

Know your rights

What is a tenancy agreement?

Your tenancy agreement covers the terms and conditions of your tenancy in detail. It is a legal document and both you and ASRA are bound by it.

What type of tenancy will I have?

All new ASRA tenants from 15th January 1989 have assured tenancies.

You will have a secure tenancy if you have been a tenant with ASRA since before 15th January 1989. You may have changed homes within that time, but not stopped being an ASRA tenant.

You will have an assured tenancy if you became an ASRA tenant after 15th January 1989.

Under Acts of Parliament, you have similar rights with both types of tenancies:

You can stay in the property for as long as you wish provided it is your main home and you do not break the terms of the tenancy agreement.

You cannot be asked to leave your home except by a Court Order.

What are assured shorthold tenancies?

Assured shorthold tenancies are for a fixed period of not less than six months. The Association must give two months notice to bring the tenancy to an end. There are a number of exceptions, which are set out in the assured shorthold tenancy agreement.

What is the Tenants Charter?

Most of the rights of assured tenants are included in the Housing Corporation's Tenant's Charter, which has been adopted by ASRA. A copy is given to you when you become a tenant.

Can I live in more than one home?

The property you rent from us must be your only or principal home. This means you cannot:

- ▶ Let out the whole of your home or move somewhere else



- ▶ Give your home away to someone else
- ▶ Leave your home for a long time without letting us know that you intend to return.

What happens if I break my tenancy?

If you break the terms of your tenancy agreement, for example by not paying your rent or causing anti-social behaviour, you and your family can be made to leave your home. We do not want this to happen. Your housing officer can provide you with support and advice.

If you do not correct the situation following discussions with your housing officer, we will take you to court to make you leave your home. There is a fixed process for this.

We must deliver a legal "Notice" to you. This gives the reasons for taking action against you, and a date after which we can start taking action to go to court.

If we decide to take court action, the court will write to you giving a date for the court hearing.

At the hearing, the court will allow you to put your case and will then decide whether you have to leave your home.

Can I buy my property?

The sale of ASRA property is governed by regulations set by the Housing Corporation. Currently ASRA operates the Right to Acquire scheme.

Who has the Right to Acquire?

Eligible secure and assured tenants living in a property which qualifies for the scheme as explained below.

To qualify, the property must have been built or purchased by ASRA, on or after 1 April 1997 through grant provided by the Housing Corporation or a local authority.

As well as occupying a qualifying property you must also:

- ▶ Have been an ASRA tenant (or a registered tenant with another housing association or council) for at least two years or for at least five years if your current tenancy started on or after 18 January 2005
- ▶ Be the legal tenant of the property
- ▶ Live in a house or flat, which is your only home, and be a secure or an assured tenant
- ▶ Not be obliged to give up possession of the tenanted property in pursuance of a court order, eg. for rent arrears
- ▶ Not be an undischarged bankrupt or have a bankruptcy petition pending against you.

The Right to Acquire does not extend to tenants of "sheltered" housing for the elderly or dwellings particularly suitable or purpose built for the physically disabled. Other properties built for those with special needs or for those requiring intensive housing support are also excluded.

How do I apply for this scheme?

If you think you qualify for the scheme, you should write to your Housing Officer. You will need to complete an application form. Once you have completed the form you must sign and date it and send it to us. If you are a joint tenant, the other tenant must also sign the form.

The cost of buying your own home

It is important to give careful thought to the costs and responsibilities of buying your own home. You will need to do some careful calculations to help you decide how much you can afford to spend on buying and running a home. You may also want to contact a housing advice centre for guidance. Here is a list of some of the costs you will have to meet:

Initial costs at purchase

Survey and legal costs
Stamp duty
Land registry

Long Term Costs

Mortgage repayments
Insurance
Service charges
Repairs and maintenance
Other expenses:

- ▶ Council tax
- ▶ Water and sewage charges
- ▶ Utility costs
- ▶ Contents insurance

