

ELHA POLICY

Date Issued	June 2010
Department	Housing Management
Title	Tenancy Sustainment
Objective	To specify our approach to ensuring support is available to tenants who need support to remain in their tenancies
Responsible	Director of Housing
Review Date	-November 2017
Next Review Date	November 2022

1.0 Introduction

1.1 Tenancy Sustainment is a generic term for the prevention of tenancy breakdown or a 'failed tenancy'. Failed tenancies are a waste of resources because each additional property becoming empty incurs significant costs. It can also be disastrous for the tenant who may end up homeless or back living with family and find it difficult to secure another tenancy.

1.2 We consider that a tenancy has 'failed' if it ends by:

- Eviction
- Abandonment
- Early termination (a tenancy which lasts under 12 months)

We recognise that there may be other less obvious reasons why people give up their tenancies such as domestic abuse and other forms of harassment. We also recognise that people may terminate their tenancy early for positive reasons such as finding a new job or moving in with their partner.

1.3 The cost of a failed tenancy can be high for both the tenant and the Association. Every failed tenancy represents:

- Abortive resource commitments
- Rent loss during the time property is empty
- Costs incurred associated with the re-letting of a property

- In some cases, legal costs
- Supplementary costs incurred by other agencies or authorities who subsequently take responsibility for accommodating the former tenant
- The human cost to the person who again finds themselves in need of accommodation and may now have additional issues to overcome, such as former tenancy debt

1.4 There are known risk factors in relation to early tenancy failure, and particular household types may need help or assistance in sustaining their tenancies. The following list is not exhaustive:

- Mental health issues
- Learning difficulties
- Drug and alcohol addiction problems
- Disabilities
- Leaving care
- Domestic violence
- Poverty / fuel poverty
- Extreme youth or immaturity
- Young parents
- Older people with support needs
- Families with support needs
- No established local networks

1.4 Other causes of tenancy breakdown are:

- Allocations in unwanted areas
- Dis-satisfaction with property condition
- Antisocial behaviour
- Debt problems
- Inability to secure adequate furniture and equipment
- Lack of support with resettlement and setting up home
- Isolation
- Insufficient information sharing and partnership working

1.5 Tenancy sustainment is not a new concept for us, and our staff are experienced in assisting tenants to sustain their tenancies and preventing homelessness. This policy recognises that it is not currently our role to carry out detailed assessment of needs or to case manage tenants with specific needs, but that we must be proactive in signposting and referring tenants to both external agencies and our Financial Inclusion Service, with the expertise to assist.

2.0 Legal Framework

2.1 The Scottish Social Housing Charter sets out the results that tenants and other customers should expect social landlords to achieve. It covers housing activities only and details 16 Outcomes and Standards. We comply with all relevant Outcomes including Outcome 11 'Tenancy Sustainment' which states:

'Social landlords must ensure that tenants get the information they need on how to obtain support to remain in their home and ensure suitable support is available, including services provided directly by the landlord and by other organisations'

3.0 Aims & Objectives

3.1 This policy aims to:

- Ensure that tenancy sustainment underpins the delivery of our housing services
- Minimise the costs associated with tenancy failure
- Ensure resources are directed towards proactive tenancy management solutions
- Optimise service satisfaction levels

3.2 By implementing a Tenancy Sustainment Policy we seek to prevent tenancy failure and homelessness by:

- Prevention

Taking steps prior to and from the start of a tenancy which will identify issues and assist in tenancy sustainment.

- Tenancy Support

Being proactive in identifying prospective and existing tenant vulnerability and ensuring the appropriate support is put in place to sustain a tenancy.

- Partnership Working

Developing networks and partnership working with other agencies to address vulnerabilities and assist in sustaining tenancies.

4.0 Tenancy Sustainment in Practice

4.1 Key Objective 1 - Prevention

We operate a choice based lettings system which reduces the risk of applicants accepting an inappropriate tenancy through offers of property being made that the applicant does not want, but then may feel pressured to accept. We aim to identify support needs at the point of registration and at the pre- allocation interview, and to ensure that any appropriate support is in place at the start of the tenancy. Our Allocations Policy states that we will not allocate a vacancy if support needs exist which cannot be met.

We carry out accompanied viewings to all of our empty properties. This provides an opportunity to explain the characteristics of the property and the local area, and for the prospective tenant to raise any concerns or issues. It also provides another opportunity to ensure that any support needs are identified and addressed to allow the tenant to move in and be able to live in the property.

All of our empty homes must meet our minimum re-let standard before they are re-let. We do not normally decorate empty homes but give every new tenant a Dulux Paintpack, or, if they prefer, a decoration voucher to assist with any re-decoration needed.

We aim to ensure that our new tenants fully understand their tenancy obligations at the time of signing their agreement and highlight some of our key housing management policies (e.g Neighbour Nuisance, Estate Management) which emphasise early intervention and prevention and adopt a customer centred approach.

