

Summary of Proposed Changes to Tenancy Agreement

CLAUSE/SECTION REFERENCE NUMBER	PROPOSED CLAUSE IN NEW TENANCY AGREEMENT	OLD CLAUSE REFERENCE NUMBER	CLAUSE IN EXISTING TENANCY AGREEMENT	EXPLANATION FOR CHANGE
	Title		Title	New title includes conditions as it not only covers the agreement but also the clauses which tenants must follow.
	Introduction including Personal Information and Photographs About your tenancy agreement		Introduction	References to flexible tenancies deleted as the Council no longer offers these. Section reworded and simplified with some additional headings added. Paragraph on Personal Information and Photographs updated to reflect GDPR and associated legislation. Information on your tenancy agreement moved to this section.
1.	Secure Tenancy Agreement		1 General 2 Your Tenancy Agreement 3 About your tenancy agreement	Revised format for tenancy agreement for officer and tenants to sign. References to flexible tenancies deleted. Improved formatting with clearer alignment. Information added that you must not use or enter the loft space. Definition of service charges added with a summary covering method of calculation. Caretaking service charge replaced with Communal cleaning. Caretaking service is

				being improved, and we will have Council estate wardens to replace our caretakers and an external contractor procured to carry out the communal cleaning. Steam cleaning deleted as this service has not been provided for some time. The communal cleaning contract will incorporate any steam cleaning required.
2.1	Your right to live in the property	4.1	Your right to live in the property	Minor rewording and reference to flexible tenancy removed. Heading renumbered.
2.3	Repairing Installations	4.3	Repairing installations	Heading renumbered.
	2.3.1		4.3.1	Information added regarding the legal requirement for gas checks and access. .
	2.3.3/2.3.4		4.3.3	Some Information from previous 4.3.3 added as part of repairing installations.
	2.3.6		N/A	New clause referencing further information is available in the Repairs Handbook on Council's website.

<p>2.4</p>	<p>2.3.7</p> <p>Period for repairs</p>	<p>4.4</p>	<p>N/A</p> <p>Period for repairs</p>	<p>New clause to make it clear that only emergency repairs will be carried out if a RTB application is made.</p> <p>Heading renumbered</p>
<p>2.5</p>	<p>Maintaining the structure of your home and any shared area</p>	<p>4.5</p>	<p>Decorating the outside of your home and any shared areas</p>	<p>Heading renumbered. Amended to clarify that the Council is responsible for the structure and any shared areas. Wording simplified and reference to tenants decorating the outside of their home moved to the section on alterations and improvements. Wording added that you cannot store any items in the loft. See new clause at 3.13.7</p>
<p>2.6</p>	<p>Payment of rent</p> <p>2.6.1</p> <p>2.6.2</p>	<p>4.6</p>	<p>Payment of rent</p> <p>4.6.1</p> <p>4.6.2</p>	<p>Heading renumbered.</p> <p>Minor rewording to include reasons for late payment of rent/recovery of rent arrears. Clause renumbered.</p> <p>Minor rewording to make it clearer. Reference to Tenancy Sustainment service added who can provide support. Clause renumbered.</p>

	N/A		4.6.3	Reference to sending rent statements deleted as this no longer happens. Tenants can access the information through My StAlbans account on website. Statements can still be made available on request.
	2.6.4		N/A	New clause added explaining the current process if you have debt owing from any previous tenancy and if your account is in credit.
	2.6.5		N/A	New clause added if we owe money to you this can be credited to the current or a former tenant account.
	2.6.6		4.6.5	Clause renumbered and some additions added of permissions that the Council will not grant if you owe rent.
2.7	Anti-social behaviour and harassment	4.7	Anti-social behaviour and harassment	Heading renumbered.
	2.7.1		4.7.1	Some minor rewording. Definition of Anti-Social Behaviour added to explain what this is as set out in Anti-Social Behaviour, Crime and Policing Act 2014. Clause renumbered.

	2.7.3		4.7.2	Minor rewording to emphasise that we will act immediately and reference to hate crime added. Some duplication of wording removed as already incorporated into 2.7.2. Clause renumbered.
2.8	Providing information and consultation	4.8	Providing information and consultation	Heading renumbered.
	2.8.1		4.8.1	Reworded to emphasise that we must consult with tenants and it broadens the scope of tenant consultation beyond tenancy matters. Other examples of resident participation added.
	N/A		4.8.2	Clause deleted and replaced with a new clause. Council no longer has a Tenants Handbook as policies and standards are available as documents on the Council website and in other formats.
	2.8.2		N/A	New clause stating that we will provide information about our service standards, policies and performance to comply with legislative changes. Information is available on the Council`s website and in other formats.

