



Haringey Council

Agenda item:

[No.]

Cabinet

On 16 December 2008

Report Title: Use of Introductory Tenancies in the Borough	
Report authorised by: Director of Urban Environment	
Contact Officer: Phil Harris, Assistant Director for Strategic & Community Housing Services Tel: 0208 489 4338 Email: phil.harris@haringey.gov.uk	
Wards(s) affected: ALL	Report for: Key Decision
1. Purpose of the report 1.1 To brief Members on the way in which social landlords are using introductory tenancies to prevent, manage and control anti social and disruptive behaviour. 1.2 To seek approval for the introduction of such a scheme for the Council's tenants.	
2. Introduction by Cabinet Members for Housing and Enforcement & Safer Communities 2.1 We support the proposed use of introductory tenancies to prevent, manage and control anti social and disruptive behaviour, and we look forward to receiving the feedback from the consultation.	
3. Links with Council Plan Priorities and other Strategies 3.1 The use of introductory tenancies will support the Council's priority of 'Creating a Better Haringey: cleaner, greener and safer' and the successful implementation of the Anti Social Behaviour Strategy 2009-11.	

3.2 The Council has a key role to play in preventing and reducing crime, the fear of crime, the harm caused by drugs and alcohol, and anti-social behaviour. These issues remain a high priority for the borough's residents.

4. Recommendations

4.1 That Members support the use of introductory tenancies.

4.2 That Members approve the rights (contained in Appendix A of this report) that the Council will give to introductory tenants.

4.3 That Members delegate to the Director of Urban Environment the authority to approve the use of introductory tenancies, in consultation with the Cabinet Member for Housing and the Cabinet Member for Enforcement and Safer Communities , after taking into account the feedback received from tenants and other stakeholders during the consultation.

5. Reason for recommendations

5.1 Introductory tenancies, established by Part 5 of the Housing Act 1996, are now commonly used by many social landlords to tackle anti social behaviour and deal more effectively with serious breaches of their tenancy conditions.

5.2 Numerous London boroughs, including Hackney, Newham, Tower Hamlets, Camden, Southwark, Enfield, Wandsworth, Lambeth, Lewisham, Kingston Upon Thames, Sutton and Greenwich, have adopted introductory tenancy schemes and, in their view, these have proved invaluable in reducing and preventing anti social behaviour and serious rent arrears.

5.3 Of Haringey Council's six preferred registered social landlord partners, London and Quadrant (L&Q) Group, Presentation Housing, Servite Homes and Metropolitan Housing Trust all operate Starter Tenancies (the RSL equivalent of Introductory Tenancies) in the borough and consider their use to have assisted the management of tenancies.

5.4 Introductory tenancies are one of the methods recommended to deal with prevention and early intervention in the government's Respect Agenda and the Respect Standard for Housing Management. The provision has been implemented to considerable effect by other Local Authorities; (see *Appendix C*) and also RSLs by way of Starter Tenancies.

5.5 Haringey's new Local Area Agreement contains perception targets, including the Anti Social Behaviour National Indicator 21. This is a measure of how satisfied people are with the work that the Council and Police are doing (and the tools and powers they are using) to tackle anti social behaviour.

5.6 The Audit Commission's Housing Inspectorate's Key Lines of Enquiry document for Tenancy and Estate Management (KLOE 6) highlights the need for social landlords to consider the use of introductory tenancies as part of their prevention and early intervention work.

5.7 Through the RSL Anti Social Behaviour Partnership, the Council is encouraging all RSLs in Haringey to use Starter Tenancies and to sign up to the Respect Standard for Housing Management. Introductory tenancies can help to reinforce the importance of positive / acceptable behaviour and the consequences of a failure to meet those expectations.

5.8 Rowan Associates were commissioned in 2004 by the Welsh Assembly to evaluate the use of introductory tenancies by local authorities and registered social landlords. Their findings included the following:

- The majority of tenants said that introductory tenancies had had a positive impact on how they behaved in their homes. They said that introductory tenancies made them more concerned to avoid causing nuisance to their neighbours. Some said that they had a lasting effect on the way they behaved after the introductory or starter period had expired.
- The majority of secure tenants were in favour of introductory tenancy schemes.
- There was no evidence to suggest that introductory tenants were exposed to any additional risk of losing their tenancy, due to unfair complaints by other tenants, than secure tenants.
- The majority of possession orders and evictions of introductory tenants were for rent arrears.
- Most staff felt that introductory tenancies were effective as one of a wide range of tools and powers available to prevent and tackle anti-social behaviour.

