

Meeting Housing Need  
in Windlaw

# Managing Your Tenancy

**NORTH VIEW**  
Housing Association

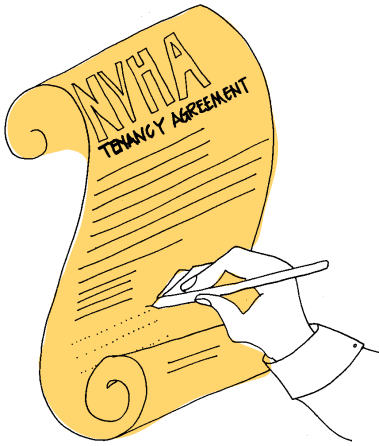
Registered as a Scottish charity (SC032963)

**North View Housing Association aims to provide a high quality service that is responsive to the needs of its tenants and customers.**

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*Your Tenancy Agreement is a legal contract between you and North View*

## TENANCY AGREEMENT

**We offer the most secure form of tenancy compatible with the purpose of the housing. The agreement makes clear the rights and duties of the tenant and landlord. We act to uphold these rights and duties in a fair and responsible manner.**

The Tenancy Agreement, which most tenants sign, is known as a Scottish Secure Tenancy Agreement. It is a comprehensive legal document that contains all the terms of your tenancy and sets out the rights and responsibilities of you (the tenant) and North View (the landlord). Other names for a Tenancy Agreement can be 'Missive Of Let' or 'Lease'. The Tenancy Agreement is a contract between North View Housing Association and the tenant (or joint tenants).

This Section of your Handbook briefly sets the main provisions of the Agreement, and also covers the options available to you should you want to move house. You should refer to your Tenancy Agreement, or contact your Housing Officer for more information.

## YOUR TENANCY

We hope that you will enjoy living in the area and that you will be happy in your new home, but managing a tenancy and running a house isn't always plain sailing. Sometimes you may find that you aren't coping with things as well as you'd like to. We are keen for you to keep your rent up to date, but we also want you to make a go of your tenancy, so if you do find yourself in difficulty, tell us. We may be able to help.

If we can't help, we should be able to signpost you to organisations that can, but start with us first. Our Welfare Rights Officer can carry out a benefits check to make sure you are getting all the benefits that you are entitled to, as well as giving you advice and information on governmental schemes, and presenting your case before benefit appeal tribunals. We can arrange for you to meet someone about managing your finances and



*We may be able to help you if you are having a few problems managing your Tenancy*

debt counselling, and may even be able to get an organisation to come in and give you support to manage your tenancy for as long as you need it. But the important thing is, if you find yourself needing help, let us know. We will do what we can to help you.

## STARTING YOUR TENANCY

### Signing up

When you signed your tenancy, you will have met with one of our staff from our Housing Management Section. They will have taken you through the conditions set out in the Tenancy Agreement and discussed a whole load of other stuff. There is so much to cover that it can all become a bit overwhelming, so if after you've signed you think "What did she say about that?" or "What does this mean?" or "I wish I had asked about that!", then get in touch with us.

When you have signed your Tenancy Agreement, you'll get a pack to take away with you. This Tenant's Handbook will be in that pack, but it will also include your Tenancy Agreement, a letter explaining your 'right to buy' entitlement, a leaflet about taking out household insurance, and, if there are gas appliances in your new property, the current landlord's gas inspection certificate.

Please check to make sure that you have got all these documents. If any are missing, contact your Housing Officer.

### Things to do

At the start of your tenancy there are practical things you need to do, like:-

- **take meter readings.**
- **inform the power supplier that you are now the tenant and set up an account with them.**

- **arrange for our Maintenance Officer to call in to show you how to operate your central heating.**
- **make a note of our emergency repairs number and keep it in a safe place.**
- **apply to Glasgow City Council for housing benefit – if you qualify for it.**
- **if you are moving up a close find out when it's your turn to clean the landing and stairs, and take your turn when it comes round.**
- **find out what day the bins are uplifted and take your bin to and from the designated collection point at the appropriate times.**

## USE OF PROPERTY AND COMMON PARTS

### Who lives there

You will have listed the people who will be staying in your home when you signed your Tenancy Agreement. We need to keep this list up to date, so let us know if someone moves out, or someone moves in.

