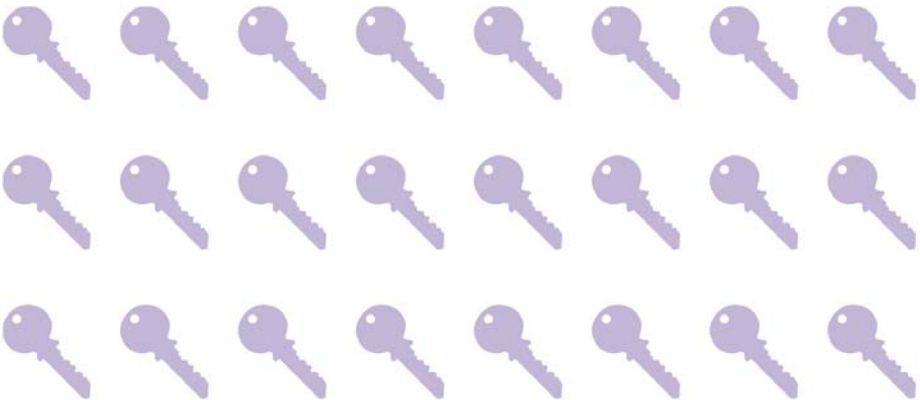


# You and your household

## Your rights and responsibilities as a resident



- The security your tenancy gives you
- Your responsibilities
- Changing the named tenants
- Our policy of fair treatment
- Your rights
- Ways to find a new home

# You and your household

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## Your rights

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### Also part of the Residents' Handbook:

- You and your home
- You and your neighbourhood
- You and Southern Housing Group
- You and your rent



# Your rights

## In this section:

- You have the right to live in your home for as long as your tenancy lasts (but it could end if you break the conditions of your tenancy).
- Other members of your household can live with you as your guests, as long as you aren't overcrowded – it's up to you who stays or goes.
- You can take in a lodger if you are a secure or assured tenant.
- If you are a secure or assured tenant, you may be allowed to pass your tenancy on to somebody else.

## *What security do I have as tenant?*

When you moved into your home, you signed a tenancy agreement. Have a look at the agreement to see what type of tenancy you have, because this affects your right to stay in your home.

## Tenancy types

If you are a **secure tenant**, your tenancy began before 15 January 1989. It is a weekly tenancy, but it can run for an unlimited time.

If you are an **assured tenant**, your tenancy began on or after 15 January 1989. It is a weekly tenancy, but it can run for an unlimited time.

# Your rights



If you are an **assured tenant with preserved rights**, your home transferred to us from another landlord. It is a weekly tenancy, but it can run for an unlimited time. Your assured tenancy agreement includes key additional rights – some that you had as the secure tenant of your former landlord and others that were agreed when your scheme transferred to us.

If you have a **starter tenancy**, you have a weekly tenancy that will run for 12 months to start with. Providing you pay your rent and you don't break any other conditions of the agreement, after a year your tenancy will become an assured tenancy that can run for an unlimited time.

If you have a **demoted tenancy**, you have broken your secure or assured tenancy agreement in the past. Your tenancy is now a weekly tenancy that will run for 12 months. Providing you pay your rent and you don't break any other conditions of the agreement, after a year your tenancy will become an assured tenancy that can run for an unlimited time. But if you used to be a secure tenant, you may now have fewer rights than originally.

If you are an **assured shorthold tenant**, we are providing you with temporary accommodation. You have a weekly tenancy that will last for at least six months – your agreement sets out exactly how long. We can end your tenancy at the end of that period if we want to, or we could let it run for longer.



# Your rights

If you are an **intermediate tenant**, you have a periodic assured shorthold tenancy. This means you have a weekly tenancy, which does not have a fixed period and will run for as long as you and we are happy for it to do so. We can end the tenancy by giving you two months' notice, but the court will not enforce the notice within the first six months unless you have broken other conditions of the tenancy.

If you have a **garage** or **shed licence**, you are renting an individual garage or shed from us. The licence runs from week to week.

## Joint tenants

If your tenancy agreement lists more than one of you as tenants, you each have the same rights and you are each, individually, responsible for your tenancy.

## Staying in your home

Under normal circumstances, you have the right to live in your home for as long as your tenancy lasts.

