



Date of consultation: August 2017

Consultation Title: Tenancy agreement Consultation

Number of tenants/customers involved in consultation: 52 participants

Method of Consultation: On-line survey

1. Overview of the consultation:

This exercise took place to gauge customers' views on the implementation of a new Assured Tenancy Agreement. The new agreement is required to provide clarification on a number of clauses which were not clear, or open to interpretation to . It will also provide consistency across Merseyside and Cheshire.

The new agreement takes into account new legislation and will replace the two previous agreements. It will be implemented for new tenants. Significant elements of the Tenancy Agreement are a legal requirement, there are a number of clauses that we are unable to change and therefore tenants cannot influence.

There were six areas of the Tenancy Agreement that required tenant feedback to help support the necessary changes. An on-line survey was used and over 50 tenants participated and provided valuable feedback.

The six areas for tenant consideration were:

1. Mobility scooters in communal areas
2. Parking permission for specific vehicles in designated parking spaces/areas owned by Plus Dane Housing
3. Receiving payment for the use of a designated space/area by people other than the tenant.
4. Showing prospective tenants around homes following a Termination of Tenancy Notice
5. The amount of notice given when Service Charge is increased.
6. The breeding of animals in our homes.

83% of tenants agreed with the clarification /changes in respect of mobility scooters in communal areas.

67% of tenants agreed with the clause designed to control commercial and broken down vehicles being parked on Plus Dane Housing property and the change to allow control of the situation when vehicles are shown to be causing a nuisance.

94% of tenants agreed that payment should not be received for parking in Plus Dane owned land.

67% agreed with the 24 hour notice to be given for prospective tenants to view a property

77% agreed to four weeks' notice being given in writing for fixed service charge increases.

84% of tenants agreed that animals should not be bred in Plus Dane homes.

2. Key recommendations from consultation:

1. Mobility scooters in communal areas

Although the majority of tenants agreed with the terms we set out regarding mobility scooters in communal areas, a number of generalised comments from tenants were focused around the assigned time limit of 45 minutes for a person with a mobility scooter to enter and exit their property. Tenants felt this time limit should be extended. Tenants raised the question of whether Plus Dane could provide a place for tenants to store their mobility scooters.

2. Parking permission for specific vehicles in designated parking spaces/areas owned by Plus Dane Housing

A significant number of tenants agreed with the parking restrictions in respect of vehicles which tenants receive payment for or are not in regular use. Tenants expressed a number of concerns over vehicles which are used as their regular source of income and wanted clarity as to whether this relates to these.

3. Receiving payment for the use of a designated space/area by people other than the tenant.

The majority of tenants who participated agreed that it was not right to receive payment for the use of a designated space/area which is meant to be used by the tenant.

4. Showing prospective tenants around homes following a Termination of Tenancy Notice.

A significant number of tenants agreed with this clause. However, a number of comments suggested a longer period of notice so that they can make arrangements if they are working and also to give them an adequate amount of time to prepare for a viewing. A number of comments were made asking why we couldn't wait until the current tenant had vacated and whether it was mandatory that tenants have to give access for viewings.

5. The amount of notice given when Service Charge is increased.

A majority of tenants agreed that four weeks notice for an increase in Service Charge is adequate. A number of comments were made asking if Service Charge could be set annually.

6. The breeding of animals in our homes.

A majority of tenants agree that tenants cannot breed animals in their home.

3. What will Plus Dane do as a result of this consultation:

Legal advice has been sought in relation to the feedback and amendments; these have been taken into consideration and have been agreed.

These changes will commence when the new agreement has been finalised and implemented later this year.

1. Mobility Scooters in communal areas.

Plus Dane has increased the time limit for a person with a mobility scooter to enter and exit their property from 45 minutes to 1 hour, following legal advice.

Any enforcement will only be taken where this is deemed a Health and Safety risk. Plus Dane Housing is committed to enabling residents to maintain their independence through the safe use of mobility scooters, however, the Health & Safety of our residents is our priority. Plus Dane do not provide extra storage for mobility scooters, any adaptations for an individual's need should be assessed by the Local Authority (usually an Occupational Therapist) Where a need is identified our Aids & Adaptations policy will be applied to any request for consideration.

2. Parking for specific vehicles in designated parking spaces/areas owned by Plus Dane Housing.

This clause will be clarified and will remain on the Tenancy Agreement. Plus Dane is asking tenants to seek permission in respect of parking specific vehicles on Plus Dane Housing property. This clause supports the control of the situation when vehicles are shown to be causing a nuisance and enables us to manage the situation. It does not mean that we will never allow the vehicles to be parked but does allow us to withdraw permission if problems arise.

N.B. Plus Dane does not want to prevent any vehicle being parked on the public highway-only areas owned by Plus Dane.

3. Receiving payment for the use of a designated space/area by people other than the tenant.

The majority of tenants agreed that payment should not be received for parking in Plus Dane owned land and we have reflected this in the Tenancy Agreement.

4. Showing prospective tenants around homes following a Termination of Tenancy Notice:

Whilst a majority of tenants agreed it was important to show prospective tenants around, due to the feedback received Plus Dane has agreed to increase the notice time from 24 hours to 48 hours. We will also ensure that consent is given by the existing tenant.

5. The amount of notice given when Service Charge is increased:

A majority of tenants agreed with the four weeks' notice period being given in writing for an increase in Service Charge and we have ensured this is highlighted in the Tenancy Agreement. This clause is a legal requirement and complies with the current service charge legislation. Section 5 of the tenancy agreement covers this in greater detail.

6. The breeding of animals in our homes.

The majority of tenants agreed that animals should not be bred in Plus Dane homes and we have reflected this in the Tenancy Agreement.