5.9 All of the landlords referred to in Rowan Associates' case studies said they intended to continue using introductory tenancies in the future.

6. Other options considered

6.1 The use of introductory tenancies is at the discretion of the Council. Consideration has been given to the option of not introducing such a scheme, but this option has been rejected in the light of the potential benefits of the scheme.

7. Summary

7.1 Introductory tenancies have been used very effectively by many local authorities and social landlords, and are encouraged as an important measure to tackle ASB.

7.2 An introductory tenancy is for a probationary period of one year for new tenants, at the end of which period the tenancy automatically becomes secure unless action is taken to bring the tenancy to an end. The probationary period can be extended for up to 6 months.

7.3 If an introductory tenancy scheme is introduced in Haringey, it will apply to all new council tenants from the date that the scheme starts.

7.4 The introductory tenancy scheme **will not apply** to the following:

- Council tenants who are already secure tenants and who move home through a transfer or mutual exchange.
- RSL tenants who are already assured tenants and who move home through a transfer or mutual exchange.

7.5 To obtain a possession order from a court against a secure tenant the Council must prove one of the grounds of possession set out in Schedule 2 to the Housing Act 1985 and, in most cases, satisfy the court that repossession is reasonable. To obtain a possession order against an introductory tenant, the Council would simply need to satisfy the court that the correct procedure for ending the tenancy had been followed. This procedure includes notifying tenants that they have the right to request that the decision to end their tenancy is reviewed by a panel that includes someone who is independent of the person who made the decision to end the tenancy.

7.6 Some Members have expressed concern that secure tenants who are required to leave their accommodation because of domestic violence, serious harassment or hate crime and are then placed in temporary accommodation will be seriously disadvantaged when they are eventually offered settled accommodation as an introductory tenancy.

7.7 These concerns have been addressed by a recent amendment to the Lettings Policy which provides for such households to be moved as an urgent management transfer (ideally within 8 weeks) rather than have to spend many years in temporary accommodation. Under these circumstances, the tenant would be given a secure tenancy.

8 Chief Financial Officer Comments

8.1 Presently, the tenancy management for council dwellings is undertaken by Homes for Haringey and paid through the management fee. Any additional cost arising from the implementation of introductory tenancies will need to be managed by Homes for Haringey within the currently approved management fee.

9. Head of Legal Services Comments

9.1 The legislation governing introductory tenancies – the Housing Act 1996 – gives the Council discretion, as opposed to imposing a duty, to implement the scheme. The report makes the case in favour of adoption. Any decision to adopt would have to be taken by Cabinet.

9.2 The Head of Legal Services confirms that there is no statutory duty to consult existing tenants on this proposal. However, were Members to adopt the Officer recommendation to consult, then any feedback received would have to be considered as part of the decision making process.

9.3 There would be a change to the conditions of tenancy and therefore we would have to formally issue a S48 consultation notice, writing to everyone and providing them with 28 days to respond. There would only be a report back to Cabinet if there is significant opposition.

10. Local Government (Access to Information) Act 1985

10.1 The primary purpose of introductory tenancies is to provide local authorities with the powers to deal effectively with serious breaches of the tenancy conditions, but especially anti social behaviour.

10.2 As the Council is committed to safeguarding vulnerable people (including those with mental health problems and learning difficulties) and preventing homelessness, Homes for Haringey and the Council's Strategic and Community Housing Service will put in place new procedures to ensure that a package of advice and support is offered at an early stage in the event of any serious breach of tenancy.

10.3 There will be in place individual tailor made support plans, and recognition that supporting people to become successful independent citizens includes giving clear information about acceptable and unacceptable behaviour. Use of the provision will also be in line with existing Children and Mental Health Protocols.

10.4 A senior manager from the Council's Housing Advice and Options Service will be part of the panel that reviews decisions to seek possession.

10.5 The impact of the policies will be monitored by age, disability, gender and ethnic group.

10.6 An Equalities Impact Assessment concerning use of the provision is also to be undertaken during the consultation period and the results will be completed prior to the use of introductory tenancies.