If you are a **secure or assured tenant**, we can only end your tenancy by asking a court's permission. We have to have a good reason, for example you owe us rent or have broken another of the conditions of your tenancy. If you are an assured tenant, we can also ask you to move to a different home. Or we can ask secure tenants to move if they are living in special accommodation that no-one in their household now needs (for example, a home adapted for the disabled). These reasons are set out in full in your tenancy agreement.

# Your rights



If you are an **assured shorthold tenant**, your tenancy can be ended after a set period of time. We will send you written notice telling you when this will be.

If you are a **starter tenant** or a **demoted tenant**, for the first year your tenancy can be ended if you don't pay your rent or keep to your agreement. But if you do keep to your agreement, you will go on to have the rights of an assured tenant after the year is up.

Whatever your tenancy type, if you leave your home empty for a long period, we will treat it as abandoned. That means you will lose your special rights under the tenancy and we will go to court to end your tenancy.

If you hold a **garage** or **shed licence**, we can end the agreement immediately, providing we serve notice in the way set out in your licence.

## *What security does the rest of my household have?*

Before you moved in, we agreed who else would be living with you, including your pets. Our records will show this to be your household, unless you have been in touch to tell us about any changes.

Members of your household live with you as your guests. You decide whether they stay or go. However, someone married to a tenant, or in a civil partnership with them, also has the legal right to stay, even if they aren't the tenant. If you need more information about these rights, you need to speak to the Citizens Advice Bureau or another local housing advice service, or seek independent legal advice.



## Your rights

Allowing people to live or stay with you means that you have to take responsibility for their behaviour in and around your home. We may have to insist that you take action if they break the terms of your tenancy.

### *Can I give my tenancy to someone else?*

#### **During your lifetime**

You are not allowed to pass your tenancy on to someone else, unless you are an assured or secure tenant.

**Passing your tenancy to a new tenant.** If you are an assured or secure tenant then we may allow you to pass your tenancy on to a member of your household. Contact the Service Centre and ask for a request form. We may also ask the person who wants to be the new tenant to complete an application form. We will then consider whether the property is suitable and look at whether you have ever broken the terms of your tenancy.

**Adding someone to the tenancy.** If you want to add someone to your existing tenancy then we will consider this. Contact the Service Centre and ask for a request form. We may also ask the person who wants to become your joint tenant to complete an application form. We may refuse permission if we don't think it is in our best interest.

**Taking someone off the tenancy.** If you are joint tenants and one of you wishes to leave the property, you may ask for the tenancy to be put into the name of the remaining tenant/s. All tenants in your household need to consent to this and complete all our paperwork. But we may have reasons for not agreeing this request and will refuse if there are any problems with your tenancy.

# Your rights



If we do agree, then this change would usually mean the property can't be passed on to anyone else in the future, even if the tenant dies. If someone who was one of your joint tenants has already left the property and you can't contact them, call us to discuss your options.

**By order of a court.** A court could order that you pass your tenancy to your husband or wife or civil partner if you are getting a divorce or dissolving your partnership.

**By swapping homes.** If you are an assured or secure tenant you can also swap homes with another tenant. See page 16 for more details.

## When a tenant dies

If you are a secure or assured tenant, it is possible for your tenancy to be passed on to another member of your household if you die. This process is called **succession**. A tenancy may only be passed on once in this way.

The rules about succession are quite complex, so you need to refer to your tenancy agreement rather than relying on the simplified explanation we give here.

However, in summary, your tenancy will pass to any surviving joint tenant first. If there isn't one, then it can pass to your husband, wife, civil partner or someone living with you as husband or wife.

Otherwise, providing they have lived with you for over a year, it could pass to a member of your family, your same-sex partner, someone who was your unpaid carer or who has taken responsibility for your dependants. This does not include someone who has been your lodger or that you have sub-let part of the property to.

# Your rights

In all cases, the successor must write to us to explain their claim within three months of the tenant's death. If you take over a tenancy in these circumstances then we will insist that you also take responsibility for any arrears or other breach of tenancy which needs to be put right.

## *Can I take in a lodger?*

If you are a secure or assured tenant, you have the right to take in a lodger or sub-let part of your home. But sometimes you need our written consent first. Any family members you allow to stay are guests, so they are not counted as lodgers or considered to be sub-letting.

A lodger is someone who can stay at the property just because you say they can – it is an informal arrangement. They don't have the right to exclude you from their room. They don't have a legal agreement with you or a rent book. If you want them to leave, they have to go. This gives you complete control.

