

BERNICA

Starter tenancy



Delivering
exceptional
housing
services

Starter tenancy

This guide explains your starter tenancy agreement.

Our promise to you

We will

- Provide additional support through the starter tenancy process to make sure your new tenancy gets off to a good start
- Provide advice about benefits and managing your rent
- Offer advice if you are experiencing difficulties maintaining your tenancy including where you can go for extra support.





As a new tenant, you have been given a starter tenancy (also known as an assured shorthold tenancy). Starter tenancies offer tenants a reduced set of rights for an initial period of 12 months.

For example, this means you can't:

- Take in lodgers
- Make improvements to the property
- Exchange properties with another tenant
- Exercise a Right to Acquire your property (although the 12 month probationary period will count towards any entitlement once your tenancy converts to a full assured tenancy).

You also have less security of tenure under a starter tenancy than an assured tenancy. A starter tenancy can be terminated by giving two months notice and then applying to court for a possession order, without having to show any particular grounds under the Housing Act 1988 which we would need to do for an assured tenancy.

If the tenancy is conducted satisfactorily for this period it will usually be converted into a full assured tenancy (also known as an assured non shorthold tenancy) by us serving a "conversion notice" on you. If your tenancy is converted to an assured tenancy you would then have additional rights as a tenant.

We have the same responsibilities to starter tenants as we do to our other existing tenants. This means we have a responsibility to keep your home in reasonable repair and to consult with you on tenancy related issues.

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Why have I been given a starter tenancy?

Bernicia gives most new tenants a starter tenancy because it allows us to bring tenancies to an end more effectively if tenancy conditions are not met during the first 12 months. Starter tenancies also encourage new tenants to behave in a responsible way.

Why would you end my starter tenancy?

We would usually only end your starter tenancy if one or more of the following occurs:

1. There is a serious breach of the terms of your tenancy agreement. Serious breaches include, but are not limited to, the following:
 - You, your visitors and/or members of your household committing anti-social behaviour which could include things such as violence and/or threats of violence towards others, harassment of others, domestic abuse, criminal activity such as dealing or cultivating drugs within the vicinity of the property
 - You, your visitors and/or members of your household causing or allowing the property to be damaged
 - Not maintaining adequate rent payments on a regular basis.



2. You have said something in your tenancy application which is untrue or you have omitted to mention something which you were asked about, such as failing to declare a criminal conviction which was not “spent” under the Rehabilitation of Offenders Act or failing to declare a previous history of anti-social behaviour or rent arrears.
3. There is a pattern of less serious breaches of your tenancy agreement which, on their own, would not lead us to terminate the tenancy but taken together are in our opinion sufficiently serious to do so. We will monitor your tenancy during the probationary period and if we consider that you are breaking your agreement in this way we will normally tell you what you are doing wrong and what you must do to put things right. If the problems continue, we will serve you with a notice to end your tenancy.

We will visit you shortly after you have moved into your home to ensure you are not having any problems and to offer support and advice where we can. We will also use this opportunity to check you understand and are keeping to the rules of your tenancy agreement.

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What happens if I get notice to end my starter tenancy?

The notice will tell you that we intend to bring your tenancy to an end. It will also tell you after what date you must leave the property. If you do not leave by this date, we will apply to Court to obtain a possession order to evict you from your home. The Court is usually obliged to grant us possession providing we have followed the correct procedures.

We will usually accompany the notice with a letter explaining the reasons why we have decided to serve the notice on you and seek possession of the property.

Can I ask for a review of your decision to end my starter tenancy?

Yes, if you are served a notice we will include information about what to do if you want us to review the decision to seek possession. You will have 14 days in which to request a review and this must be done by writing to us.

With your request for a review you should tell us, also in writing, anything which you want us to take into account in conducting the review.

Reviews are usually conducted by someone within Bernicia who is senior to the person who made the decision to seek possession, and who was not involved in taking that decision. Reviews will generally be on the basis of written representations, but if you ask us to hear your representations in person, we will consider this request and may agree to it depending upon the circumstances of each case. Any such request must be made at the time of asking for the review.

We will usually aim to hold the review and notify you of its outcome before the date specified in the notice for giving up possession of the property. If we are not able to notify you by this date, we confirm that we will not issue possession proceedings until after you have been notified of the outcome of the review.



How do I find out more?

If you would like to find out more about starter tenancies, please contact us in any of the following ways described on the back of this leaflet.

Useful Organisations

Cold weather and fuel payments

Direct Gov



Online:
www.gov.uk

Advice on energy savings

Energy helpline



Phone:
free on 0800 074 0745



Online:
www.energyhelpline.com

Debt and money advice

StepChange



Phone:
free on 0800 138 1111



Online:
www.stepchange.org

How to contact us



Online: www.bernicia.com



Email: contact@bernicia.com



Phone: 0344 800 3800



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