10.7 If approved, the introductory tenancy scheme will be reviewed annually for the first 3 years of the scheme. To enable the reviews to be effective, data will be collected in respect of the tenancies failing, the frequency with which the probationary period is extended and the number and proportion of introductory tenancies that are successfully converted to secure tenancies.

11. Consultation

11.1 A consultation plan is attached to this report as Appendix B.

11.2 As introductory tenancies represent a change to the conditions of tenancy, the Council is required to write to all tenants, informing them of the proposed changes and inviting them to comment on the proposals.

11.3 On completion of the consultation, a second letter will be written to all tenants, informing them of the decision reached. All feedback from the consultation will take into account before a decision is made.

12. Service Financial Comments

12.1 The cost of the introductory tenancies scheme will be met from existing budgets.

13. Use of Appendices

Appendix A: Full Description
Appendix B: Consultation Plan
Appendix C: Case Studies

14. Local Government (Access to Information) Act 1985

Housing Act 1996 (Part V)

Housing Act 1985 section 82A (as amended by Anti-Social Behaviour Act 2003)

APPENDIX A - INTRODUCTORY TENANCIES

Housing Act 1996

Allows local housing authorities to adopt an introductory tenancy scheme for all new tenants. Introductory tenancies provide an alternative to the immediate granting of secure tenancies. They are in effect probationary or trial tenancies, aimed at tackling breaches such as serious anti-social behaviour or non-payment of rent.

Duration

If a scheme is adopted, all lettings to new tenants will be introductory tenancies. The probationary period is normally one year. If the Council does not seek possession of the tenancy at the end of the first year, the tenancy will automatically become secure.

The period during which the tenancy was classed as introductory will count towards the minimum period required to have a right to buy.

The trial period can be extended by up to 6 months.

Contractual Rights

The Council has powers to give introductory tenants some contractual rights beyond their statutory rights (Table 1 below). It is proposed that such contractual rights are only granted in exceptional circumstances

Possession and Review Process

Introductory tenants can be evicted with less difficulty than secure tenants, although a Court Order is still required. Introductory tenancy schemes must also address the statutory right to an internal review of a landlord's decision to seek possession. Within 14 days of being served notice, the tenant may request a review. The Council is required to comply (Housing Act 1996 s129). The review must be conducted fairly, and in accordance with the Introductory Tenants (Review) Regulations 1997. To ensure impartiality and independence the review panel is to be made up of two senior managers, one of whom must not have been involved in the original decision to seek possession.

It should be noted that the court must make a possession order providing that notice of intention to apply for possession has been given to the tenant, and no request for review has been made / is outstanding. Whilst the review panel, particularly where challenged, must be able to show evidence of the fairness of the procedure and the reasons for the decision to uphold the Notice. As per case of *Sandwell LBC v Constantinou*.

Key Actions Required for Implementation

These include:

- An agreement to consult prospective tenants and other stakeholders on the implementation of introductory tenancies.
- Any decision to operate introductory tenancies must be made by the Council's Cabinet (Housing Act 1996, section 124 (1)).
- A mechanism must be established to review decisions to seek possession. The review panel is to be made up of two senior managers, one of whom must be a member of the Council's Housing Advice and Options Service so will not have been involved in the original decision to seek possession.

Rights of Introductory Tenants

While several rights of secure and introductory tenants are specified in law, others must be determined by the local authority.

Following legal advice and research on practice in other authorities, the Housing Management Senior Management Team proposes that the Council grant rights as highlighted below:

Legal Right	Brief explanation	Secure Tenancy	Introductory Tenancy
Right to Buy	The right for a secure tenant to buy his/her council property on discounted terms; the discount being dependent on the period spent in public sector tenancies	Yes	Not during the , but period of introductory. However, once the t tenancy counts towards the discount
Right to Repair	The right to have certain repairs carried out at the Council's expense in default by the Council. Examples of such repairs include total or partial loss of electrical or water supply, loss of heating, a leaking roof and blocked drains.	Yes	Yes