It's a good idea to check with us first that you won't be overcrowding your property. We also need you to give us full details of the person moving in.

If you want to enter into a formal arrangement with a tenancy agreement then this will be sub-letting. It gives someone the sole right to use certain rooms and to share any other facilities you agree on. You may have to give them a certain number of weeks' notice before they have to leave. You don't have the right to sub-let your entire home. If you want to sub-let part of it, you need our written consent, but we will only say no if we have a good reason.

# Your rights



## *What other rights do I have?*

Your tenancy agreement sets out your other rights and responsibilities. These can vary depending on the type of tenancy you have.

In this Handbook, we have covered some of the key rights, but your tenancy agreement and **A charter for housing association applicants and residents** contains more information.

You will find more details in the **You and your home** booklet about:

- repairs that are our responsibility
- your right to make certain improvements to your home if you are a secure or assured tenant.

You will find more information in the **You and Southern Housing Group** booklet about:

- your right to information about your home and tenancy
- your right to be consulted if we are planning major changes to the way we manage or maintain your home
- our duty to keep your details confidential and give you access to your files if you ask us to.

See page 25 to find out more about your right to be treated equally and fairly.

### **A charter for housing association applicants and residents**

This charter, produced by the Housing Corporation (now replaced by the Tenant Services Authority), sets out what you should expect from us as your landlord. We issue this to all tenants, but if you need a new copy, contact the Service Centre.



# Your responsibilities

## In this section:

Your main responsibilities are to:

- pay your rent on time
- look after the property
- be a good neighbour
- make sure you don't overcrowd the property
- take responsibility for your household and visitors.

Your tenancy agreement lists all the responsibilities you have as our tenant. We have just covered the most important ones in this booklet. If you don't meet these responsibilities, you could end up losing your home. Remember, these rules apply to your household as well.

**Paying your rent.** Your main responsibility as our resident is to pay your rent in full and on time.

**How you use your home.** You are renting a property for your household to live in. You can't run a business from it without getting our permission first. You aren't allowed to use your home for illegal or immoral purposes, or bring drugs into your home or to your scheme.

**Taking care of your home.** You are responsible for keeping your home in a good condition.

**Pets.** You aren't allowed to keep a pet without getting our written permission first. For more details, see the **You and your neighbourhood** booklet.

# Your responsibilities



**Being a good neighbour.** Many of your responsibilities as our resident are about being a good neighbour. You are also responsible for the behaviour of members of your household and your visitors. We will not tolerate residents who harass, attack or abuse other residents or members of their own household in any way.

**Overcrowding your home.** You must not allow your home to become overcrowded. You will find the maximum number of occupants for your home written on your tenancy agreement. If you are at all unsure about this, contact the Service Centre.

If you allow people to move in with you and this means that you are then overcrowded by law, we have to act or we will be in breach of the law as well. We may be forced to take legal action against you and you could lose your home if the people causing the overcrowding do not leave.

If your home becomes overcrowded because you have further children or your children are growing up, you must let us know. We will help you to look at your options for moving somewhere more suitable.



# How you can move

## In this section:

You can get a move:

- by transferring to another of our properties if you are a secure or assured tenant
- by moving to one of our housing schemes for older people
- by swapping your home with another housing association or council tenant, if you are a secure or assured tenant
- by registering on your local housing list, which is often held by the council
- by buying a home with a discount or with help from a grant.

## *How can I get a transfer?*

If you are a secure or assured tenant, we may be able to help you find another more suitable home with Southern Housing Group. Call the Service Centre Resident Services team for an application form.

You need to give us as much information as possible about your reason for wanting to move. We may ask for evidence to back up your reason. We make offers to the household with the greatest need to move, according to our records.

We will not usually offer you a transfer if you owe us rent or if you have broken the conditions of your tenancy in some other way.

# How you can move



In practice, our main priorities are residents who need to move because:

- we are going to demolish or carry out major repairs to their home (we call these moves 'decants')
- they are victims of harassment or domestic violence
- they are either overcrowded or need somewhere smaller
- someone in their household has a medical need for a move
- they need to move to take up a job.

For more details about moving home, look on line at [www.shgroup.org.uk](http://www.shgroup.org.uk) or call the Service Centre and ask for our 'Getting a Move' pack.