### Keeping the place clean and tidy

If you live up a close, make sure that you take your turn of cleaning the stair. You should also keep the backcourt and binstore clean and tidy too, but if you don't take your turn of doing the stair we can do it then bill you for it.

### Running a Business

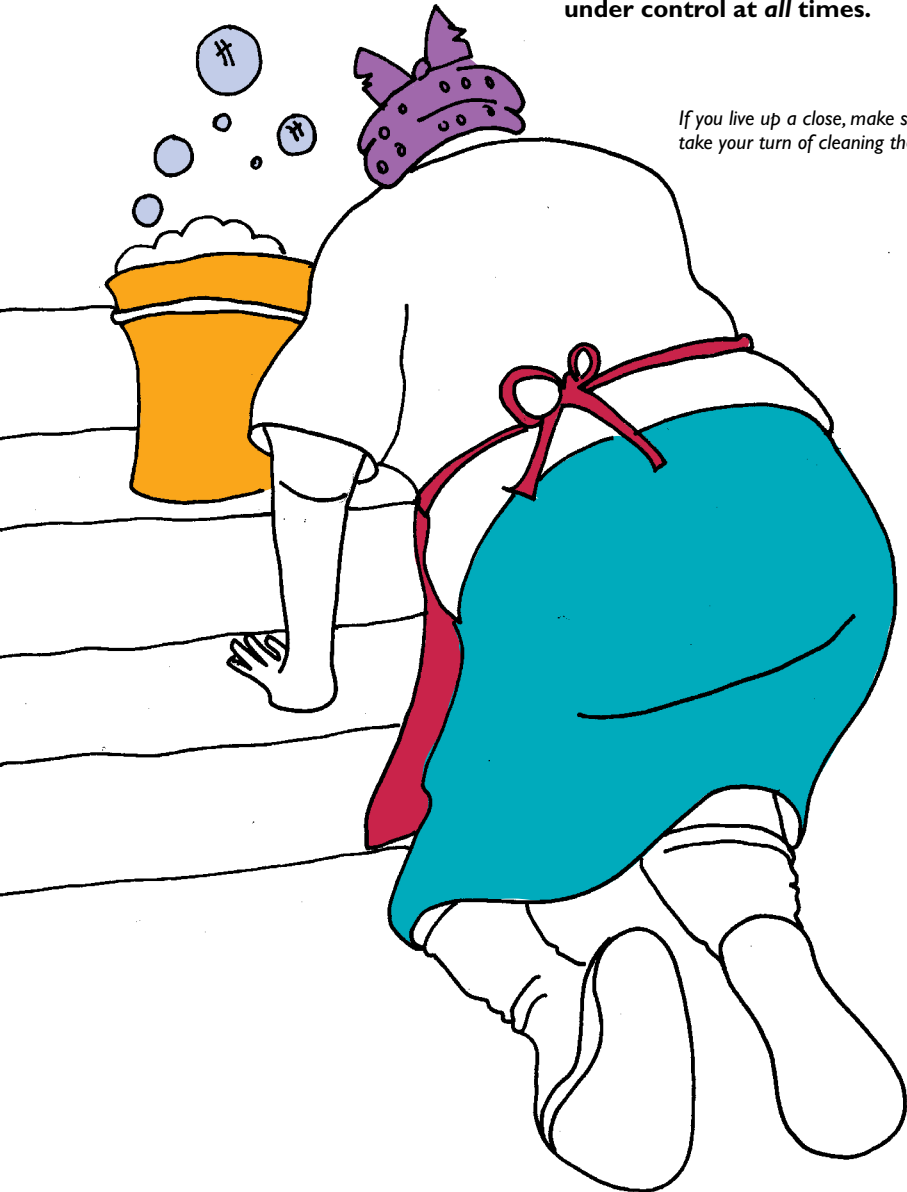
North View is committed to helping tenants maximise their incomes. If you wish to run a business from your home you must get our permission first. Permission will not be withheld unreasonably.

The Glasgow South East Regeneration Agency (GSERA) provides support and advice to Castlemilk residents who wish to start their own business. You can contact GSERA by phone on **634 1024**.

