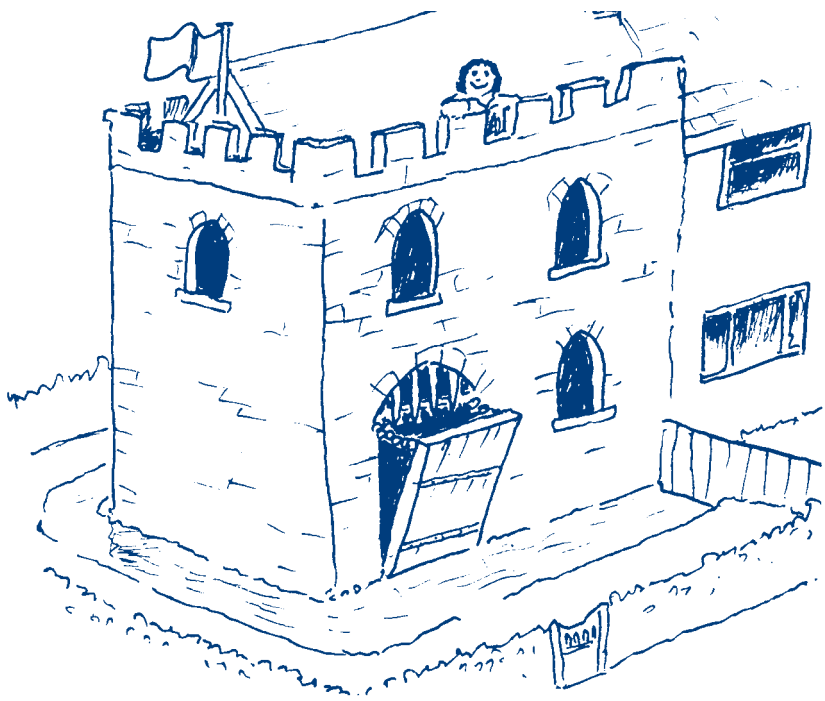




Your Rights as a Council Tenant



Introduction

You have important rights as a council tenant. You also have important responsibilities. This leaflet tells you about them.

Your rights and responsibilities - a checklist

Your rights

- You can live in your home for the rest of your life as long as you do what your tenancy agreement says.
- In most cases, you can buy your home at a discount.
- You may be able to pass on your home to someone in your family living with you when you die.
- You can take in lodgers and sub-let part of your home.
- You can get certain urgent repairs done quickly and at no cost to you.
- You can carry out improvements to your home.
- You can be paid for certain improvements you have made if you move home.
- You can help to manage your estate.
- You can exchange your property for another one.
- You must be consulted on housing management matters.
- You must be given information about how SLH runs the homes it manages for SLDC.

Your responsibilities

- You must keep to the rules in your tenancy agreement.
- You must pay your rent.
- You must be a good neighbour and not annoy others in your area.

Security of Tenure

Most Council tenants are 'secure' tenants. This means that your tenancy cannot be ended unless a Court Order has been obtained by SLH or the Council. There are a few exceptions to this, for example certain temporary tenancies.

If you have an introductory tenancy, please see our separate leaflet, 'A Guide to Introductory Tenancies'.

Before we can apply to the Court for an order, we must serve a 'Notice of Seeking Possession', which gives at least 4 weeks' notice of our intention to apply for an Order.

SLH / the Council may only apply for possession on certain grounds, for example rent arrears or causing nuisance.

Right of Succession

Assuming you are a secure tenant, when you die your tenancy can usually pass to any close relative who has been living with you for the last 12 months, provided there has been no previous succession.

Should you qualify to succeed to the tenancy of a dwelling designed for those with special needs, and you have no such requirement, we will provide you with alternative accommodation. You may also be required to move if you under occupy the property.

Who Has The Right to Buy

You will usually have the right to buy your home provided that you meet the following conditions:

- Your tenancy is secure
- You have spent sufficient time as a public sector tenant
- The property is your only or principal home.

Public sector tenancy includes any time spent as a tenant of a public sector landlord such as the District Council or other local authority, Housing Associations, and certain other public bodies.

If your secure tenancy started **before** 18 January 2005 you must have been a public sector tenant for at least two years.

If your secure tenancy started on or **after** 18 January 2005 you must have been a public sector tenant for at least five years.

If your secure tenancy started on or after 18 January 2005, but immediately before that date you had been a public sector tenant, for example on an introductory tenancy, you would need two years public sector tenancy. The main exceptions are sheltered housing and flats/bungalows specially designed for the elderly/disabled.

For further information you should contact your area Housing Office.

Right To Buy Standards

- We will acknowledge receipt of your application within 20 working days and send a house/freehold offer letter within 12 weeks of receipt of an application.
- We will explain the implications of becoming a leaseholder to you in an induction interview as soon as is practicable after your application is received.
- We will send a flat/leasehold offer within 16 weeks of receipt of an application.
- We will instruct the Council's Legal Section within 10 working days of receipt of tenant's instruction to proceed with the sale.

The Right to Carry out Improvements

You have the right to improve your home, provided you obtain our written consent in advance. Improvements could include kitchen alterations, installing central heating, and external decorating. We cannot refuse permission without good reason, but may impose reasonable conditions.

The Right to Compensation for Improvements

If your tenancy is coming to an end, you may be able to get compensation for the improvements you have made. You have the right to compensation for certain improvements, such as a new bathroom, toilet, and kitchen, central heating, and energy efficiency and home security improvements. You may also be able to get compensation for other improvements you have made.

You must apply for compensation when your tenancy ends - which is usually when you move. You will need to show us bills for the work done. For further details you can obtain a leaflet called "Your New Right to Compensation for Improvements" from your local housing office.

The Right to Exchange

You have the right to exchange your tenancy with another Council tenant or Housing Association tenant, provided you obtain written permission. Permission can only be refused on reasonable grounds, e.g. the property is too large/small, or if you are in breach of your tenancy agreement.

You must not exchange properties until permission has been granted. Further details are shown in the Moving Home leaflet.

The Right to Manage

Tenants' or Residents' Associations are allowed to set up Tenant Management Organisations (TMOs) and to take on the responsibility for the day to day management of their estates.

The Council still owns the homes and the TMO becomes a partner in providing services to the local community.

If you or your association are interested in finding out more ask for a leaflet at your local housing office, call the Tenant Participation Team, or you can get information from:

www.communities.gov.uk

For more information about your Rights as a Council Tenant, you can pick up a copy of the Government's "Council Tenant's Charter" from your local housing office.

You can get a copy of this document in different formats such as large print, Braille, audio, or in a different language by calling 0845 057 0080 or check our website www.southlakeshousing.co.uk

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