If it is impossible for you to stay in your home and we are not in a position to solve that, your local authority may have a duty to help you, and you should contact them direct.

## Moving somewhere smaller

We give priority to people living in family-sized homes (with two or more bedrooms) who want to move somewhere smaller, because there are always families who need more space, and we are also keen to see that under-occupiers get a home that suits their needs. We will give you financial assistance to transfer to one of our smaller homes.



# How you can move

## How long you will wait

Most of our empty properties have to be offered to people put forward by the local authority. Only some of our vacancies can be offered to residents on our transfer waiting list.

How long you wait will depend on the sort of property you need and the areas you want to move to. To increase your chance of a move, ask about the areas that are less in demand. We also advise you to consider the other options detailed in this section.

We regularly provide up-to-date information on lettings in [Open Door](#) residents' newsletter and you can check the status of your transfer application in the residents' section of our website.

### Our service standards

#### We will:

- put our lettings policy on our website and, if you ask, give you a copy (in writing) within five working days.

#### When you apply for a transfer, we will:

- give you advice about moving and your housing options
- assess your application within 10 working days of receiving it, and
- review your transfer application each year.

# How you can move



## Our service standards

### When we have a home to offer, we will:

- give you at least 48 hours' notice of any property viewing, and arrange to view the property with you
- give you details of our 'moving in' property standard with our offer letter
- give you an information pack about our services when you sign your tenancy agreement
- carry out a satisfaction survey to get your comments about our lettings service, and
- arrange to visit you to see how you are settling in, within six weeks of you moving in.

## *How else can I move?*

### Swapping your home

If you are a secure or assured tenant, you can swap your home ('make a **mutual exchange**') with the secure or assured tenant of another public landlord.

Before you move, you must get written permission from both landlords, but we are not allowed to refuse permission without good reason. For example, we will not give you permission to move if you owe us rent and some schemes built with planning conditions attached (for example, that residents must have a local connection or be key workers) do not allow for exchanges.



## How you can move

Usually, an exchange means swapping tenancy agreements as well as homes. Before you agree to the swap, you should always check the terms and conditions of your exchange partner's agreement.

There are a number of ways you can advertise your home and find out about other tenants wanting to make a swap.

When you make a mutual exchange, we don't do the repairs or decorating we do when we re-let our vacant property. You will also be responsible for any damage, neglect or alterations made by the original tenant.

- You can register for free with HomeSwapper, the online, national, mutual exchange scheme. Once we confirm you are a resident, we are charged instead of you.

Log on to [www.homeswapper.co.uk](http://www.homeswapper.co.uk) to register and add details about your current home. You can then browse for a possible swap, which could be with another housing association, local authority or any of the Southern Housing Group landlords. HomeSwapper will also email you details of suitable exchange partners, or you can opt to get details via your mobile phone.

- Put your details on your local authority mutual exchange register. Ask at your local council offices.
- Advertise locally, for example, in shop windows.
- If your home is disabled adapted, you can register with Disabled Data Link at <http://web.ukonline.co.uk/ddlg.uk/index.htm>

# How you can move



## Transferring to another landlord

Here are some other options you might want to consider.

- Put your household on the **local authority waiting list** for the area you want to move to.
- Check the Housing Moves website at [www.housingmoves.org.uk](http://www.housingmoves.org.uk), or phone **08450 21 20 20**, for local authorities with available properties (these are likely to be in other parts of the country).

## Options for older residents

Our older residents have additional options.

- **Sheltered accommodation.** We have housing schemes reserved for older residents. We encourage residents to stay as independent as possible, but they need never feel isolated and help is always on hand in an emergency. Call the Service Centre for details.
- **Seaside and country homes.** This scheme, run by Housing Moves (see 'Transferring to another landlord' above), offers people over the age of 60, who are living in family-sized homes, the chance to apply for a home in the country or by the sea.

# How you can move



## *Can you help me to buy a home?*

There are a number of schemes designed to make home ownership more affordable.

### **Buying the home you live in**

If we took over your home from another landlord, one of your 'preserved rights' may be the right to buy it from us, at a discount, under the **Right to Buy**. If your home was built using social housing grant after April 1997, you may have a similar right, called the **Right to Acquire**.

In addition, if you live in a local authority area that has grant funding available, you may be able to buy part, or all, of your current home under the **Social HomeBuy** scheme.

To find out more, phone the Service Centre.

