



# 5 Your Tenancy



## 5.1 Being a Clúid tenant

When you become a tenant of Clúid Housing Association we give you the right to occupy the property as your home. The property remains in the ownership of Clúid Housing Association. You will sign a Tenancy Agreement and Clúid will also sign it. This tenancy agreement sets out the terms on which you occupy the property. In signing the Agreement both you and Clúid Housing Association have obligations to each other and to the other residents on the scheme. The Housing Officer will explain them to you before you move in.

The Tenancy Agreement is our promise to each other that both tenant (you) and landlord (us) honour their obligations. But of equal importance are your obligations to each other as neighbours. In signing the Agreement you make commitments to your neighbours. Respecting and fulfilling these commitments is your responsibility.

### **Why do I need to know the details of the tenancy agreement?**

The Tenancy Agreement is a legally binding document. If the Agreement is not kept it can result in Clúid taking action which can lead to eviction. It's also important that you understand what you are committing to. If you want to ask any questions about your rights and responsibilities, you can ask the Housing Officer.

### **What is a probationary tenancy?**

The first 6 months of a new tenancy are a probationary period. That means that new tenancies can be terminated automatically during the first 6 months if Clúid has concerns about the tenant's behaviour, e.g. if he/she is not paying rent on time or engaging in anti-social behaviour. After 6 months, if you successfully complete the introductory period, you will enjoy greater security of tenure. Of course, Clúid can still take action if you breach the tenancy agreement at later stages.

### **What is meant by a joint tenancy?**

A joint tenancy can be between any two adults or more who are permanently resident in the dwelling. The most common type of joint tenancies are signed by couples. Should the status of a couple change due to separation, divorce or death, the tenancy agreement will be changed. In the case of separation or divorce one tenant will have to surrender their right to the tenancy.

### **What if my partner joins me after I sign the Tenancy Agreement?**

Talk to your Housing Officer about whether or not you want to include your partner in the agreement. You must speak to the Housing Officer about any impending changes in your household size. If someone wants to join the household at a later stage, you will need to request permission from your Housing Officer.

### **What happens if we have more children?**

We have allocated you a house or apartment according to the size of your family. If your family grows and your home becomes overcrowded we will support you to seek other housing that suits your needs. Depending on the type of dwellings and the level of vacancies in your current scheme this may have to involve moving to another scheme, or transferring into local authority housing.



### **Can my children inherit the tenancy?**

It is possible for a child to inherit the tenancy. He/she must be over 18 years of age and must have been genuinely living in the property. But the decision is at the discretion of Clúid. In some cases, Clúid may reserve the right to take back the property when the original tenant dies. For example we need dwellings that were built for disabled persons back so we can house other people with a disability. Should you wish a member of your family to inherit your tenancy, you should talk to your Housing Officer.

### **Can I buy my home?**

No. As a non-profit making Housing Association, we are currently obliged by legislation to keep our properties within the rental sector, so you cannot purchase your home.

However, as a Clúid tenant you may be eligible for the mortgage allowance scheme if you decide you want to buy a private property or build a house and return your present property to Clúid. You must be a tenant with a housing association for more than one year to qualify. The Mortgage Allowance Scheme offers help with your mortgage for the first five years. Contact your local authority for more information on the mortgage allowance scheme. The local authority can also advise on other purchase options such as Affordable Housing or Shared Ownership.

### **Can I keep a pet?**

Clúid tenants living in apartment blocks are not permitted to keep pets. Tenants in houses may keep domestic pets if they wish, as long as they are adequately supervised and do not create a nuisance. You need to obtain permission from Clúid before getting a pet. Certain types of dogs and other animals, like poultry, pigs or horses, are not permitted.

## **5.2 Clúid's responsibilities and tenants' responsibilities**

Here is a brief summary of some of the responsibilities that you (as tenant) and we (as landlord) have. Check the tenancy agreement for all other terms of the tenancy.

