

# TENANTS' AND LEASEHOLDERS' CONSULTATIVE FORUM MINUTES

## 25 FEBRUARY 2010

**Chairman:** \* Councillor Barry Macleod-Cullinane

**Councillors:** \* Bob Currie \* Yogesh Teli  
\* Phillip O'Dell

\* Denotes Member present

### RESOLVED ITEM

#### 248. INFORMATION REPORT - Introductory and Demoted Tenancies

An officer introduced a report of the Interim Divisional Director Housing, which set out proposals for introducing Introductory and Demoted Tenancy regimes for council tenancies.

The officer advised that Introductory Tenancies would apply to all future tenants for a period of 12 months. She added that:

- if an Introductory Tenancy agreement had not been breached, it would automatically become a secure tenancy;
- if the tenancy agreement had been breached, the Council would have discretion to extend the Introductory Tenancy for a further 6 months, or issue a Notice of Possession Proceedings (NOPP);
- Introductory Tenants did not have the right to buy or improve their home or exchange their home with another tenant or sub-let part of the property or take in a lodger;

- an appeals process would allow Introductory tenants to request a review of the Council's decision to issue a NOPP. This would be within 14 days of serving the notice.

The Forum noted that Demoted Tenancies were introduced by the Anti Social Behaviour Act 2003 and provided for social landlords to apply to court to demote an otherwise secure tenancy. It was also noted that:

- if anti social behaviour (ASB) continued after the tenancy was demoted, the landlord could seek possession of the property;
- Demoted Tenants did not have the right to buy or improve their home or exchange their home with another tenant or sub-let part of the property or take in a lodger;
- the demotion period would last for 12 months. This could be extended if possession was sought during this period;
- tenants could appeal and request a review of their case within 14 days of receiving notice to demote the tenancy.

In response to a question by a TRA representative, an officer stated that:

- the new regimes would be a legal means to enforce the rules;
- the proposals would be subject to consultation in conjunction with the report on Dangerous Dogs in Social Housing.

An informal vote took place on the opinions of the TRA representatives present, as to whether the regimes should be introduced. The representatives voted unanimously in favour of the Introductory and Demoted Tenancy regimes.

**RESOLVED:** That the report be noted.