### **Pets**

You, or a member of your household, can keep pets – *as long as the keeping of the 'pet' isn't banned by law*. If anyone in your house does keep pets then they are **your** responsibility – *as you are the tenant*. **You have got to make sure they are kept under control at all times.**

*If you live up a close, make sure that you take your turn of cleaning the stair*



Make sure you always keep your pets under control



You must make sure that your pets don't cause a nuisance to your neighbours and that they don't mess all over the place. If they do, it's up to you to clean it up.

The Association may require you to remove pets if they are out of control or cause nuisance. We do not want to do that so please look after your pet responsibly.

If you are worried about stray dogs or dogs running wild you can report your concerns to the Council's Dog Warden by phoning the Council on **287 9700** and asking to get put through to Environmental Protection.

### **Contraband and Illegal Drugs**

You can't sell contraband goods – like cigarettes or alcohol – from your home. You can't use your home for illegal activities nor can you deal controlled drugs from your home.

We will take legal action to evict any tenant who is dealing in drugs or involved in illegal activities, but we need the help of concerned tenants and the Police to do this. If you suspect anyone of breaking the law, you should tell the Association and the Police.

If you have information, which would help the Police, we can arrange for you to meet the Community Police either in our Office or in your home. Whichever you prefer.

### **Gardens**

If you have a garden, it is up to you to keep it tidy. If there is no-one in your household fit enough to do this, then we can do it for you. For more information about this, refer to the bit about 'Gardens and Garden Care' in the 'Looking After Your Area' booklet of your Tenant's Handbook, or contact your Housing Officer.

## Wheelie Bins

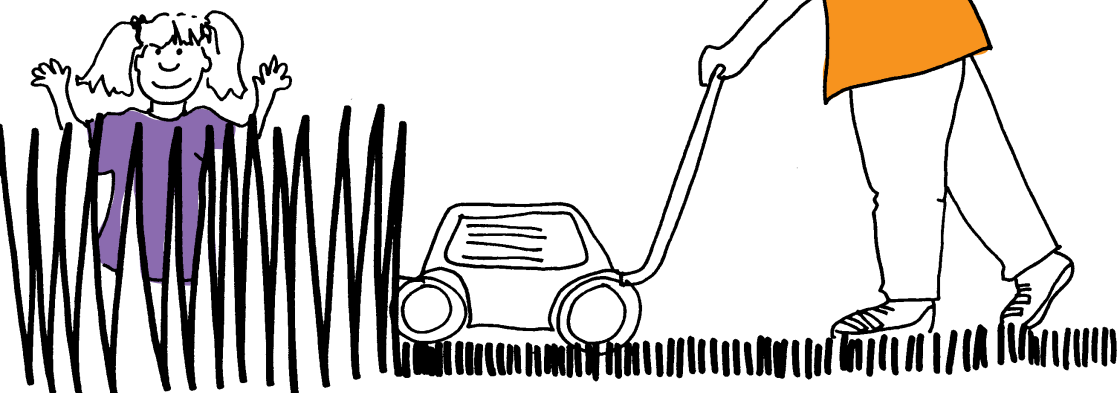
If you've got to put out your bin when the binmen come, make sure that you – or *someone in your household* – wheel it to the collection point and returns it to the bin area or your back garden once it has been emptied. Please don't take anyone else's bin.

The binmen won't take away anything that isn't in the bin, so don't dump bags of rubbish beside the bin, because it won't be taken away. Either squash it in to your bin or put it in another bin that isn't full.

North View is **not** responsible for refuse uplift. If your wheelie bin gets damaged or goes missing, or if the binmen have made a mess or not taken your bin, phone the Council on **287 9700** and report it to the Cleansing Department.

If you are unhappy with the refuse service, take it up with your local Councillor.