### **Our service standards**

#### **If you apply to buy your existing home, we will:**

- give you an application pack within five working days of you asking for one
- let you know within 10 working days if we have accepted your application, and
- offer you a free financial review and put you in touch with mortgage advisors.

# How you can move



## Shared ownership (NewBuild HomeBuy)

Shared ownership allows you to buy a property in stages. You typically purchase an initial share of between 25% and 75% of the full cost of your home, using a conventional mortgage. You pay a subsidised rent on the remainder to the housing association running the scheme.

As your circumstances change, you have the option to purchase further shares, until eventually you can own the property outright.

To find out more about our own schemes in your area, phone our Sales and Marketing team on **08456 12 12 71**.

## Fixed or shared equity schemes

Fixed or shared equity schemes allow you to buy a home if you can raise a minimum proportion of the property's value (for example, 50%, 70% or 75%), via a mortgage and any savings you have. You pay the remainder with an equity loan from a housing association, the Government (MyChoiceHomeBuy) or (in the case of HomeBuy Direct) the Homes and Communities Agency, together with the housebuilder.

There are no monthly payments with an equity loan – instead you repay it as a percentage of the value of your home if you later sell it.

Shared equity schemes can involve buying a home on the open market or homes developed especially for the scheme.



# How you can move

## Applying for shared ownership and fixed or shared equity schemes

To see full details of all the schemes in your area and to express an interest, you need to register with your local HomeBuy agent.

Go to:

- [www.housingoptions.co.uk](http://www.housingoptions.co.uk), if you live in London
- [www.homebuy.co.uk](http://www.homebuy.co.uk), if you live in Kent, Essex, Sussex, Surrey and Berkshire
- [www.homesinhants.co.uk](http://www.homesinhants.co.uk), if you live in Hampshire or the Isle of Wight.

# How you can move



## *What do I have to do when I move out?*

Whether you are moving to another of our properties or elsewhere, don't forget the following:

### **End your tenancy the way we ask you to**

- Give us four weeks' notice.
- Pay your rent up to the day you move and return the keys.
- We will inspect your home before you move out and tell you about any repairs that are your responsibility. If you don't do the repairs, we will charge you for the work.
- Make sure your home is in good decorative order. If it isn't, we may ask you to redecorate.
- We might ask you to let us bring people round to see the property, so that we can rent it out again without delay.
- Leave your home clean and tidy, and get rid of rubbish. We can charge you for getting rid of things you leave behind.

If you leave owing us money, we will still pursue you for it. We may also pass on your name to a debt collection agency, as well as telling credit reference agencies that you owe us money – which might stop you getting credit in the future.



## How you can move

### Sort out your suppliers

- On the day you move get readings for any gas, electricity or water meters at your old address. Make sure all the meter companies know you are moving.
- Get the phone disconnected at your old address and arrange for connection at your new one (if you aren't moving far, you may even be able to keep your number).
- Turn off your water at the stopcock and gas at the meter before leaving. Switch off your electricity at the fuse box. But don't ask for these services to be disconnected.

### Tell everyone you're moving, including:

- friends and family
- your contents insurers (see the [You and your home](#) booklet for more details about our scheme)
- your Housing Benefit department if you claim
- the Department of Work and Pensions if you get benefits
- your Council Tax office.

## Get ready to occupy your new home

- Contact the companies providing the gas, water and electricity supplies before you move in, to make sure you can use them as soon as you need to.
- Make sure the phone is connected.
- Get your new Housing Benefit claim form ready.
- Get the post office to forward your mail.

## Get to know your new area

- If you are moving to another of our homes, find out where you can pay your rent using the PayPoint facilities at local shops and garages.
- Find new doctors and dentists.
- Find the most convenient public transport routes to where you want to go.



# Fair treatment for all

## In this section:

- We don't discriminate against anyone.
- Everyone can access our services.
- We give extra help if you are disadvantaged.

We value the many people who make up our local communities.

We actively try to prevent anyone being discriminated against because of their sex, whether they are married, their race, colour, ethnic origin, religion, age, or because they are disabled, gay or lesbian.

We train our staff to be sensitive to the problems different groups of people might face.

## *What can I expect if I'm black or from an ethnic minority?*

We will:

- make sure that we get views from your community when we are consulting residents
- provide you with services that meet your needs
- provide you with translations and interpreters when necessary
- provide key information in several languages
- take action if you are being racially harassed.