Legal Right	Brief explanation	Secure Tenancy	Introductory Tenancy
Right to Consultation on Housing Management Issues	This includes for example the right to be consulted on changes of the terms of secure tenancies	Yes	Yes
Right to Consultation on a Decision to Delegate Housing Management	This includes, for example, the right to be consulted on the establishment of a TMO or ALMO	Yes	Yes
Right to Succession	The right, on death of the tenant, of the tenant's spouse, or a family member who had resided with the tenant for one year, to take over as tenant – limited to one succession on any tenancy. As in the case of demoted tenancies, the spouse must additionally have resided with the tenant for 12 months	Yes	Yes
Right to Assign	The right of a tenant to transfer the tenancy to another – limited generally to those who would be entitled to take the tenancy by succession (see above)	Yes	Yes

Legal Right	Brief explanation	Secure Tenancy	Introductory Tenancy
Right to Take in Lodgers	Secure tenants are prohibited from subletting the whole of their premises; may sublet part of their premises with the Council's consent; but have an unconditional right to take in lodgers	Yes	No
Right to Improve	A secure tenant has the right, subject to obtaining written consent of the Council, to improve their premises – such improvements can include, for example, refitting the kitchen or erecting a television or radio aerial. Written consent cannot be unreasonably withheld. There are detailed provisions allowing tenants who have effected improvements to be compensated at the end of their tenancy, other than, inter alia, where the tenancy ends by the making of a possession order or by exercise of the right to buy	Yes	No
Right to be Consulted Prior to Transfer to a New Landlord	Secure and introductory tenants are entitled to be consulted where the Council proposes such a transfer; the Secretary of State will not permit a transfer where it appears that a majority is opposed.	Yes	Yes
Right to Exchange	A secure tenant is entitled to exchange tenancies with another secure tenant, or an assured tenant of certain RSLs, subject to the Council's written consent which can only be withheld in prescribed circumstances (including that any objection is taken within 42 days of the request for consent)	Yes	No

APPENDIX B CONSULTATION PLAN

Introductory Tenancy Scheme Consultation Plan and Documentation



Purpose of consultation

- To gauge support for an Introductory Tenancy Scheme affecting the tenants of Haringey Council
- To identify issues and obtain feedback on the proposed scheme, taking these into account before the scheme is implemented
- To identify any disproportionate effect on Haringey residents.

Business case for undertaking this consultation

Effective consultation on new policy proposals and changes is, of course, embedded into Haringey Council's way of working.

The Housing Act 1985 requires the Council to consult existing tenants and housing waiting list applicants on the use of Introductory Tenancies, because such a scheme involves a change to the conditions of tenancy and has an impact on tenancy management.

As it is a statutory requirement to consult all tenants on what will be a change to the Council's tenancy conditions, this will be incorporated into the consultation.

To ensure effective consultation on the use of introductory tenancies, Strategic and Community Housing Services is working closely with Homes for Haringey and the Council's Consultation and Community Safety teams on this consultation.

Consultation document

The consultation document describes the proposed Introductory Tenancy Scheme, the reasons why it is being considered and the benefits that are likely to be derived from the introduction of the scheme. It also describes the likely impact on various groups and invites comments and feedback.

Communicating and consulting with stakeholder groups

Pages 2 and 3 of this consultation plan contain details of how we are proposing to consult with existing tenants, households on the housing waiting list and other stakeholders, including leaseholders, staff and advice and support providers.

Stakeholder group	Communication & consultation tactic	Timetable
Existing tenants	A consultation document, including an explanation of Introductory Tenancies and how the scheme will help Haringey Council address anti social behaviour, will be sent to all of the Council's existing secure tenants , with Homes for Haringey's Home Zone magazine.	Magazine to be distributed in early December 2008, with responses by the middle of January 2009.
Existing leaseholders	A copy of the consultation document (see above) will be sent to all of the Council's leaseholders , with Homes for Haringey's Home Zone magazine.	Magazine to be distributed in early December 2008, with responses by the middle of January 2009.
Existing tenants and leaseholders	Homes for Haringey will utilise its existing consultative forums (Tenancy and Estate Management Panel and the Resident Consultative Forum) to raise awareness of the proposed scheme and to obtain comments and feedback.	Meetings are scheduled for December 2008 and January 2009
Homeless households living in Homes for Haringey accommodation, including hostels	A copy of the consultation document (see above) will be sent to all homeless households living in Homes for Haringey accommodation as non-secure tenants or licensees .	Letters to be sent at the beginning of December 2008, with responses by the middle of January 2009
Homeless households living in other types of temporary accommodation	A copy of the consultation document (see above) will be sent to all homeless households living in leased and emergency accommodation . All of these households will be on the housing register (waiting list).	Letters to be sent at the beginning of December 2008, with responses by the middle of January 2009
Homeless households living in temporary accommodation	Discussion and feedback at the inaugural meeting of the Temporary Accommodation Users Forum .	Meeting is scheduled for 9 December 2008, with feedback by the middle of January 2009