*Keep your garden tidy*



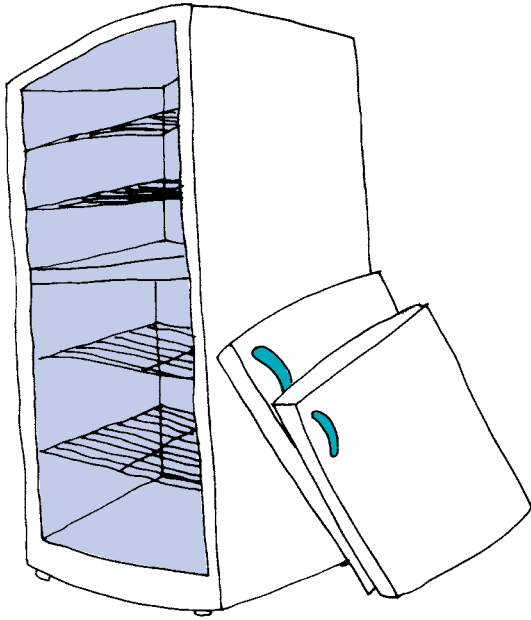
## Bulk Refuse

If you live in a flat and have a common backcourt and bin store and want rid of 'bulk items', place them in the binstore or binpath, but be careful not to block the passage way. Our contractor will take the bulk refuse items to the pavement for collection by the Council.

If you live in a house, or cottage flat and have your own garden, to get rid of bulk items you have to call Glasgow City Council on **287 9700** and arrange for them to come and uplift it.

## Fridges and Freezers

If you are getting rid of an old fridge or freezer (or anything containing HCFC gases) don't just put it out for the bulk uplift – *because it*



**Remember to take the door off the fridge before you put it out**

won't get taken. You need to arrange a special uplift by the Council.

There is no charge for the uplift, and all you need to do is call them on **287 9700** and make arrangements with them, but please remember to take the doors off any fridge or freezer before you put it out for uplift.

Alternatively instead of throwing out your old fridge or freezer, if it is in good enough condition Second Opportunities may be able to recycle it. You can get in touch with Second Opportunities by calling them on **425 1177**.

### **Parking your Car**

Occasionally, we get complaints about people who have three and four vehicles parked round about their house and people

not parking properly in parking bays. There is nothing illegal about having three or four cars or parking squinty, but it can stop your neighbours from being able to park their car near their house. Please think of your neighbours when you park your car (or cars).

## **RESPECT FOR OTHERS**

### **Being a Good Neighbour**

You have a duty to the people living round about you to let them live in peace and quiet.

You, your family, or visitors to your house should not disrupt the peace within common areas, the close, or your house. You should not cause a nuisance or disturbance to your neighbours – *particularly at night*.

If you behave in an anti social manner then the Police may prosecute you and North View may take legal action to evict you from your home as you would be in breach of your Tenancy Agreement.

### **Anti Social Behaviour**

**Anti social means “any conduct causing or likely to cause alarm, distress, nuisance, or annoyance to any person or causing damage to anyone’s property”.**

Anti social can cover a lot of things, like loud music and even the behaviour of children. If you are bothered by the noise coming from a house, then phone the Police – *as well as letting us know*. The Police may be able to sort out the problem there and then. They've got the power to remove the equipment.

With children, the “*boys will be boys*” and “*I did that when I was wee*” attitude is fine and dandy – *but only up to a point*. You are



responsible for the behaviour of your child. You must exercise reasonable control over your children. If your child makes a nuisance of themselves to other people, then you are in breach of your Tenancy Agreement. If the situation does not improve, then we can take legal action.

*Have respect for your neighbours*

If children are being allowed to cause nuisance or annoyance to other people and we become concerned about the welfare of the child, then we can contact the Social Work Department and voice our concerns to them.

We will not tolerate anti social behaviour in our area and will involve the police and other people like social work and mediation



services to sort out complaints. When we need to, we will also use Anti Social Behaviour Orders, Legal Interdicts, Parenting Orders and Anti social Behaviour Contracts to get people to behave in an acceptable manner:

### LODGERS AND SUB-LETTING

You can sub-let your home or have lodgers, as long as you obtain our written permission before making any arrangements.

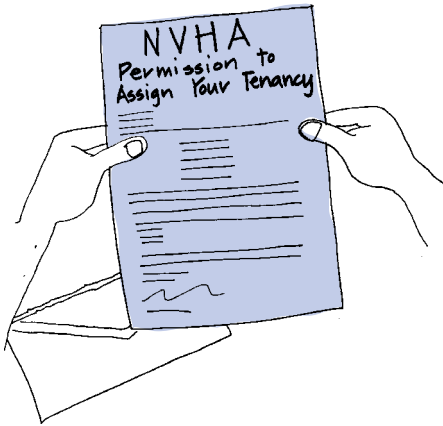
If you do sub-let or take in a lodger, you will have to pay tax on any income you make

from this arrangement and any benefit payments you receive may also be affected. You – *the tenant* – will continue to be responsible for the tenancy and making sure the rent is paid on time. North View is not obliged to provide rehousing for lodgers or persons who are sub-letting from one of our tenants.