Unless impractical due to excessive distance, we visit all prospective tenants at home before confirming a re-housing offer. As well as confirming all of the information provided in the applicant's housing application, this visit aims to ensure that the prospective tenant fully understands the obligations that come along with a tenancy and is able to fulfil them. Where potential problems or vulnerabilities are identified referrals will be made to appropriate external advice agencies or our Money Advice Service with the aim of addressing issues before the tenancy starts. When making referrals the Housing Officer will also plan an early new tenancy visit to ensure that any issues are being effectively managed and followed up.

We ensure that all information provided to applicants and tenants is in plain English, easy to understand and in a format suited to each individual. Our quarterly newsletters include regular information about support agencies and services in East Lothian.

We provide an independent Money Advice Service for our tenants and will ensure maximum take up of benefits wherever possible (See section 4.2).

Our Rent Arrears policy emphasises the importance of arrears prevention and encouraging tenants to seek help before debt becomes unmanageable. Eviction is always a last resort.

We will not normally take income into account before offering a tenancy to someone, however we will discuss income and expenditure with all prospective tenants and carry out credit reference checks. This is to;

- identify any potential money problems before the start of a tenancy
- encourage the prospective tenant to think about the costs involved and whether or not they are ready to manage such costs
- identify those tenants who may not be able to sustain a tenancy due to financial problems
- ensure we provide the appropriate support through our Money Advice Service so that they can sustain their tenancy

4.2 Key Objective 2 – Tenancy Support

We have a Tenancy Sustainment Fund to help tenants in unusual circumstances, where their tenancy could be placed at risk and there are no alternative options for help as outlined at **Appendix 1**. Our Housing staff will be proactive in identifying tenants who need help and working with them and other agencies to ensure that it is provided.

We also provide an independent Financial Inclusion Service. Our Money Adviser can offer a wide range of information, support and advice in confidence; and can help with budgeting, benefits, debt repayment, energy efficiency and grants & loans.

We will ensure that the required support is in place at the start of a new tenancy and if we cannot help, we will refer tenants to the appropriate support provider as issues are identified. For example we may

- make referrals to ELVON, furniture recycling project prior to the start of a tenancy,
- Refer tenants to ELC Homelessness Prevention Team, Citizens Advice Bureau and Changeworks (for fuel poverty)

- Refer tenants to support agencies such as East Lothian Mediation Team and Victim Support where they are affected by anti-social behaviour

4.3 Key Objective 3 – Partnership Working

We work in partnership with a range of organisations skilled to provide the appropriate support to our tenants, for example, East Lothian Council Housing Access Team, The Bridges Project and Changeworks, and will strive to develop partnership working further.

We operate a joint Antisocial Behaviour Policy with East Lothian Council to minimise incidents of antisocial behaviour and work with them to deliver the National Accommodation Strategy for Sex Offenders.

We also work with R3 to educate tenants on how to carry out small repairs and show them how to decorate, to ensure that our properties are maintained in a reasonable condition.

We participate in various Welfare Reform Working Groups in East Lothian to ensure, as far as reasonably possible, the smooth transition to a new Benefit System.

5.0 Staff Training

- 5.1 We will ensure that appropriate staff are trained to identify potentially vulnerable households. Our Housing, Property and Reception staff were all trained to Level 1 of the Scottish National Housing Standards for Information and Advice in year one of this policy, to ensure our customers receive the right information and advice.

6.0 Performance Monitoring

6.1 We carry out post allocation / exchange satisfaction surveys to gauge levels of satisfaction with our services and identify any areas where tenants feel we could do better. Exit interviews, when tenants decide to end their tenancy, are another valuable source of information. The information gathered is used to identify where we may need to improve our services to applicants and tenants.

6.2 We will measure progress by monitoring tenancy sustainment on a quarterly and annual basis and report findings to the Housing & Property Services Sub Committee.

7.0 Policy Review

7.1 The Director of Housing will ensure that this policy is reviewed every five years. Any amendments required will be submitted to the Housing Services Sub-Committee for approval.

Tenancy Sustainment Fund

What is the Tenancy Sustainment Fund?

The aim of the Tenancy Sustainment Fund is to help tenants in unusual circumstances, where their tenancy could be placed at risk and there are no alternative options for help (i.e. statutory or charitable help).

We have a limited amount of money available each year, so it's crucial that we ensure that we use this in the best way possible. The Tenancy Sustainment Fund will be used to purchase 'Starter Packs' for new tenants who do not have the means to buy basic household items and can also be used for other things that are considered critical in assisting someone to sustain their tenancy.

We recognise that each individual's circumstances are different and wish to ensure that we are able to make awards to those in genuine need.

With this in mind, we have kept the criteria for awards from this fund as open as possible whilst setting out criteria to guide decisions and ensure that use of the fund is seen to be fair.

