

ASRA believes that everybody has the right to a life free from the fear of domestic violence. If you are being threatened or abused we can help you.

Who can succeed my tenancy if I die?

A partner or close relative can take over your tenancy agreement if:

- a. **You have not already succeeded to the tenancy yourself;**
- b. **They were living in the property as their permanent residence at the time (relatives, other than partners must have lived with you continuously for at least 12 months before your death).**
- c. **They are over 18 years of age.**

Proof will be required for all of the above.

Where there is no automatic right to succession, ASRA will treat any application sympathetically, and consider special circumstances.

Normally succession applies to the deceased's surviving partner or spouse who may not have been named as a joint tenant. Other relatives are also eligible if they were a permanent member of the deceased's household.

A joint tenancy automatically transfers to a surviving joint tenant. The successor will need to contact ASRA to arrange the succession.

Where a succession would result in a property being under occupied, for example by a single person living in a two-bedroom flat or house, we may require the successor to move to smaller accommodation.

Can I sub-let part of my house/ take in a lodger?

Yes, unless this would cause overcrowding, or if we intend to carry out improvements works, which would affect the part to be occupied by the sub-tenant or lodger.

You must get our written permission before sub-letting or taking in a lodger. If you are under occupying your home (in other words it is too large for you) then you may prefer to move to a smaller property. Contact your housing officer about a possible transfer.

You should check with your housing benefit office if claiming benefit as your entitlement could be affected.

What is an assignment? Can I assign my tenancy?

Assignment is the signing over of a tenancy from one named tenant to another. The new tenant takes over the rights and obligations set out in the tenancy agreement. It is normally not possible to assign a tenancy to someone else.

The only exceptions are assignment by way of an agreed Mutual Exchange or under a court order in the case of a relationship breakdown. If you are considering this you must contact your housing officer.

What happens if I change my name?

You should notify us in writing. You will need to provide the original relevant documents such as a marriage certificate or deed poll certificate. If posting, please send by secured delivery.

What if I want to leave home temporarily?

There may be times when you need to leave your home for a long period of time but will be returning. For example you may need to go into hospital or to go abroad.

You must tell us before you go, and give us some idea when you think you will be back. You must also tell us if someone will be staying in your home while you are away and what arrangements you have made for paying your rent.

If rent arrears build up while you are away, they are still your responsibility. If we do not know about your arrangements we may believe that you have left permanently and take steps to repossess your home. You must also inform the benefit agencies in line with their regulations.



Noise and nuisance

Your tenancy agreement states that tenants must not cause nuisance to their neighbours. Nuisance includes persistent and excessive noise, disturbance or abusive behaviour, which causes distress to others.

What to Do

Be tolerant.

Tenants are expected to be tolerant of their neighbours, and to recognise that people have different lifestyles.

Talk to your neighbour.

People often do not realise they are disturbing their neighbours. The first step to take is to explain to them politely that they are causing a problem.

Talk to us.

If the problem continues, contact your housing officer. We have well-developed ways of dealing with complaints about noise and nuisance. Your local council may also be able to help. To support your complaint you may need to keep a diary of events. We have a form you can use.

Use a Mediation Service.

Many neighbour problems can be sorted out by talking and coming to an agreement. Independent mediators can help everyone involved come to an agreement. We can tell you if there are any mediators in your area. The service is free and confidential. Remember both sides must agree to go.



Living in your home



Being a Good Neighbour

It is important that neighbours think how their actions can affect other people.

Sound.

Control the volume of sound from radios, music systems and televisions. Do not put these systems against shared walls. Where possible use headphones.

Housework.

Make sure you mow lawns, use washing machines and do housework at reasonable times of the day.

Dogs.

If you have a dog, do not leave it barking constantly in the home or out in the garden, and clear up any mess it makes.

Do-It-Yourself.

Warn neighbours when you are going to do something noisy such as drilling or hammering.

Children.

Make sure your children do not annoy your neighbours.

Cars.

Try to be quiet when returning home late or setting off early; do not rev engines, hoot horns or slam doors.

Living in flats

If you live in a flat, bedsit or maisonette you need to treat your neighbours with special consideration and respect, and to look after common areas.

Respecting your neighbours

Keep the volume of sound from music systems, radios and televisions at reasonable levels

Use refuse collection areas properly and make sure surrounding areas are left tidy.

Do not put cardboard boxes or sharp objects down refuse chutes. They can block or cause damage to the chutes.

Do not allow anything to be thrown or dropped from balconies, windows, landings or corridors.

Health & Safety

Landings and stairwells.

