

The exact form of tenancy you have will depend on whether the property is a South Western Housing Society or Tamar Housing Society property. The type of tenancy you have will also depend on when you signed your tenancy and the types of tenancy offered at that time. To be sure of which type you have, you should refer to your tenancy agreement. The basic types are set out below:-

- Prior to 1989 all residents were granted a secure tenancy on a fair rent.
- From 1989 to 2012 all residents were granted an assured tenancy on a social rent.
- From 2012 some existing social housing tenants were granted an assured tenancy on a social or affordable rent.
- From 2012 to 2021 any resident who was not already an existing social housing tenant, was granted a 6 to 9 year fixed term tenancy , either on a social or affordable rent, with a starter year.
- From 2021, all residents are offered either:
  - a) A starter tenancy for any applicants new to Social Housing.
  - b) An assured tenancy to applicants who are existing social housing tenants.

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- Rentplus residents are granted a Fixed Term tenancy on an affordable or affordable intermediate rent, normally for 5 years.

## Rent Setting

How rents are set for each type of tenancy is set out in the leaflet "Rents".

## Secure Tenancy

This type of tenancy is no longer offered to new applicants. It allows you to stay in your home for life, as long as you do not breach the tenancy. The maximum rent is set by the rent officer rather than by Willow Tree Housing Partnership Limited (WTHP).

## Assured Tenancy

This type of tenancy allows you to stay in your home for life, so long as you do not breach the tenancy. The rent can either be a social rent or an affordable rent.

## Fixed Term Tenancy

WTHP no longer offers fixed term tenancies, except for Rentplus homes. If you are on an existing fixed term tenancy, you will be granted an assured tenancy when the fixed term comes to an end.

For Rentplus homes at the end of a fixed term tenancy, a new fixed term tenancy may be granted, usually for a further 5 year term depending on circumstances.

## Starter Tenancy

All new residents who were not an existing social housing tenant will be granted a starter tenancy for their first year with WTHP. This limits your rights to assign your tenancy and can be brought to an end should the tenancy agreement be broken, for example, because of anti-social behaviour or rent arrears.

## Adding or Removing a Name from the Tenancy

If you are a sole tenant and you wish to create a joint tenancy, the additional resident needs to provide documented evidence that they have used the property as their main and principle home for the previous 12 months. To do this you should contact the office if you want to add someone to your tenancy.

If you are a joint tenant and your relationship breaks down, you should seek advice from Shelter or a Solicitor. If an agreement is made on who should retain the tenancy, this can be arranged, otherwise you may need to go to Court to resolve who should have the tenancy. WTHP cannot make this decision.

## Succession of Tenancy

In some cases, when a tenant dies, the tenancy can pass to another family member, although this can only happen once. This is called Succession. The people who may be able to take over the tenancy are:

- another joint tenant
- the tenant's spouse, civil partner or long term partner (including same sex partner)
- the son or daughter of the tenant (including adopted children)
- a close member of the tenant's family

The rights to succession are limited to spouses and long term partners for Rentplus tenants.

Except for a joint tenant, spouse or civil partner, the person taking on the tenancy must have been living at the property for 12 months, prior to the death of the tenant. In cases where the property is too large for the remaining family, we will support you to find more suitable sized accommodation.

If the tenant dies, the next of kin should contact us to find out whether succession may be possible.

## Assignment of Tenancy

In some circumstances it may be possible to pass your tenancy to another person (Rentplus tenants are unable to assign their tenancy). Generally the only people who you can pass the tenancy to are:

- a joint tenant
- your spouse or civil partner
- your long term partner (including same sex partner)
- your son or daughter (including adopted children)
- a close member of your family

Except for a joint tenant or spouse, the person taking on the tenancy must have been living with the tenant for 12 months, prior to the transfer of the tenancy. You may not be able to pass on the tenancy in this way if the property is too large for the remaining family. Contact the office if you think you may want to assign your tenancy.

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