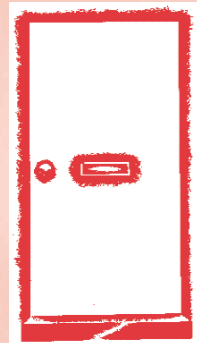




Introductory Tenancies

Housing Directorate



Introductory Tenancies



All new tenancies granted by the Council are Introductory Tenancies. As an Introductory Tenant you will not become a Secure Tenant until after you have completed the "trial" period of one year starting from the date of your Tenancy Agreement. During this trial period you have no security of tenure and the Council is entitled to recover possession through the courts more easily than it could if you had a Secure Tenancy. The Council will only seek to recover possession during the trial period if you have broken any of the terms of the Tenancy Agreement.

● **When will my Introductory Tenancy become Secure?**

Your Introductory Tenancy will convert to a Secure Tenancy after the trial period, unless the Council has commenced action to end your Introductory Tenancy. You must sign a Tenancy Agreement and comply with the secure tenancy conditions (set out at Section 3). These conditions apply from the start of your tenancy, except that you will not have the 'Right to Buy' until you are a Secure Tenant. You are asked to note that any additional discretionary rights granted to you as an Introductory Tenant do not imply (by word or action) any right to a Secure Tenancy before the term of the Introductory Tenancy has ended.

● **Can the one year Introductory Tenancy period be extended?**

The Council has a legal right to extend your Introductory Tenancy period by a further 6 months if we have any concerns about the way in which you are conducting your Tenancy. A 'Notice of Extension' must be served before we can extend the "trial" period. The Notice will give you the right to request a review of this decision. You will need to request the review in writing within 14 days of being served with the Notice.

● **Why run an Introductory Tenancy Scheme?**

Introductory Tenancies assist in combating anti social behaviour, and act as a probationary period giving an opportunity for councils to make sure that new tenants comply with all tenancy conditions.

● **What are my rights as an Introductory Tenant?**

Introductory tenants have most of the same rights as Secure Tenants. However, during the trial period you will not have the Right to Buy. When you become a Secure Tenant you will have the Right to Buy, providing we have not taken action to end your Introductory Tenancy. You must wait five years before you can buy your property if you signed your Tenancy Agreement on or after 18th January 2005. The trial period will count towards your discount on the purchase price. You will have the 'Right to Exchange' and the 'Right of Succession' (these terms are explained in your Tenancy Agreement) but your tenancy will not become secure until you have completed the trial period.

● **How can the Council end my Introductory Tenancy?**

The Council may take action to evict you if you break any of the tenancy conditions during the period of your Introductory Tenancy. Before we take such action we will write to you formally warning you of the action, giving you the opportunity to resolve any breaches of tenancy conditions. If the breaches are not resolved we will serve you a Notice of Possession Proceedings (NPP), giving the reasons for taking the action. You will be given the right to request a review of the Council's decision to evict you which must be in writing within 14 days of being served with the NPP. If the Court is satisfied that the NPP and review have been carried out correctly, they must grant an order for possession.

● **When would a Notice of Proceedings for Possession be served?**

We can serve a Notice of Possession Proceedings (NPP) if you, a member of your family, or a visitor to your home, break any condition of your Tenancy Agreement. Non payment of rent and causing anti-social behaviour are the most common reasons for serving NPPs. You will receive two written warnings before the NPP is served.

After we serve a Notice of Possession Proceedings, you have 14 days to ask for a review of our decision. The review will be carried out by an Officer who is senior to the Officer who took the original decision, and someone who has had no previous involvement in the case. You can request an oral hearing or put your case in writing. If you ask for a hearing, you will be able to bring a representative with you and it will take place at least 5 days after you made the request.

● Can the Court refuse to give the Council an order?

No. The Court must grant the Council a possession order if they are satisfied that the NPP and review proceedings have been followed correctly. The Court does not have the power to grant a 'suspended order' for Introductory Tenancies. This means that the Court will not give you another chance to put things right. For example, if you are in arrears with your rent the Court cannot agree to you clearing the debt by weekly payments. With Introductory Tenants the Court can only grant an order for possession of your home.

● What happens if my neighbours complain about me because they don't like me?

All complaints of nuisance are thoroughly investigated by the Council. You will be given the opportunity to put your case, and to put things right if any complaint is upheld.

Please phone 01992 564292 if you would like this leaflet provided in any other way, as a large print version for example.

Information given in this leaflet is correct as at 1 December 2008. Any more recent changes in Council policy or the law will not be included.

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