# Fair treatment for all



## *What can I expect if I'm disabled or vulnerable?*

We will:

- make sure you can easily access our services and that our offices are accessible
- design homes and public areas that meet the needs of disabled people
- provide information in the form you need it, for example, in Braille, or on CD or audio tape
- carry out surveys to find out your views
- take action if you are being harassed or abused.

## *What extra support can you give me?*

If you need a little extra help to stay in your home, we may be able to assist.

- If you live in our standard rented housing, we can help you find additional support from specialist organisations.
- If you are disabled, we may be available to change things in your home to make life easier. There is more about this in the **You and your home** booklet.
- If you are disabled or vulnerable, we will try to both prioritise your repairs, and respond to other requests you make more quickly than usual.

To find out more about these extra support services, call the Service Centre and explain which you are interested in.



# Fair treatment for all

## Our service standards

If you live in one of our sheltered schemes, we will:

- meet you and carry out a full support plan with you at least once a year, and we will carry out a review within six months (or sooner if your circumstances change)
- offer you a copy of the plan or review within five working days of our meeting, and
- provide 24-hour community alarm services every day of the year, and give you the chance to comment on the service you receive.

Our staff will:

- always wear an identification badge, and
- offer you the option of a daily call or visit.

Our Service Centre is open from 8am to 8pm, Monday to Friday.

If you live on the UK mainland, phone us on **0300 303 1771**

If you live on the Isle of Wight, phone us on **0300 303 1772**

Write to **Service Centre, Southern Housing Group, PO Box 643, Horsham RH12 1XJ**

Email [servicecentre@shgroup.org.uk](mailto:servicecentre@shgroup.org.uk) or [serviceincome@shgroup.org.uk](mailto:serviceincome@shgroup.org.uk) or [servicerepairs@shgroup.org.uk](mailto:servicerepairs@shgroup.org.uk) (but phone if the matter is urgent)

Visit our website at [www.shgroup.org.uk](http://www.shgroup.org.uk)

This leaflet contains important information about your rights as a tenant and the service you can expect from us. To request a copy in another language, in Braille or in audio format, or for more information, call 0300 303 1771.

Arabic

تتضمن هذه النشرة معلومات مهمة حول حقوقك كمستأجر والخدمات التي يمكن أن تتوقع الحصول عليها منا. لطلب نسخة باللغة العربية أو بطريقة بريد أو بصيغة صوتية، أو للحصول على مزيد من المعلومات، اتصل برقم 0300 303 1771.

Bengali

ভাড়াটে হিসেবে আপনার অধিকার এবং আমাদের নিকট থেকে আপনি কী ধরনের সেবা প্রত্যাশা করতে পারেন সে সম্পর্কে এই প্রচারপত্রে গুরুত্বপূর্ণ তথ্য রয়েছে। বাংলা, ব্রেইল-এ বা অডিও ফরম্যাট-এর একটি কপি পাওয়ার অনুরোধ করার জন্য অথবা আরো তথ্যের প্রয়োজন হলে আমাদের সার্ভিস সেন্টার-এ 0300 303 1682-এ ফোন করুন।

French

Ce dépliant contient des informations importantes sur vos droits de locataire et les services que vous pouvez attendre de nous. Pour demander un exemplaire en français, en Braille ou au format audio, ou pour en savoir plus, appelez le 0300 303 1771.

Somali

Macluumaad-sidahan waxaa ku jira war muhiim ee ku saabsan xuquuqdaada deggane ahaan iyo hawl-qabadyada aad naga filaysid. Si aad u dalbatid nuqul Soomaali ah, farta-indhoolaha (Braille) ama nooc dhagaysi ah, ama war intaas ka badan, wac 0300 303 1771.

Spanish

Este folleto contiene información importante sobre sus derechos como inquilino y el servicio que puede esperar de nosotros. Para solicitar una copia en español, en Braille o en formato de audio, o para más información, llame al 0300 303 1771.

Turkish

Bu kitapçık kiracı olarak sahip olduğunuz haklar ve bizden alabileceğiniz hizmetler hakkında önemli bilgiler içermektedir. Bu bilgileri Türkçe, Braille (kör alfabesi) veya sesli formatta talep etmek ya da daha fazla bilgi almak için 0300 303 1683 no.lu telefonu arayınız.