

Tenancy Strategy

2013



Contents

Section	Title	Page
1.	Introduction	1
2.	Dartford's Profile	2
3.	Dartford's Housing	3
4.	Housing Applications and Allocations	4
5.	Affordable Rent	5
6.	What the Council is Seeking to Achieve	6
7.	Income and Savings Levels	7
8.	Anti-Social Behaviour	7
9.	Reducing Fraud	8
10.	Flexible Tenancies – The Council's Approach	9
11.	Tenancy Renewal	10
12.	Tenancy Succession	10
13.	Appeals and Complaints	11
14.	Review	11

1.

Introduction

- 1.1. The 2011 Localism Act places a statutory duty on local authorities to produce a Tenancy Strategy which sets out the local housing authority's approach to tenure reform and how they will respond to the flexibility it introduces.
- 1.2. This Strategy covers the Council's approach and the issues it expects registered providers to take account of as they implement their own policies, having 'due regard' to the Tenancy Strategy.
- 1.3. The Strategy has been developed having regard to the Council's Housing and Homelessness Strategies and the development of a revised Allocations Policy.
- 1.4. This Tenancy Strategy will be accompanied by a Tenancy Policy for Dartford's own housing stock. The Tenancy Policy will contain more detail about the Council's approach to flexible tenancies, following the objectives set out in the Tenancy Strategy.
- 1.5. The aims of the Tenancy Strategy for Dartford are to ensure that the Council manages its tenancies in such a way that it can offer housing to those with the highest housing priority, and to encourage its partners to provide housing services which complement those of the Council.
- 1.6. The Strategy will be kept under review so it remains responsive to changing needs and may be modified from time to time, in order to ensure the document is up to date.



2.

Dartford's Profile

- 2.1. The Borough of Dartford is situated in North West Kent, abutting South East London. It includes the historic market town of Dartford on the River Darent, and a number of smaller communities to the east and south. It has 92,000+ residents.
- 2.2. The Borough is experiencing economic regeneration, with Bluewater shopping centre, Ebbsfleet International rail station and various other large scale developments either completed, under way or planned for the future. As a result, there are good employment opportunities in the Borough.
- 2.3. Dartford experiences upward pressure on the price of housing, due to its proximity to London and relatively good transport connections. Currently, this is most noticeable in the private rented sector although similar effects are evident in other sectors of the housing market from time to time.



Ingress Park



QEII Bridge



Bluewater



Princes Park

3.

Dartford's Housing

- 3.1. The Borough is divided into seventeen wards with the total number of dwellings being approximately 41,000.
- 3.2. The Council currently owns 4,325 homes in the Borough, (10.5% of total dwellings) of which 98.6% meet the Decent Homes Standard. Housing associations own approximately 1,800 giving a total of 6,125 (15% of total dwellings) properties in the public and RSL sector. There are also 67 private sector leased properties available to the Council for use as temporary accommodation.
- 3.3. A further 11% of accommodation is rented by private landlords. As at September 2012, average prices for private sector rented accommodation ranged from approximately £675 per month for a 1 bedroom apartment to £1,475 per month for a 4 bedroom house.
- 3.4. The remaining 74% (30,340) of dwellings are owner-occupied. Prices range from £85,000 - £170,000 for a one bedroom flat up to £600,000 for a four bedroom house. To obtain a mortgage based on 3.5 times salary the minimum salary required is around £24,285. A salary over £37,000 is required for a two bedroom house. (Independent survey of estate agents 2012).



4.

Housing Applications and Allocations

- 4.1. Under the Localism Act 2011, local authorities are able to decide which categories of applicant should qualify to join the waiting list, although the statutory 'reasonable preference' categories remain in force. Local authorities are also able to give additional preference to certain groups for other reasons.
- 4.2. The Council's housing register currently shows that there are 3,222 people who are waiting for accommodation. Of these, 816 (25.3%) are in priority band A. The total number of 3,222 includes those waiting for a transfer from existing accommodation (29.03%) and applicants from outside the borough who wish to move to Dartford (10.30%). The following table shows a breakdown of all bands by bedroom size and number of applicants.

Band	Studio	1 bed	2 bed	3 bed	4 bed	5 bed	TOTAL
A1	0	0	0	2	1	0	3
A2	0	60	167	223	42	4	496
A3	0	130	119	64	4	0	317
B	2	572	258	97	12	1	942
C	1	593	419	214	14	1	1242
D	0	120	60	37	5	0	222
TOTAL	3	1475	1023	637	78	6	3222

- 4.3. Over the last three years the average number of lettings to Council and housing association properties totalled 349. Statistically this 10% turnover of stock means that only about 10% of those on the housing register will be successful in obtaining a new home in any given year.
- 4.4. The review of the Council's Allocations Policy is being undertaken independently of the Tenancy Strategy but, in light of the above, the key policy areas will be:
- Restricting the eligibility to join the housing register for out of borough applicants and for those whose incomes exceed a certain threshold
 - Giving additional preference to eligible working households and ex Armed Forces personnel
 - Giving additional preference to those who make a community contribution to Dartford

5.

Affordable Rent

- 5.1. The 2010 Comprehensive Spending Review introduced affordable rent for Registered Providers (RPs), changing the way in which new affordable housing is funded through the Homes and Communities Agency (HCA). Levels of grant have been reduced and to make up the shortfall, new homes will be set at higher rent levels which can be up to 80% of local market rents. In practice many rents could be lower than this so that they remain affordable. RPs will also be able to convert a proportion of re-lets of existing homes to the affordable rent model. Affordable rents will qualify for housing benefit (HB) and local authorities will be able to discharge homelessness duties by utilising these homes.
- 5.2. Affordable rented products provide one of the main funding sources for future affordable housing development and the Council supports the affordable rent model as long as it does not exceed Local Housing Allowance (LHA). LHA limits the amount of housing benefit a household can receive depending on the area in which they live and the size of the property.