2.9	Changing your agreement	4.9	Changing your agreement	Heading renumbered
3	Your responsibilities	5	Your responsibilities	Heading renumbered.
3.1	Living in the property	5.1	Living in the property	Heading renumbered.
	3.1.2		5.1.1	Head of Housing replaced by Housing Department. Clause renumbered. Notice period reduced from 3 months to 1 month. 3 months is considered too long if the property is abandoned and reducing to 1 month is the common approach taken in other local authority tenancy agreements.
	3.1.3		5.1.2	Head of Housing replaced by Housing Department. If you move away, you must contact the Housing Department within 4 weeks. This gives a clearer timescale. Currently it states as soon as reasonably possible and within 3 months. Clause renumbered.

<p>3.2</p>	<p>3.1.4</p> <p>Rent and other charges</p> <p>3.2.1</p> <p>3.2.2</p> <p>3.2.5</p>	<p>5.2</p>	<p>5.1.3</p> <p>Rent</p> <p>5.2.1</p> <p>5.2.2</p> <p>5.2.5</p>	<p>Head of Housing replaced with Housing Department. Wording added to clarify property is residential. Clause renumbered.</p> <p>Heading renumbered. Amended to include other charges.</p> <p>Information added that rent must be paid in advance and payment options updated. Clause renumbered. Reference to tenants' information card deleted as this is no longer needed.</p> <p>Wording simplified to focus on 4 weeks written notice to increase rent. Information added confirming when service charge will be reviewed and the process for introducing a service charge for a new service, changes to an existing one or for an existing service.</p> <p>Reworded to include overpaid rent and clarifies that any debt owed to the Council will be deducted before payment issued. Information added that this does</p>
-------------------	--	-------------------	--	---

<p>3.3</p>	<p>3.2.6</p> <p>Assigning the tenancy and subletting your home</p>	<p>5.3</p>	<p>5.2.6</p> <p>Assigning the tenancy and subletting your home</p>	<p>not apply to compensation payments ordered by the Housing Ombudsman.</p> <p>Minor rewording that we will give your details to a debt collection agency rather than may if you leave and rent is owed to Council with no agreement to pay.</p> <p>Information added that you must not accept payment in money or kind for any assignment of your home. Minor rewording to clarify you must not sublet your property as a whole. Heading renumbered.</p>
<p>3.4</p>	<p>Exchanging the tenancy (Mutual Exchange)</p> <p>3.4.1</p> <p>3.4.2</p>	<p>5.4</p>	<p>Exchanging the tenancy</p> <p>5.4.1</p> <p>5.4.2</p>	<p>Heading renumbered. Mutual Exchange added which is the more familiar term used for exchanging the tenancy.</p> <p>Schedule 8 amended to Schedule 3 which is the correct schedule. 4th bullet point deleted. Not applicable as this not part of the legislation.</p> <p>Reference to the Mutual Exchange Policy added and available on the</p>

<p>3.5</p>	<p>Lodgers and new members of the household</p> <p>3.5.1</p> <p>3.5.2</p> <p>3.5.5</p>	<p>5.5</p>	<p>Lodgers and new members of the household</p> <p>5.5.1</p> <p>5.5.2</p> <p>5.55</p>	<p>Council's website. Clause renumbered.</p> <p>Heading renumbered</p> <p>Minor rewording to clarify that you cannot take in a lodger without obtaining permission first. Reference to Housing Support Officer removed as this is covered by elderly designated accommodation Head of Housing replaced with Housing Department. Clause renumbered.</p> <p>Minor rewording to clarify the procedure that written consent should be sought first. Head of Housing replaced with Housing Department. Clause renumbered.</p> <p>DWP spelt out in full. Clause renumbered.</p>
-------------------	---	-------------------	--	---

<p>3.6</p>	<p>Improvements, additions or alterations to your home</p> <p>3.6.1-3.6.6</p> <p>3.6.7</p> <p>3.6.9</p>	<p>5.6</p>	<p>Improvements, additions or alterations to your home</p> <p>5.6.1-5.6.3</p> <p>5.6.4</p> <p>5.6.6</p>	<p>Heading renumbered. Decorating outside of your house added and reference made to account being in credit. Reference to flexible tenants removed. No longer offer flexible tenancies.</p> <p>Clauses shortened and split up into shorter ones. Information added that you will be recharged for ongoing works if you cannot do this, and you may have to apply for retrospective permission if permission has not been obtained. There may be an administrative charge for any retrospective application. Information from clause 5.6.8 added to these.</p> <p>Clause renumbered and Head of Housing replaced with Housing Department</p> <p>Existing clause renumbered and reference to fire door added. Minor rewording that written permission is required.</p>
-------------------	--	-------------------	--	--