You should think carefully before deciding to take in a lodger or sub-letting. We would suggest that you talk it over with your Housing Officer before making a final decision.



You need to get our permission **before** you can take in a lodger



You need to get our written permission **before** you can sign your tenancy over to someone else

## ASSIGNATION

It is possible for you to pass on the tenancy of your house to someone else – *this is called assigning your tenancy* – but you need to apply to us in writing and obtain our written permission to do so.

You can only assign your tenancy to someone who has lived in your house as his or her principal home for at least the six months prior to the application being made.

## JOINT TENANTS

You can apply to us to change your tenancy to a joint tenancy. We have a Form for you to complete to become joint tenants. You can pick up the Form from our Office, and the joint tenancy will come into effect once we grant permission in writing and you both sign the Tenancy Agreement.

## PERMISSIONS

If you apply to us in writing to take in a lodger; sub-let part of your home, assign your tenancy to someone else, exchange your

house, or create a joint tenancy, we will write to you within one month of us receiving all the relevant information from you and let you know our decision.

If we refuse your request we will let you know why we've refused it. If you are unhappy with our decision you can use our Complaints Procedure to complain and you can also apply to the court to have the decision overturned.

## REPAIRS AND MAINTENANCE

The Scottish Secure Tenancy places obligations on both the tenant and North View. These, and the roles and responsibilities of each party are set out in the *Repairs and Maintenance* section of the Handbook.

## LOOKING FOR A NEW HOUSE

There may come a time when you or someone in your household decides that you want to move house. This section of the booklet covers how we let our houses to both existing tenants, and residents within the tenant's household.

### **Applying for a house**

**People have a fair and open access to our Housing List and assessment process. We work with others to maximise and simplify access routes into our housing.**

Anyone of 16 years of age or over can apply for one of our houses.

All applicants fill in an Application Form. If requested, we can send a copy of the form to other housing associations in Castlemilk. They will assess your application against their Allocation Policy.

*We let a fair proportion of our houses to the people who need them most*



## **ALLOCATIONS POLICY**

We let houses in a way that gives reasonable preference to those in greatest housing need, makes best use of available stock, maximises choice and helps to sustain communities.

Our Allocations Policy governs how we let our houses and flats, and who we let them to.

Like all Registered Social Landlords, we are required by law to let houses to people

in most housing need. But we have a responsibility to meet the housing needs of our own tenants. Our tenants' housing needs will change through time and it is important that they have the opportunity to move as their needs change. So to that end, we have developed our Allocations Policy to meet the requirements of both new non tenants and current tenants, and use separate Housing Lists to help us manage the whole process.

## HOUSING LISTS

Broadly speaking, there are three groups of people that we let houses to – homeless referrals from the City Council, people who are not current tenants of North View (external applicants), and existing tenants who want to move to another one of our properties (internal applicants). We also let a small number of properties to people referred on from other agencies, but most relets go to people from these three groups.

Applicants who are not current North View tenants go on the External Housing List, while those that are North View tenants go on the Internal Housing List or the Aspirational Housing List.

### ***The Internal Housing List***

If you have a good reason and need to move to another property of a different size or type, say on medical grounds, or overcrowding, or you have bedrooms you don't need, you should join the Internal Housing List for the size of property that you require.

The Internal Housing List operates on a points system. The Association measures your housing need and gives you points for different categories of need. The more need you have, the more points you get, and the higher up the List you go. The person at the top of the List is offered the next suitably sized house that becomes available for offer to someone from the Internal Housing List.

We also use these principles to manage the External Housing List. The External Housing List is for people who are not North View tenants, so if someone in your household (other than the tenant) applies to us for housing, they will go on the External Housing List.