Stakeholder group	Communication & consultation tactic	Timetable
Staff discussion group	A discussion group involving the staff who will be responsible for the successful implementation of the Introductory Tenancy Scheme.	December 2008
Advice agencies, support providers, voluntary and community groups, and other partners	<p>A discussion group involving a wide range of stakeholders, with the emphasis on supporting vulnerable people and assessing any potential disproportionate impact of these changes.</p> <p>Discussion and feedback at meeting of the Integrated Housing Board (part of the Haringey Strategic Partnership).</p> <p>A copy of the consultation document (see above) will be sent to all voluntary and community groups, in accordance with the terms of the Haringey Compact.</p>	<p>Meeting in December 2008 with final comment and feedback by the end of February 2009</p> <p>Meeting on 10 December 2008</p> <p>Letters to be sent at the end of November 2008, with responses by the end of February 2009</p>

Report on consultation and feedback

At the end of the consultation period, a report will be produced. This report will cover the main points raised in the consultation, together with the level of support for the proposed scheme, and include a robust Equalities Impact Assessment.

A letter will be sent to all households consulted, informing them of the results of the consultation, any changes made as a result of the consultation feedback, and the final decision reached on the proposed use of introductory tenancies.

If the Council decides to introduce an Introductory Tenancy Scheme, the letter to households will include an official notification of the change in the Council's conditions of tenancy in accordance with the statutory requirements.

A letter will be sent to all organisations consulted, informing them of the results of the consultation, any changes made as a result of the consultation feedback, and the final decision reached on the proposed use of introductory tenancies.

If the Council decides to introduce an Introductory Tenancy Scheme, the letter to organisations will include details of the proposed timetable for the annual review of the Introductory Tenancy Scheme, together with details of the arrangements that will be put in place to consider introductory tenants' requests to review of the Council's decision to seek possession.

At its meeting on 16 December 2008, Cabinet will consider a report that recommends the Council's use of an Introductory Tenancy Scheme and seeks Members' support for the Consultation Plan. A final decision will be made in March 2009 following consideration of the Equalities Impact Assessment and the results of the feedback from the consultation.

CONSULTATION DOCUMENT

This consultation document provides an explanation of the Introductory Tenancy Scheme, together with a mechanism for responding to the consultation.

It will be translated into Haringey's top 10 languages, as a large proportion of tenants and service users are speakers of English as a second language. We will emphasise the opportunities to access the information in any format or language.

To ensure a robust Equalities Impact Assessment, equalities monitoring information will be gathered in respect of this proposal.

TEXT OF CONSULTATION DOCUMENT

Introductory tenancies

Haringey Council is considering bringing in a different kind of tenancy agreement for new tenants. It is called an 'Introductory Tenancy'.

An **Introductory Tenancy** is a probationary tenancy that lasts 12 months. At the end of the 12 months, the tenant will automatically become a secure tenant if they have conducted themselves reasonably and met their conditions of tenancy.

Many councils are already offering this type of tenancy and have found it helps them to prevent, manage and control anti social and disruptive behaviour.

Why is Haringey Council considering this?

Introductory Tenancies encourage new tenants to think seriously about the responsibilities involved when they first take on a tenancy.

The use of introductory tenancies can help other initiatives, like Good Neighbour agreements, to work effectively and, where they have been introduced in London and other parts of the country, they have helped reduce anti social behaviour.

Tenants who keep to their tenancy conditions gain important rights that come with the security of tenure.

How does this affect existing council tenants?

If an Introductory Tenancy Scheme is introduced in Haringey, it will only apply to **new council tenants** whose tenancies start on or after the date that the Introductory Tenancy Scheme comes into effect.

For most existing council tenants, the Introductory Tenancy Scheme will offer the reassurance that Homes for Haringey is able to deal more effectively with the anti social behaviour caused by a minority of new tenants and their visitors.

The Introductory Tenancy Scheme will not apply to existing council tenants who are already secure tenants and who move home through a transfer or mutual exchange. It will also not apply to people whose tenancy comes with their job.