- 5.3. The following are guiding principles on affordable rent for registered providers to have regard to:
- The Council expects registered providers to use funding, made available from conversions or disposals in the Dartford area, within the locality
 - Affordable rent should not reinforce benefit dependency and should reflect incomes that households could reasonably expect to sustain without housing benefit
 - Registered Providers should take account of wider welfare benefit policy when rent setting
 - The disposal or conversion of larger family properties by registered providers is not encouraged



6.

What the Council is seeking to achieve

- 6.1. This Tenancy Strategy focuses on the kinds of tenancies that households who are allocated homes will receive in the future. It proposes that the Council will grant fixed term tenancies, whilst also giving guidance to RPs on what length and on what terms the Council would like them to grant tenancies.
- 6.2. By granting fixed term tenancies, providers will be able to regularly review a household's needs and ensure that the affordable homes that are available are allocated to those households who most need them, therefore making best use of the stock.
- 6.3. The Council's Tenancy Policy will set out the details of how fixed term tenancies will be used, and the exceptions which will apply. Existing lifetime tenancies will not be converted to fixed term tenancies unless a demoted tenancy is implemented (see 10.3).
- 6.4. The Council also intends to give greater priority in the allocation of housing to working households on lower incomes, ex Armed Service personnel and those making a community contribution. More details on how this will work will be set out in the Council's revised Allocations Policy.



7.

Income and savings levels

- 7.1. The Council will take income and savings into account when deciding whether or not a household is in priority need for Council accommodation. The relevant income and savings thresholds will be set out in the Council's Tenancy Policy and reviewed where necessary.
- 7.2. When flexible tenancies become due for renewal the Council will review the financial circumstances of tenants to see whether their housing priority has changed. In cases where the Council does not intend to renew a tenancy it will give advice and assistance to the occupant on other housing options.

8.

Anti-Social Behaviour

- 8.1. In some instances, tenants and members of the household, or their visitors, may commit anti-social behaviour (ASB). The Council believes that this behaviour is unacceptable and will put sanctions in place to stop ASB. If the behaviour continues, the Council will take steps to evict the household concerned if the case demands it. By granting flexible tenancies, the Council and RPs can review whether there is a case for not renewing the tenancy.



9.

Reducing Fraud

9.1. The Council's Tenancy Fraud Policy defines tenancy fraud as 'any intentional false representation, including failure to declare information or abuse of position that is carried out to make gain, cause loss, or expose another to the risk of loss'. This can include:

- Fraudulently obtaining a tenancy
- Non-occupation by the tenant as their principal home
- Illegal sub-letting
- Wrongly claimed succession
- Unauthorised assignments
- 'Key Selling'
- Not notifying the landlord when the tenant moves out or passes away

9.2 Fixed term tenancies will allow the Council to regularly review how its properties are being used to ensure that the tenants who were granted the properties are the ones occupying them.



10.

Flexible Tenancies – The Council’s Approach

- 10.1. The Council’s approach will be to issue five year flexible tenancies for the majority of new tenants. The detail of, and exceptions to, this approach will be set out in the Council’s Tenancy Policy.
- 10.2. All fixed term tenancies will be preceded by one year introductory tenancies.
- 10.3. Where a secure tenant becomes a demoted tenant, the tenant will be transferred to a fixed term tenancy of two years upon expiry of the demoted tenancy term and will lose their right to a lifetime tenancy.
- 10.4. We will also consider giving a two year flexible tenancy upon expiry of a five year fixed term tenancy where there have been persistent minor breaches of the tenancy agreement.
- 10.5. In the case of tenants transferring within the Council’s own stock, tenants will be entitled to the granting of a similar tenancy. However, it will be up to the tenant to decide whether or not to proceed with an exchange with a tenant from another local authority or RP that operates a different tenancy or allocations policy.



11.

Tenancy Renewal

11.1. The Council is required by the Localism Act 2011, to set out the circumstances in which tenancies will or will not be renewed. These will be set out in more detail in the Council's Tenancy Policy. Circumstances where a tenancy may not be renewed include under and over occupation of the home; persistent rent arrears and anti-social behaviour. The process for appealing a decision will also be set out in the Council's Tenancy Policy.

12.

Tenancy Succession

12.1. The only right of succession under a flexible tenancy will be the statutory rights of a spouse, partner or civil partner which will not entail the creation of a new tenancy. On the death of a joint tenant, the surviving tenant will become the sole tenant. However, the Council will use its discretionary powers to allow additional successions to take place in certain circumstances. More detail on discretionary succession will be set out in the Council's Allocations Policy.



13.

Appeals and Complaints

13.1. The Regulator requires RPs to set out the way in which a tenant or prospective tenant may appeal against or complain about a tenancy decision. The Council expects RP tenancy policies in this area to:

- Set out to whom appeals or reviews should be made and how they can be made
- Give timescales for dealing with appeals and reviews
- Set out how the tenant can take their appeal or further review to the Housing Ombudsman
- Be accessible and easily available

14.

Review

The Council will review its Tenancy Strategy every three years or earlier to address legislative, regulatory, best practice and operational issues.



Tenancy Strategy

2013