### ***The Aspirational Housing List***

The Aspirational Housing List is for North View tenants who want to move to a similar sized house in the area. It could be that you live in a flat, and would like to move to a house, or it could be that you want to move from Birgidale Road to Castlemilk Drive, whatever; it doesn't matter! The important thing is that the size of the property that you want to move to is the same size as the property that you are in at the moment, in that they both have the same number of apartments!

As there is no housing 'need' element (in that your current home meets your housing needs), we do not award 'housing points' for aspirational applications. Instead, we add the person to the List, and when a suitable property becomes available for offer to someone from the Aspirational Housing List, it is offered to the person who has been on the List longest.

You can't be on both the Internal Housing List and the Aspirational List at the same time; if you require a bigger house, or a smaller house, or another property because of a medical condition, then you have an element of 'housing need' and go on the Internal Housing List; whereas you go on the Aspirational Housing List if you want to move to another similar sized property in our area.

How long you have to wait for an offer depends on how high up on the List you are, how quickly properties of the required size become available, and how often offers are made to people on that List. The number of offers that are made to each List depends on how we are doing against the Quota Targets.



*Around one in four of our relets go to North View tenants. We help support the Windlaw community by giving people the opportunity to stay in the area*

## **Quotas**

When a property becomes available to let, it is offered to the person at the top of the Housing List. But, there are three Lists, so we have to decide which one to go to make the offer. We use a quota target system to help with this.

Each year we work out how many properties we think we should let to applicants from the External Housing List, the Internal Housing List, and the Aspirational List, and homeless referrals from Glasgow City Council and others. We try to make sure that every group gets a fair share of the properties. Once we are satisfied that we have got the mix right, we set percentage quota targets for each group. For example, we may decide that 30% of re-lets will be offered to

referrals from the Council, 30% will go to applicants on the External Housing List, 20% to 'internal' applicants, 10% to referrals from other organisations, and 10% to tenants on the Aspirational Housing List. It is a balancing act, and it is nigh impossible to meet all the targets each year. Because of this, we review the quota targets annually, to make sure we redress any imbalance that has occurred in the previous twelve months.

When it comes to reletting a house, we look at how we are doing against the Quota Targets and then decide which group to make the offer to. So if a property goes to one group, say the External Housing List, chances are that the next offer will go to another group, like the Internal Housing List.

## Sustaining Communities

We use the Quota System to help make sure that North View tenants get their fair share of relets. As stated earlier, the housing needs of our tenants change through time. When that happens, we want them to have the chance to move to another one of our properties, so that they can stay here, in the community. To help achieve this, we set relet quota targets for North View tenants. The target can vary a wee bit from year to year, but we usually end up with about one in four properties being allocated to North View tenants.