Homeless households who are **living in temporary accommodation** (including those who are already paying rent to Homes for Haringey or the Council) will be affected by the Introductory Tenancy Scheme if they have not already been given a secure tenancy by the time the new scheme comes into effect.

What are the main responsibilities of being an introductory tenant?

Introductory tenants have the same responsibilities as secure tenants:

- The tenant causes (or allows their visitors to cause) serious nuisance or annoyance to a neighbour or someone else living or working in the area
- The tenant behaves in a violent, threatening or abusive manner towards a Haringey Councillor, Homes for Haringey Board Member or an employee or contractor of the Council or Homes for Haringey
- The tenant moves out and rents the home to someone else
- The tenant fails to allow Homes for Haringey's staff and contractors into the property to carry out inspections, repairs and gas servicing
- The tenant causes (or allows their visitors to cause) damage to the property
- They must keep their property clean and decorated
- They must keep their garden in a neat and tidy condition
- They must pay their rent (and any service charges) on time and in full
- They must give the Council four weeks' notice when they end their tenancy.

In what ways are the rights of an introductory tenant different to the rights of a secure tenant?

Although introductory tenants have many of the same rights as secure council tenants (and will be kept up to date with, and consulted on, housing matters), the main difference is that introductory tenants do not have security of tenure, so the tenancy can be terminated using different procedures for a breach of their tenancy conditions.

Until their tenancy is made secure (normally after 12 months), introductory tenants will not have the same rights as secure tenants. As a result:

- They cannot take in lodgers or sublet all or part of the property
- They cannot make improvements to the property without first obtaining permission from the Council.
- They cannot transfer the tenancy to someone else, unless they are ordered to by a court or in other very rare circumstances
- They cannot exchange their tenancy with another tenant
- They cannot exercise the right to buy (however, the period of the introductory tenancy may count towards the right to buy)

When and how does an introductory tenancy become secure?

Introductory tenancies will normally become secure 12 months after the start of the tenancy or, if the tenant moved in later, 12 months after the tenant moved in.

An introductory tenant will **automatically** become a secure tenant at the end of the first year of their tenancy as long as:

- The Council has not started to take action to evict the tenant; **and**
- The Council has not decided to extend the introductory tenancy by an additional 6 months.

How do introductory tenancies affect tenants of housing associations and other councils?

Time spent as an introductory tenant (or as a 'starter tenant' if the landlord is a housing association) in a different property will count towards Haringey's 12 months introductory tenancy. For example, someone who lived in their previous home for 6 months without any problems would only have to spend another 6 months as an introductory tenant if they comply with the tenancy conditions.

For a joint tenancy, the introductory tenancy period will normally end as soon as one of the joint tenants has completed the 12 months period.

Housing association tenants who have an assured tenancy will automatically be granted a secure tenancy if they take on a council tenancy.

What happens if an introductory tenant breaches the tenancy agreement?

The Council expects most introductory tenancies to convert automatically to secure tenancies at the end of the 12 months.

However, where an introductory tenant breaks their tenancy conditions, the probationary period may be extended by 6 months to provide the tenant with the time to work with Homes for Haringey to address those concerns.

Every effort will be made to prevent homelessness and safeguard vulnerable. People. However, in some circumstances – but only as a last resort – the Council will take steps to end the tenancy.

Examples of a serious breach of tenancy are

- The tenant causes (or allows their visitors to cause) serious nuisance or annoyance to a neighbour or someone else living or working in the area
- The tenant behaves in a violent, threatening or abusive manner towards a Haringey Councillor, Homes for Haringey Board Member or an employee or contractor of the Council or Homes for Haringey
- The tenant moves out and rents the home to someone else
- The tenant fails to allow Homes for Haringey's staff and contractors into the property to carry out inspections, repairs and gas servicing
- The tenant causes (or allows their visitors to cause) damage to the property
- They must keep their property clean and decorated
- They must keep their garden in a neat and tidy condition
- They must pay their rent (and any service charges) on time and in full
- They must give the Council four weeks' notice when they end their tenancy.

Where an introductory tenant is in breach of their tenancy conditions, a Tenancy Management Officer will visit the tenant to discuss the matter and to try to resolve any problems that have caused the breach of tenancy.

