, but you must ask for this within 14 days of receiving the notice which states that court action is being taken.

You have the right to attend the review and you can ask someone to accompany you. At the review you can call on supporting witnesses to appear but you cannot force any witnesses to appear for example, you cannot call a complainant.

Your case will be looked at again by senior housing staff and they will check that everything has been done correctly. None of them will have been involved in the case before.

If it was agreed that your eviction is to go ahead, we would go straight to court. The court would only refuse to give an eviction order if we had failed to follow the correct procedure. You would have no right to appeal against the eviction order and you would lose your home.

Advice

If we did have to take court action you could seek independent advice, from a solicitor or agencies such as the Citizens' Advice Bureau.

Please note

This leaflet tells you what happens if there are problems with your introductory tenancy. The majority of introductory tenants become flexible or secure tenants after the 12-month period.

As an introductory tenant, you get as much help as a secure tenant. If you are having problems because of a tenant's anti-social behaviour then contact your neighbourhood housing officer. He/she will help and investigate the complaint in exactly the same way as if you were a secure tenant.

If you have any concerns at all about your tenancy then contact your estate officer.

Who to contact



Housing Services:
01634 333344



Housing Services, Medway Council, Gun Wharf,
Dock Road, Chatham ME4 4TR



Email: neighbourhoodhousingofficers@medway.gov.uk
Website: www.medway.gov.uk



Minicom: **01634 333111**



01634 570037

This information can be made available
in other formats from **01634 333333**

If you have any questions about this leaflet and you want to speak to someone in your own language please ring **01634 335577**

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