	N/A		5.6.8	Existing clause deleted and information incorporated into 3.6.6
	3.6.11		N/A	New clause added to reflect the increase in camera doorbells which must comply with GDPR.
3.7	Your Behaviour (Anti-social behaviour, harassment, domestic abuse and nuisance)	5.7	Your behaviour	Definition of what your behaviour covers added. Heading renumbered.
	3.7.1		5.7.1	References to threaten and social media added. Wording of clause extended to include any member of the household or visitor. Clause renumbered.
	3.7.2		5.7.2	Information added that this includes anyone visiting you as well
	3.7.8		5.7.3	Clause moved and renumbered to 3.7.8
	N/A		5.7.4	Deleted as repetitive and was included in 5.7.2

	3.7.3		5.7.5	Existing clause renumbered. Reference to hate crime added. Additional bullet point added to reflect the increase in social media and set behaviour expectations.
	3.7.4		5.7.6	Minor wording change to include in your home or within the area your home is in. Clause renumbered.
	3.7.7		N/A	New clause added to cover domestic abuse. Clarifies definition of domestic abuse, covering multiple forms of abuse and its impact. Ensure tenants understand that this includes emotional, psychological, financial in addition.
3.8	Working from home or running a business	5.8	Working from home or running a business	Heading renumbered.
	3.8.1		5.8.1	Reworded to define adjoining property. Clause renumbered.
3.9	Domestic pets, livestock and other animals	5.9	Domestic pets, livestock and other animals	Heading renumbered. Deleted reference to Appendix 1 Pets and Animal Policy. Information added that this Policy will be simplified and placed on the Council's

3.10	3.9.1	5.10	5.9.1	website. Added information which requires dogs and cats to be micro-chipped which is a legal requirement.
	3.9.3		5.9.3	Minor rewording. Clause renumbered.
	3.9.5		5.9.5	Clarified responsibility under Welfare Act 2006.
	N/A		5.9.7	Area Team Leader replaced with Housing Department
	Caring for your property		Caring for your property	Clause deleted and information moved to 3.9.3
	3.10.1		5.10.1	Heading renumbered.
	3.10.2		5.10.2	Information added that tenants are responsible for contacting us regarding repairs which are our responsibility. Information added to include some common examples of repairs that are the tenant`s responsibility. Clause renumbered.
				Balcony added. Clarifies that it is the tenant`s responsibility. Clause renumbered.

3.11	3.10.4	5.11	N/A	New clause added to cover condensation and what we expect tenants to do.
	3.10.5		5.10.4	Existing clause renumbered. Minor rewording.
	Letting us into your home		Letting us into your home	48 hours replaced with 24 hours to reflect best practice. Heading renumbered.
	3.11.1		5.11.1	Deleted reference to phone number as contact can be made in several ways. Includes reference to other incidences where access is needed for safety reasons.
	3.11.2		N/A	New clause. Information added regarding access for gas and electrical contractors to meet health and safety legislative requirements. Also includes devices for detection of smoke and carbon monoxide.
3.11.3	N/A	New clause. Information added regarding the legal process if access is refused or there is no response to contact, the risk of losing their home and costs.		

3.12	3.11.4	5.12	5.11.2	Existing clause renumbered. Information added regarding access to carry out gas checks on flues/pipework and gas appliances (owned by Council) and electrical checks to comply with legislative requirements and access for tenancy matters. Smoke and carbon monoxide checks added to 4 th bullet point.
	3.11.5		5.11.3	Existing clause renumbered. Minor rewording.
	3.11.6		5.11.4	Existing clause renumbered. Information added to cover electrics or where utilities are not available to complete the testing and confirm it is safe (where there is no credit on a gas/electric meter)
	N/A		5.11.5-5.11.6	Existing clauses deleted and replaced with new clause 3.11.3.
	Vehicles		Vehicles	Heading renumbered.
N/A		5.12.1	Clause deleted due to repetitive wording with clause 5.12.2	