Awards

New and existing tenants who are working with the Financial Inclusion Service or other support providers because their tenancy is considered at risk or there are concerns about them being able to sustain a tenancy can be considered for an award. Applications cannot be made by tenants directly or by external organisations.

An award will be considered if:

- There is a problem that is affecting or is likely to affect the ability to sustain the tenancy; and
- The tenant cannot reasonably resolve this issue without help; and
- It's not possible or reasonable to access this assistance elsewhere.

The Fund should *not* be used:

- for items which could be secured through the Scottish Welfare Fund (see http://www.eastlothian.gov.uk/info/200254/welfare_reform/1504/welfare_reform/5 for more information);
- to pay rent or rent arrears;
- for anything which is not considered critical to the success of a tenancy.

How can the Tenancy Sustainment Fund help?

The Tenancy Sustainment Fund will generally be used to directly pay for goods and services which will be provided to meet the tenant's individual requirements. Where suitable goods cannot be sourced by ELHA directly, vouchers may be provided for tenants to buy specific goods. Awards are capped to the value of £400 unless in very exceptional circumstances.

We will provide 'Starter Packs' through the fund. Our Starter Packs contain some of the items considered to be highest priority for beginning a new household. The contents of our starter pack include items for the kitchen, bedroom, bathroom, and cleaning materials. We understand that it is very difficult to successfully start a tenancy without some basic items. However, it can be challenging for some new tenants to secure such things.

Award Criteria

Before an award will be made, customers must normally be working with the Housing Officer, an external support provider or our Money Adviser. A financial assessment will be part of the award process.

The award criteria will be defined as a tenant who:

- Meets the aims of the fund
- Has low or no income
- Is in reduced or distressed circumstances
- Has suffered an unforeseen life event

Income and expenditure assessments must be completed and confirmation of income seen and recorded. If the tenant has insufficient disposable income to manage the issue then an award can proceed.

The fund will not be used to pay other debts – but there may be some exceptional circumstances where we may decide to contribute to a utility debt- see **Appendix 2** for an example of this.

Awards up to the value of £250.00 can be made by the Housing Officer, anything above this amount must be approved by the Housing Manager who will be responsible for monitoring the budget.

The fund is designed to assist tenants to remain in their homes and make a success of their tenancy. Priority will be given to applications where the award is believed important to avoid future problems. Applicants should be willing to engage with support offered to them to assist with this.

Unless in exceptional circumstances, awards will be limited to one per tenancy within a 12 month period.

The Housing Officers will record and monitor awards made from the fund and the Housing Manager will monitor spend monthly.

Identifying Tenants Who May Need Support

Referrals can be made by any staff (e.g. Housing Assistants, Property Officers, Asset Manager, R3 operatives) or the Financial Inclusion Service using the standard referral form. We recognise that each individual's circumstances and needs differ but the following provides some guidance for referrals.

New Tenants

- Moving into first independent tenancy
- Currently homeless
- Unfamiliar with the local area
- Previous failed tenancy (i.e. eviction, abandonment, short term)
- History of anti-social behaviour
- History of rent arrears
- Concerns about furnishing/flooring their new home
- Literacy difficulties
- Will be paying rent either wholly or partially by Housing Benefit
- Universal Credit claimants

Existing Tenants

- Tenancy is at risk due to rent arrears, anti-social behaviour, or condition of property/garden
- Experiencing significant changes that may affect their ability to manage their tenancy (e.g. transition to Universal Credit, relationship breakdown, bereavement)
- Poor condition of property/lack of furniture
- Wishing to move into work, training, or education
- Difficulties involving energy supplier
- Missed repair, planned maintenance or gas safety appointments

Appendix 2

Examples of tenants who may receive an award from the fund

- A customer whose serious life events have caused a delay moving into a new tenancy, resulting in arrears for the amount not covered by Housing Benefit/Universal Credit. An adjustment could be considered to the value of the arrear.
- An elderly couple's house has become very unclean as they have struggled to manage cleaning but haven't felt able to ask for help for quite some time. They are now in receipt of additional benefits and will be able to arrange for a Home Help to maintain their house on a regular basis but it needs a one off deep clean first. The fund could help to pay for this.
- A tenant whose lifestyle has been extremely chaotic is trying to get back on track and secure an exchange to an area where he has more support. However, the decoration in the living room is extremely poor and he would not gain consent to exchange in the current condition. He is keen to complete the work but cannot afford the cost of the materials. The fund could assist to pay for decoration materials.
- A young mother's washing machine has broken. She's been advised that it needs to be replaced. This tenant works limited hours and operates an extremely tight budget. Her application to the Scottish Welfare Fund has been turned down and she is not fitting the criteria for the main charitable trusts. She has used doorstep lenders in the past but has been helped to move away from that style of borrowing and is desperate not to return.

These examples act as guidance only – we would expect the circumstances of each application to be unique.