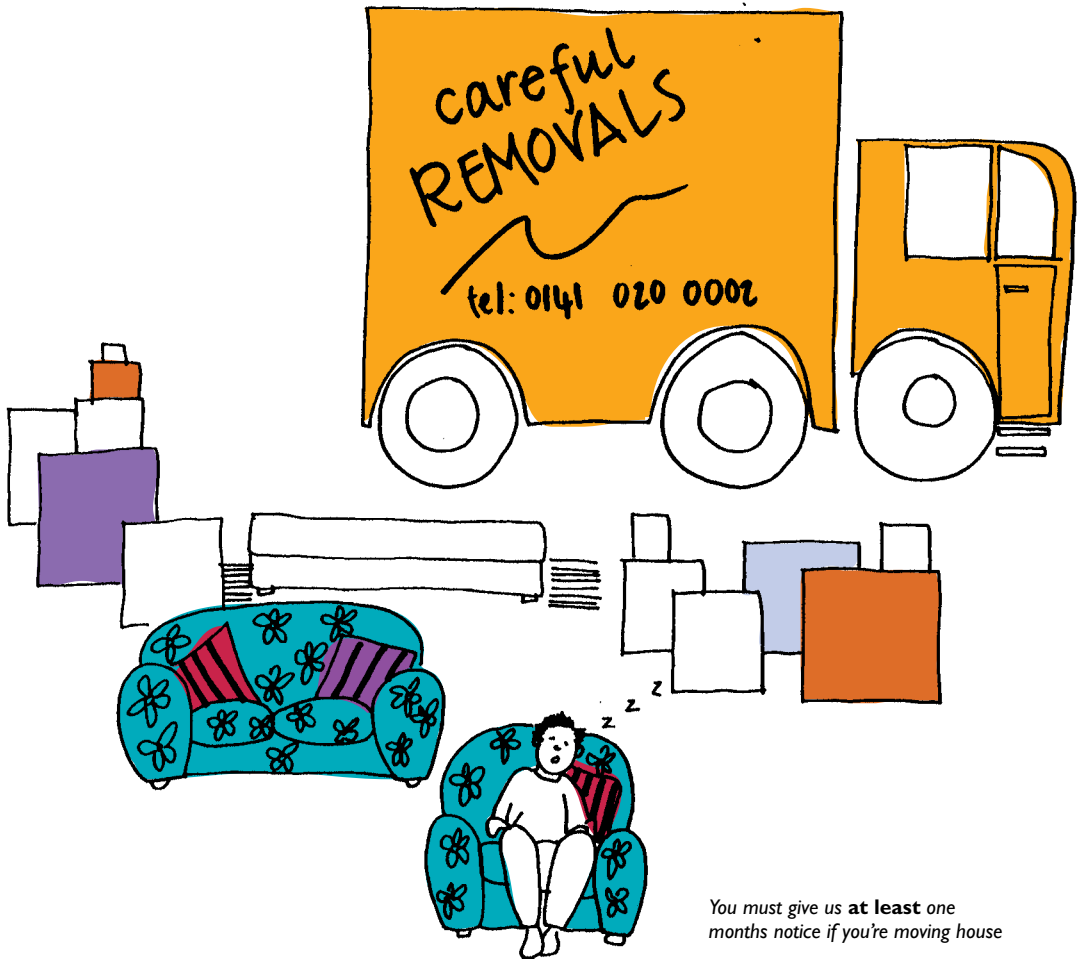
## MUTUAL EXCHANGES

You can exchange your house with a North View tenant or even someone who is a tenant of *another* social landlord. If you want to exchange your house you must write to us first and ask for our permission. We will let you know our decision within a month of receiving all the relevant information from you.

We will only refuse permission if there are reasonable grounds for us to do so. Permission will be refused if:-



*You can swap your house with a tenant of another social landlord*



You must give us **at least** one months notice if you're moving house

- either tenant has conducted their tenancy in an unsatisfactory manner.
- the other person's property is provided as part of their job – it is a tied house.
- the house has been designed, adapted or designated for people with special housing need and there is no-one in the incoming tenant's household with such need.
- we are planning to carry out work on the house which would materially affect the house.
- the exchange will result in overcrowding.

If we refuse your request we will let you know why we've refused it. If you are unhappy with our decision you can use our Complaints Procedure to complain about our decision and you can also apply to the court to have the decision overturned.



## ENDING YOUR TENANCY

A Scottish Secure Tenancy can only be ended in one of the following ways:-

1. by the tenant giving North View four weeks notice in writing that they wish to end the tenancy.
2. by the tenant and North View coming to an agreement to end the tenancy and that agreement being in writing.
3. by North View taking court action against the tenant to recover the house on one or more of the grounds specified in the Act (see 'Repossession' further on in this section).
4. by North View taking action to recover the house in the event of the tenant abandoning it.
5. by the death of the tenant and there being no-one able to meet the statutory requirements for succession (see 'The Right to Succession' further on in this section).
6. where the tenant or a member of the tenant's household is the subject of an Anti-Social Behaviour Order, and North View takes action to convert the tenancy to a Short Scottish Secure Tenancy.
7. by the tenant exercising their right to buy and purchasing the property.



*Make sure you leave your house clean and tidy*

Before you leave your house, you must:-

- **allow us access to your house before you move out to show new tenants round.**
- **check to make sure that you have paid all payments due to us.**
- **apply for any compensation you may be entitled to for carrying out improvements to the house.**
- **remove any fixtures and fittings you have installed without our written permission and put right any damage caused.**
- **do any repairs you are obliged to do.**
- **remove all your belongings.**
- **make sure any lodgers or sub-tenants leave with you.**
- **leave the house clean, tidy and in good decorative order.**
- **hand in your keys to the Office.**
- **give us a forwarding address unless there is good reason for not doing so.**

When we know that you are leaving, we will arrange for someone from the Maintenance section to inspect your house to check the condition of fixtures and fittings. Once we've completed the inspection we'll let you know if you have to do any work to the house before you leave. If this work isn't completed, we'll do it and recharge you. Similarly, if the house isn't left clean enough, we'll get it cleaned and recharge you.

