

# Populo Living

## Group Tenancy Policy

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Owning manager	Afsana Begum, Head of Housing Services
Department	Customer Services
Approved by	Populo Homes Board, 1 <sup>st</sup> July 2025 Populo Living Board, 3 <sup>rd</sup> July 2025
Next review date	April 2027 or earlier if there are significant legislative or regulatory changes that impact this policy.

# Group Tenancy Policy

## 1. Introduction

**1.1** As both a Private Landlord and a Registered Provider of homes, we recognise the need to balance our responsibilities to support and manage tenants/licensees with our responsibilities to our wider customer base. We will provide a flexible, effective and efficient tenancy/license management service that reflects best practice, complies with legislation and recognises the rights of our tenants/licensees. This policy gives general guidance on the tenancies that will typically be offered by Populo.

## 2. Scope

**2.1** This policy will set out:

- The type of tenancies Populo will grant
- Where tenancies are granted on a fixed term, the length of the term and other such relevant matters regarding their use.

## 3. Requirements

**3.1** The primary legislation regarding the tenancies utilised by Populo is the Housing Act 1985 (as amended).

**3.2** The Regulatory Framework for Social Housing in England sets out the specific standards that providers of social and affordable housing, such as Populo Homes, must meet. Within this Framework, the Tenancy Standard and the Tenant Involvement and Empowerment Standard places several requirements on registered providers, which includes publishing clear and accessible policies, which outline our approach to tenancy management.

## 4. Starter Tenancies

**4.1** Populo Homes tenants living within our London Affordable Rent (LAR) rented properties will be granted a starter tenancy. This includes any person who has previously held a Populo tenancy but there has been a break in tenure.

**4.2** A starter tenancy is a trial tenancy that lasts for 52 weeks. Where starter tenants successfully complete the 52 week trial period, the tenancy will become an assured lifetime tenancy.

**4.3** Starter tenancies can be extended by six months if there have been breaches to the tenancy agreement. The introductory tenant has a right to request a review of the decision to extend the tenancy.

**4.4** Starter tenants have fewer rights than assured lifetime tenants. The following rights are not included in a starter tenancy:

- Right to assign
- Right to exchange
- Right to sublet or take in a lodger
- Right to improve their property

## 5. Assured Tenancies

**5.1** After successful completion of the starter tenancy, a Populo Homes LAR tenant will be granted a lifetime tenancy. Lifetime tenancies are assured tenancies where, with some limited exceptions, if tenants do not breach the conditions of their tenancy agreement, their tenancy will last as long as the tenant would like it to.

**5.2** Assured tenants have the following rights:

- Right to repair
- Right to improve their property
- Right to assign
- Right to succeed
- Right to take in a lodger
- Right to exchange
- Right to information
- Right to be consulted

## 6. Assured Short-hold Tenancies

**6.1** Assured Short-hold Tenancies (ASTs) are offered as monthly tenancies that have a fixed term of 12 months. ASTs will be used within Populo Living market rental properties. Once the fixed term tenancy ends it will convert to a Periodic Assured Shorthold Tenancy with no fixed end date. The tenancy will continue to roll on a monthly basis until either party serves notice to bring it to an end.

**6.2** Assured short-hold tenants have fewer rights than assured tenants. The following rights are not included in an assured short-hold tenancy:

- Right to assign
- Right to exchange
- Right to sublet or take in a lodger
- Right to improve their properties

## 7. License Agreements

**7.1** A license agreement is an agreement for use and occupation of a property where the occupant does not have exclusive use of that property. Populo will grant excluded licenses in these circumstances which are excluded from the Protection from Eviction Act 1977.

**7.2** An excluded license agreement will also be granted to households being temporarily decanted into alternative accommodation whilst they still hold a tenancy within a Populo tenancy.

## 8. Exceptions

**8.1** There may be certain circumstances under which the terms of this policy may be reconsidered. Colleagues should be mindful of customer vulnerabilities and their specific needs. Extenuating circumstances will be assessed on a case-by-case basis and exceptions may be applied that require empathy and flexibility, to ensure that customers are treated fairly, compassionately and with respect.

## 9. Appendices

### Tenancy Types Table - A breakdown of the types of tenancy Populo offer

Tenancy Type	When granted	Applicable to	Review / Termination
Starter Tenancy	Used at the commencement of a general needs let for an initial 12- month period. They can be extended up to 18 months where there have been breaches of tenancy.	PH	<p>They may be ended by serving a valid Notice Requiring Possession (s.21 HA 1988) with two months' notice of intention to terminate. This is mandatory possession and not at the discretion of the court.</p> <p>Or</p> <p>Notice of Seeking Possession Housing Act 1988 (amended) Sch. 2 Grounds for Possession.</p> <p>If the tenancy is not ended by the serving of the relevant notice towards the end of the probationary period, it will be converted to an Assured (non-short hold) tenancy.</p>
Assured Tenancy	Used where; A Populo Homes general needs tenant has successfully completed their starter tenancy period  a current tenant of Populo or another social landlord who holds an Assured tenancy and is transferring to into an Populo property through mutual exchange	PH	The tenancy can only be brought to an end on the grounds specified in Schedule 2 of the Housing Act 1988 (as amended) after serving a valid Notice of Seeking Possession and securing a valid outright possession order from a court. Populo may use the mandatory grounds for possession for rent arrears and certain criminal ASB.

Assured Short-hold Tenancy (AST)	<p>Used for;</p> <p>Populo Living market rent properties</p> <p>properties approved for disposal to let on a short-term basis;</p> <p>guarantors for minors,</p>	PL	<p>ASTs can be brought to an end only after the initial 6 months by serving a valid Notice Requiring Possession (s.21 HA 1988) with two months' notice of intention to terminate or at any point from the start of the tenancy if there are breaches of tenancy, by serving a Notice of Seeking Possession Housing Act 1988 (amended) Sch. 2 Grounds for Possession and obtaining a Possession Order from the court.</p>
Excluded License Agreement / License to occupy	<p>Used where;</p> <p>occupation of a property where the occupant does not have exclusive use of that property (excluded license agreement)</p> <p>the intention is only to allow occupation on a temporary basis</p> <p>e.g. temporary accommodation or a decanted property where the occupant holds a tenancy elsewhere (license to occupy)</p>	PH and PL	<p>Licenses can be brought to an end by serving a Notice to Quit (in the prescribed form) giving 28 days' notice to the licensee.</p> <p>If a licensee does not vacate the accommodation when the notice expires, valid possession order must be obtained from the court.</p> <p>For Excluded licenses, a Notice to Quit (NTQ) is not a legal requirement and the licensee can be excluded from the property without a court order, but the landlords' notice period must be reasonable. Populo will normally serve NTQs of not less than 28 days unless there is a risk of violence or security when the Head of Housing Services can authorise notice of less than 28 days.</p>