### **Clúid**

- Keep to the terms of the tenancy agreement
- Provide adequate notice of rent or service charge increases
- Provide adequate notice to quit
- Carry out cyclical maintenance
- Have insurance for the dwelling (only the structure, not the contents)
- Maintain the communal areas including communal gardens
- Complete repairs which are Clúid's responsibility (See Section 2)

### **Tenant**

- Keep to the terms of the tenancy agreement
- Pay rent weekly in advance
- Provide details of your household income every year
- Provide adequate notice when moving out – 4 weeks
- Replace any original fixtures and fittings when leaving the property
- Maintain the property (and garden if applicable)
- Do not interfere with any neighbours' peaceful enjoyment of the estate
- Complete repairs which are your responsibility (See Section 2)
- Wait for approval in writing before you make any alterations to the property (other than internal decoration)
- Insure your belongings against accidental damage, fire and theft

## **5.3 Customer care**

Clúid aims to provide an efficient and responsive service to all tenants. We want our tenants to live in good quality homes and to be satisfied with the services we provide. We try to take account of all feedback we get from tenants when we develop our standards and our policies. Our customer care standards set out how we aim to relate and respond to you. All your formal rights and responsibilities as a tenant are of course detailed in your tenancy agreement.



### What can I expect from Clúid staff?

As a tenant, you can expect us:

- To listen to you and take your views seriously
- To treat you with courtesy and respect
- To treat you fairly and equally, irrespective of your age, gender, religion, ethnic background, disability, marital status or sexual orientation
- To be honest and upfront in our dealings with you
- To give you helpful and informative responses to any issues you may have in your Clúid home
- To see you at agreed times and keep you informed of any delays
- To respond to your phonecalls or letters as quickly as possible
- To help you with completing Clúid forms if needed
- To explain documents and procedures to you in a straightforward manner
- To welcome you in offices which are clean, tidy and accessible where possible
- To respect your privacy and confidentiality wherever possible

### What do we expect from you?

Of course the relationship goes two-ways and we rely on your co-operation to help us provide a good service. We expect from you:

- To treat our staff and contractors with courtesy and respect
- To be honest and give us correct information about your household, your income and any other information we legitimately require
- To keep appointments or give us advance notice if you cannot make an appointment

## 5.4 Right to complain

If you are unhappy about any aspect of our work or feel unfairly treated, please let us know. Of course, in addition to complaints and criticism Clúid also welcomes all positive comments or suggestions from tenants and we encourage you to let us know what you think

You can do this in a number of ways:

- Contact the office by phone
- Talk to your Housing Officer during his/her local office hours
- Write to us (by letter, fax or email)
- Fill out the complaint or compliment form which we can send to you or you can download from the website



### How do I complain?

You should contact the member of staff you normally deal with, e.g. your Housing Officer or Scheme Manager. He/she will try to address the issue as quickly as possible. This is what we call **Stage 1**. If you are still dissatisfied after this, or if your complaint is about a member of staff, you can make a formal complaint to the Housing Manager. This is **Stage 2** of the formal complaints process. The Housing Manager will try to address complaints within 10 working days.

### What if I am still not happy?

**Stage 3:** If you are still dissatisfied you should contact the Regional Director and appeal the decision. Again, a reply will be sent to you within 10 working days.

### And if this still doesn't solve my problem?

**Stage 4:** If you are still unhappy with the response you should forward your complaint in writing to Clúid's Chief Executive, Brian O'Gorman, who is based in our national office in Dublin. Brian will only look into your complaint if you have already been through the first stages that involve the Housing Manager and Regional Director.

## 5.5 Confidentiality

The information we keep on file about you is confidential. We will not give information about you to third parties unless you tell us that we can. But there are some exceptional circumstances where we have to disclose information about you. For example:

- We will give information to An Garda Síochána if they are investigating a serious crime.
- We will give information to the health services or An Garda Síochána if there is a serious risk to someone, a child for example