If you have any furniture or floor coverings, which you do not wish to keep, you should contact the Cleansing Department who will uplift them free of charge, or if they are in reasonable condition, we can put you in touch with a furniture recycling charity that will take them.

You should return the property to us in the condition that you got it and remove any fixtures that you fitted – including laminate flooring.

## REPOSSESSION

### Eviction

We can only evict a tenant if a Sheriff has issued a Court Order allowing us to do so. We will only seek eviction if there has been a serious breach of the Tenancy Agreement. We will work hard with tenants to prevent going to court and asking the Sheriff to allow us to evict anyone, but in some cases, when all else fails, we do have to do this. The grounds, which we can use, are set out in your Tenancy Agreement.

A case can be brought if, for example, you owe rent and do not keep to any agreement to pay your rent and arrear or if you or someone residing in your house, or visiting your home has acted in an anti social manner. We will pursue court action on the grounds of anti social behaviour:

### Abandonment

If we think a house has been abandoned then we will serve an Abandonment Notice and take steps to repossess the property.

In order to prevent any misunderstanding arising, you should *always* tell us if you're going to leave your house unoccupied for any length of time. If your house will be unoccupied for *four weeks* or more, then you must let us know.

## THE RIGHT OF SUCCESSION

A Scottish Secure Tenancy can be succeeded to twice. Each time, there are three levels of priority:-

**1. first priority** goes to the surviving spouse, co-habitee of either sex (providing the house has been their only or principal home for at least 6 months before the tenant's death) or joint tenant. Same sex couples have the same rights of succession as heterosexual couples.

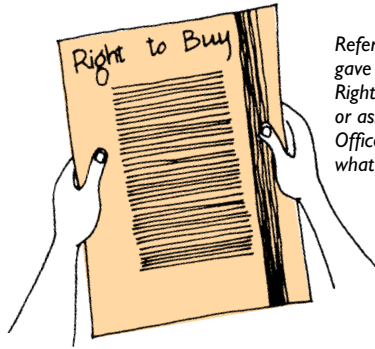
**2. second priority** (if nobody qualifies or chooses to succeed from the first priority group) goes to other members of the tenant's family, providing that the house was their only or principal home at the time of the tenant's death.

**3. third priority** (if nobody in any of the above categories qualifies or chooses to succeed) goes to carers aged at least 16 where the house was their only or principal home at the time of the tenant's death and where they have given up their only or principal home to care for the tenant or a member of the tenant's household.

Family members and carers do not have the right to succeed to the tenancy of a property, which has been designed or adapted for someone with special needs, but they are entitled to be rehoused elsewhere by us.

## MARITAL OR RELATIONSHIP BREAKDOWN

If your marriage has broken down, both partners still have the right to occupy the house, **even if the house is only in one partner's name**. If your partner threatens to turn you out of the house, then he or she can be charged with illegal eviction.



Refer to the letter that we gave you explaining your Right to Buy entitlement, or ask your Housing Officer if you are not sure what it means

Things are different if you and your partner are not married. If one rents the house, the other partner may apply to the court for occupancy rights to allow them to stay in the house.

If you are experiencing problems like this we would advise you to go and see a solicitor.

## RIGHT TO BUY

Due to the way the Association has grown and developed over the years, the right to buy may vary from tenant to tenant. When you signed your Scottish Secure Tenancy Agreement you will have received a letter explaining your right to buy entitlement. Contact your Housing Officer if you want to find out more information about your right to buy.

## CHANGES

### ... to your Tenancy Agreement

North View will only seek to vary or change the terms of your tenancy in the most exceptional circumstances. To do this we have to get your agreement or either party can apply to the sheriff court.

### ... to your rent

How we go about changing your rent is set out in the *Rent* section of the Handbook.

Meeting Housing Need  
in Windlaw



**North View Housing Association**

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**Castlemilk**

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***Out of Hours Emergency Contact***

**Telephone no:- 0141 634 0555**



INVESTOR IN PEOPLE

**NORTH VIEW  
Housing Association**

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