Keep these clear. Don't leave anything outside your flat or in a common area, for example prams or bicycles.

Heaters and cookers.

You must not use or store bottled gas, paraffin, petrol or other flammable substances.

Vermin.

Do not leave out any food or rubbish which could attract animals and birds.

Communal areas and facilities

Cleaning.

In most areas a contractor or caretaker will clean staircases, corridors, hallways and landings. However tenants are expected to keep common areas tidy and let us know if there are any problems.

Repairs.

We rely on tenants to tell us about repairs or problems with lighting. They should be reported in the same way as other repairs.

Communal gardens.

These are provided for everyone in the block. You and your family are expected to help us keep them tidy.

Door entry systems.

These should be used properly in order to maintain the security of buildings. Never leave the door open or propped open.

Fire doors.

These must be kept closed at all times. Do not wedge them open for any reason.

Living in your home

Your garden

If you have a garden, you are responsible for:

- ▶ Keeping the garden tidy and free of rubbish.
- ▶ Trimming or lopping any shrubs, hedges or trees to make sure they do not become a nuisance to neighbours.
- ▶ Composting any garden waste or using any "organic waste" bins provided by your Council.
- ▶ Maintaining and replacing fencing between neighbouring gardens and any garden features such as patios or terraces.

Please note that you need our written permission to cut down a tree, to put up a shed, greenhouse, conservatory or garage; or to put up a wall or fence next to a road or around an open plan area.

We will carry out maintenance to:

- ▶ Communal and open areas we own.
- ▶ Main paths leading to your front door.
- ▶ Main path leading to your back door from public alleyway or street.
- ▶ Outhouses provided by us.
- ▶ Walls or fences which separate homes from communal areas or public paths or roads.

Parking and Cars

You must not park any vehicle in your garden or on a garage forecourt area, unless you already have our permission to do so.

Your car may be removed if it is untaxed, if it is causing danger or an obstruction or if you park illegally on pavements, paths or verges.

You must not do major car repairs in parking areas or your driveway or on the roadside.

You must not park a large commercial vehicle, caravan, boat, trailer or mobile home in any communal parking areas.

Pets

You cannot keep a dog or cat in a flat unless it is a dog trained for a disabled person, or you have direct access to a private garden.

If you live in sheltered housing, you may be able to keep a cat or small dog provided you get our permission in writing.

You must make sure your pets cannot escape or annoy your neighbours.

Joint tenancies

If you have been given a joint tenancy with your partner, you will each have equal rights over the tenancy and will both be responsible for meeting the obligations involved, such as paying the rent regularly.

How is a joint tenancy ended?

In the first instance you need to seek the advice of your housing officer. If both tenants are in agreement, then a Deed of Release form can be signed. However if both of you are not in agreement and only one wishes to give up the tenancy, then the only course of action is to serve a Tenants Notice to Quit. Advice on the procedure and the relevant forms are available from your housing officers.

How do I change a sole tenancy to a joint tenancy?

You will need to provide evidence that your partner has lived with you for at least one year. Then we will decide whether we can grant a joint tenancy. A new joint tenancy will not be granted if there are any outstanding rent arrears.

The application should be made to your housing officer.

What happens if my relationship breaks down?

Act quickly to protect your rights. Only a court has the power to force you to move out of your home. If you are worried, call your housing officer to discuss the matter.

How does a break up affect our tenancy?

Joint tenants have equal rights to remain in the home but either one may end the tenancy. We may transfer the tenancy to the remaining partner if you both agree to this in writing.

If you are not joint tenants, the person named on the tenancy agreement has the right to ask their partner to leave the home. However, a married partner can stay until a court decides who must leave.

If you are not joint tenants and the person named on the tenancy agreement leaves the home; the remaining partner does not automatically have the right to stay.

If you have children living with you, a court will put their interests first to make sure they do not become homeless. The court will usually give the tenancy to the parent who has the main care and responsibility for the children.

How can I get help?

Contact us. We are happy to discuss how your situation may affect your tenancy with us. The details of any conversation you have with us will be confidential.

You can also go to a specialist who can advise you about your particular situation. For example:

- ▶ **Relate**
(relationship counselling) for family problems
- ▶ **The Council's Housing Department**
about your housing options
- ▶ **A solicitor**
for your legal rights

What can I do if I am the victim of domestic violence?

If you are threatened with, or subjected to, acts of violence from members of your household or an ex-partner, you may want help and advice. If you want to move, your housing officer can advise you on your options and on the availability of local support services. Most police stations have domestic violence units with specially trained staff. Also you can contact a "family law" solicitor or a local Domestic Violence Helpline in your area. These are usually free.