

# Your rights and responsibilities





Your rights and responsibilities as a tenant of the Community Gateway Association should have been explained to you when you signed your Tenancy Agreement.

### **10.1 Rights for assured tenants include:**

#### a) Right to occupy your home

You have the right to occupy your home without interference from us. But you must give us access to carry out repairs, servicing work and general inspections of the property. We will give you reasonable notice of any such visit.

You have the right to stay in your home for as long as you want to providing that you keep to the terms of your tenancy agreement.

We will only take back your home if there is a legal reason to do so, for example, you do not pay your rent or you cause harassment or nuisance to neighbours. We must apply to the court for a possession order before you can be evicted.

#### b) Right to joint tenancies

You have the right to be a joint tenant with your partner or up to three other adults who normally live with you.

Where more than one person is the tenant, each tenant is fully liable for all obligations under the tenancy agreement. For example, if there are arrears of rent, you and every other joint tenant would be individually liable for the whole amount.

If you want to apply for a joint tenancy, contact your Neighbourhood Housing Team.

#### c) Right to take in lodgers or sub-let your home

You have the right to take in lodgers providing that this does not overcrowd your home. The maximum number of people allowed to live in your home is stated in your tenancy agreement.

You can also sub-let part of your home, but you must remain living in the rest of the property yourself. You must also get our permission in writing before you sub-let.



If you are receiving Housing Benefit and you either take in lodgers or sub-let your home, your benefit entitlement may be affected. Contact Preston City Council's Housing Benefits section for further information about this.

#### d) Right to Succeed

If you die, your tenancy can be automatically transferred to either:

- Your wife or husband - if they were living in your home when you died
- A close relative or your co-habitee - if they were living in the property for at least a year before your death.

The Right to Succeed is only allowed once. If you succeeded to the tenancy yourself, there is no further right to succeed (unless this succession happened before your home was transferred from Preston City Council to the Community Gateway Association).

To find out more about succession, contact your Neighbourhood Housing Team.

#### e) Right to Mutual Exchange (swap homes)

You have the right to swap your home with another Community Gateway Association tenant, a tenant of another housing association or council tenant.

You must get our permission in writing before you do this and you may have to comply with certain conditions before an exchange is possible.

Please ask for our *Find out about... swapping your home* leaflet for further details.

#### f) Right to make improvements

You may carry out improvement work to your home, but you must get our written permission before you start any work. We will not unreasonably refuse permission for improvements or changes, but we may impose certain conditions. In some cases you will also need to get planning permission or building regulation approval from Preston City Council so please contact us for advice. If you do carry out improvements with our permission and then leave your home, you may be entitled to some compensation for the work you have carried out. Please ask for our *Find out about... your right to compensation for improvements* leaflet for further details.



#### g) Right to repair

You have a right to arrange your own repairs under the 'Right to Repair' scheme - but only if we fail to repair something within the set time periods and you have allowed us reasonable time to get in to do the job.

The rules are complex, so contact the Gateway Repair Line on 0800 953 0213 for advice first. Do not get someone else to do the repair without discussing it with us first, otherwise we may not pay the bill.

Please ask for a copy of our *Find out about... your right to repair* leaflet for further information.

#### h) Preserved Right to Buy

If you had the right to buy your home before transfer, then you continue to have the 'Preserved Right to Buy' your home.

#### i) Right to Acquire

As a tenant of the Community Gateway Association you have the 'Right to Acquire' your home, unless you live in certain types of housing, such as sheltered housing, which is excluded from the legislation.

For further details about the 'Preserved Right to Buy' and the 'Right to Acquire', ask for a copy of our *Find out about... buying your home* leaflet.

## 10.2 Starter tenancies

If you have a starter tenancy, you have fewer rights than an assured tenant. This will have been explained to you when you signed up for the tenancy but if you want any further information please contact your Neighbourhood Housing Team.

If you have a starter tenancy the right to occupy your home only applies to the length of your tenancy.

## 10.3 Responsibilities for all tenants include:

#### a) Your tenancy

You are responsible for keeping to the terms of your tenancy agreement which include:

- Paying your rent on time
- Reporting repairs and faults to us that are our responsibility to carry out



- Allowing us access to carry out repairs and any servicing work, especially the annual gas service work
- Not behaving in an abusive, aggressive or threatening way to any of our staff or contractors
- Not to harass or cause a nuisance to neighbours or other residents
- Living in your home as your main or only home and not using it, or allowing it to be used, for any illegal activity
- Not using your home as a base for running a business without our written permission
- Writing to let us know if you are going to be away from your home for more than 28 days.

#### b) Your home

You are responsible for the general care of your home including:

- Internal decorations
- Keeping your home in a clean and tidy condition
- Minor repairs (see section 12 - What repairs am I responsible for?)

- Paying for chargeable repairs (see section 12 - Charging you for repairs)

- Your garden - including hedges.

#### c) Being a good neighbour

You must make sure that you, and anyone living in or visiting your property, do not cause a nuisance and annoyance, anti-social behaviour or domestic violence to anyone else.

We take anti-social behaviour very seriously and will take action against those responsible if necessary. This could result in us regaining possession of your home. See section 13 - Nuisance & Anti-Social Behaviour, for more details on our policy and action we can take.

Being a good neighbour includes:

- Not playing loud music or making excessive noise that may disturb them
- Being co-operative if a neighbour asks you to reduce noise
- Not using your home for illegal or immoral purposes



- Keeping your pets under control
- Parking so as not to restrict access to other people's homes.

If you live in a flat it is also important that you:

- Remember how closely you are living to other people and keep noise down, especially late at night
- Co-operate with your neighbours to keep communal hallways, stairs, landings and balconies clean
- Keep all passageways free from obstruction
- Do not throw anything from landings, balconies or windows
- Do not block communal refuse chutes
- Shut communal entrance doors behind you
- Never let anyone into the block who you don't recognise
- Don't use paraffin or gas heaters in your flat as they are a fire risk.

- d) Not keeping to your responsibilities

If you don't keep to the responsibilities listed above (and to those given in more detail in your tenancy agreement), you have broken your tenancy agreement.

We will work with you to try to sort out minor breaches. For example, if you had neglected your garden but responded to our request to maintain it, that would put the matter right.

But for more serious breaches, like allowing your home to be used as a base for selling illegal drugs, we would take legal action and ask the court to give us back possession of the property.

For more information about any of your rights or responsibilities please contact your Neighbourhood Housing Team.