3.13	3.12.2	5.13	5.12.3	Clause renumbered and information added to include emergency vehicles and contractors.
	3.12.3-3.12.7		5.12.4 -5.12.8	Clauses renumbered and SORN (Statutory Off Road Notification) and PSV (Public Service Vehicle) spelt out in full.
	Health and Safety		Health and Safety	Heading renumbered.
	3.13.2		5.13.2	Minor rewording for clarification.
	3.13.4		5.13.4	Information added that you must not tamper with fire doors as this would reduce their effectiveness in case of a fire.
	3.13.5		5.13.5	Minor rewording. Wording on shared areas expanded to include stairways and landings.
3.13.6	N/A	New Clause. Information added that you must not store any vehicle (unless a mobility aid and written permission obtained) powered by electric, diesel, paraffin within the property or shared area. For health		

<p>3.14</p>	<p>3.13.7</p> <p>Flats, maisonettes and shared areas</p> <p>3.14.1</p> <p>3.14.2</p> <p>3.14.7</p>	<p>5.14</p>	<p>N/A</p> <p>Flats, maisonettes and shared areas</p> <p>5.14.1</p> <p>N/A</p> <p>5.14.6</p>	<p>and safety reasons as this would be a fire hazard.</p> <p>New clause. Information added that the loft must not be used for storage which could pose a fire risk and impact loft insulation requirements. Loft insulation can be crushed by stored items which makes it ineffective and can result in heat loss through roof. Storing items in a loft can restrict access to water tanks and pipework in an emergency. Access to the loft is therefore restricted to Council staff and Contractors.</p> <p>Heading renumbered.</p> <p>Information added that you must be considerate of your neighbour. Clause renumbered.</p> <p>New clause. Information stating that items must not be kept in communal areas. This would pose a fire hazard.</p> <p>Minor rewording</p>
--------------------	---	--------------------	---	--

<p>3.15</p>	<p>3.14.9</p> <p>Insurance</p> <p>3.15.1</p>	<p>3.15</p>	<p>N/A</p> <p>Insurance</p> <p>N/A</p>	<p>New clause. Information added that balconies must be kept free from combustible materials, barbeques and electrical goods. For health and safety as these all pose a fire hazard.</p> <p>New section added to cover insurance.</p> <p>New clause. To provide information to tenants that we do not have any responsibility for insuring tenants' personal belongings and that they should take out full contents insurance.</p>
<p>4</p> <p>4.1</p>	<p>Ending the tenancy</p> <p>4.1 If you want to end the tenancy</p> <p>4.1.1</p> <p>4.1.2</p>	<p>6</p>	<p>Common Clauses</p> <p>6.1 Ending the tenancy (break clause)</p> <p>6.1.1</p> <p>N/A</p>	<p>Heading reworded for simplification Heading renumbered.</p> <p>Additional information added that a forwarding address is required for contact purposes. Deleted reference to lifetime as it has no statutory meaning.</p> <p>New clause to clarify that any rent arrears must be paid prior to ending tenancy.</p>

4.2	N/A	6.2	6.1.2-6.1.3	Clauses deleted as the Council no longer offers flexible tenancies.
	4.1.4		6.1.4	Deletion of last sentence as discretion will apply if necessary.
	4.1.7		6.1.7	Information added that rent will continue to be charged until vacant possession. Clause renumbered.
	4.1.8		6.1.8	Minor rewording for simplification. Clause renumbered.
	If we want to end the tenancy		If we want to end the tenancy.	Heading renumbered.
N/A		6.2.1 to 6.2.6	Existing clauses deleted to allow for clearer rewording on how to end the tenancy. Some information is no longer relevant e.g. we no longer offer flexible tenancies.	
4.2.1-4.2.6		N/A	New clauses reworded to explain more clearly the process if we take legal action to end the tenancy.	

				Head of Housing replaced with Housing Department
5	Death of a Tenant 5.1	7	Death of a Tenant Existing unnumbered paragraph	Paragraph shortened to simplify and reference to sole tenant added. Information added that other debts owed to the Council can also be recovered from the estate. Paragraph numbered.
6.	Joint Tenancy 6.1	8.	Joint Tenants Existing unnumbered paragraph	Minor rewording of heading. Paragraph shortened and information added that joint a joint tenancy will not be granted once tenancy has begun. Paragraph numbered.
7	Succession 7.1 to 7.5	9.	Succession Existing unnumbered paragraphs	Paragraphs updated to reflect Council's Succession Policy available on the Council's website and legislative requirements. We do not offer discretionary succession to ensure a fair, transparent and consistent approach to tenancy allocation and the effective management of limited housing stock. Reference to flexible tenancy deleted as Council no longer offers these.

			Agreement	Deleted and moved to front of tenancy agreement in a revised format.
			Pet Policy Appendix 1	Deleted, to be simplified and moved to Council`s website alongside other housing policies. Will be available in other formats.