If the tenant fails to comply with the tenancy conditions, Homes for Haringey will issue a Notice, informing them of the Council's intention to apply to the Court for possession. That Notice will include details of the tenant's statutory right to request a review of the Council's decision to seek possession.

A standard form, making it easier for tenants to request a review of the decision, will be attached to the Notice of proceedings for possession.

To ensure impartiality and independence, the review panel will consist of two senior managers who were not involved in the decision to seek possession. One of these will be a member of the Council's Housing Advice and Options Service.

As someone who is on the Council's housing register
As someone who is a Homes for Haringey tenant
As someone who is a Homes for Haringey leaseholder
As an organisation that has an interest in housing policy



We'd like to hear your views on this proposal

Please use the coupon below to Have Your Say

You can either fold the coupon and use the Freepost address to send it back to us or you can put it in an envelope and send it Freepost to

Please return it by (date) to make sure your opinions and feedback can be taken into account.

1. Introductory Tenancies are used mainly to help prevent, manage and control anti social behaviour.

(a) To what degree do you agree that Introductory Tenancies would be useful in Haringey? (Please tick one)

- Agree strongly
- Agree
- Neither agree nor disagree
- Disagree
- Disagree strongly
- Don't know

2. All Introductory Tenancies that are brought to an end will be subject to a review panel, if requested by the tenant, consisting of senior managers who were not previously involved in making the decision to seek possession.

(a) To what degree do you agree that this would be a sufficient safeguard? (Please tick one)

- Agree strongly
- Agree
- Neither agree nor disagree
- Disagree
- Disagree strongly
- Don't know

(b) Do you think any other safeguards would be necessary?

- Yes
- No

If you do, what other safeguards would you recommend?

3. Do you generally support the proposal to start new tenants with Introductory Tenancies?

- Yes
- No
- Don't know

It helps us to make sure that we gain feedback from all the different kinds of people who live in Haringey if you complete the following questions.

This information is completely confidential and will be kept separate from your responses to the first three questions.

4. To which ethnic group do you consider you belong?

(List of ethnic groups to be inserted)

5. What age are you?

6. Do you consider yourself to be a disabled person? (Please tick)

(Statement on disabilities to be inserted)

- Yes
- No

7. Does anyone in your household consider themselves to be a disabled person? (Please tick)

- Yes
- No

8. What gender are you?

9. Do you have a religion or belief that you would like to mention?

Thank you for taking part in this consultation. We would like to let you know what happens – information will be available on the Council’s website after (date).

We will also let all existing tenants and leaseholders, together with households on the Council’s housing register, know the final proposals in a few months’ time.

APPENDIX C – CASE STUDIES

The following are examples of anti social behaviour that has occurred within the first year of the tenancy.

Tenant X was granted a secure Council tenancy on the 26/2/07. The Anti-Social Behaviour Action Team (ASBAT) received an ASB report on the 16th July 2007, five months after the tenant had moved in. Tenant X was playing music loudly until 2am in the morning disturbing other residents. A neighbour approached Tenant X about this and was racially abused and assaulted. The ASBAT investigated the report and substantiated the allegation made and secured an injunction against Tenant X. Due to the tenant having a secure tenancy prevented the ASBAT seeking possession of the property and the legal advice given was that any application for possession would fail, due to this being a first offence for Tenant X.

If Tenant X had been subject to an introductory tenancy, the court would have been required to award possession of the property back to the Council and there may have been no need for an injunction to be sought and the costs involved.

Tenant Y was granted a secure tenancy on the 19th March 2007. The tenant was involved in class A drug activity and on the 22nd May 2007, the property was closed down as a crack house, 2 months after the tenant moved in. The Council were required to house the tenant temporarily (as legislation dictates for secure tenants) and make a separate application to the court for possession of the property. The proceedings were subject to a full hearing and all the legal costs attached to this were paid by the Council. The Police also had to give evidence in person to the court of the drug activity to ensure that the Council were awarded possession of the property.

If the tenant had been on an introductory tenancy, there would have been no requirement to house him temporarily awaiting the court proceedings for possession and at this hearing (unless the tenant was deemed vulnerable) there would have been no need for witnesses to attend to give evidence. A simple affidavit or statement from the ASBAT informing the court of the drug activity would have been sufficient to secure possession of the property. This would have also had a major impact in reducing the legal costs involved.