

Lyvennet Community Trust

Repossession of Properties

Policy relating to repossession of Properties

As stated in the Trust's Business Plan the Trust's mission is to tackle barriers to Housing. The properties will remain in perpetuity with the Trust for the public benefit of relieving housing need.

Affordable Rental Properties

All rental properties are managed on behalf of the Trust by Eden Housing Association; the Trust's Managing Agent or any other such body duly appointed by the LCT

A record of rental payments will be maintained and shared with LCT Chair / Treasurer on a 3 monthly basis

Any arrears will be recorded together with the circumstances under which they have arisen.

Where any rental payments fall four or more weeks behind Eden HA will report to the Trust (Chair / Treasurer) and commence dialogue with tenants to provide support and arrange repayment of arrears.

Should arrears continue or increase the Trust (LCT Board) will review action to be taken by Eden HA on its behalf.

Where the Trust wishes to regain vacant possession either during the course of an Assured Shorthold Tenancy or at the end of the Assured Shorthold Tenancy the Trust will serve notice of its intention to seek possession in accordance with current legislation.

Notice will be served on the tenant in accordance with the period of the tenancy, i.e. in accordance with the rental cycle.

Notice will specify one or more grounds for possession (17 Grounds provided by Housing Act 1988)

Notice will be given in the prescribed written form, and a colleague will witness the sending of the notice.

If the tenant does not leave on the expiry of the notice, possession will be sought through the courts by either normal fixed date action or the accelerated possession procedure.

Where the tenant has died and the keys have not been returned by an authorised representative or executor, Notice to Quit must be served on the personal representative or executor of the deceased and a copy sent to the Public Trustee.

The Trust's decisions will be informed by the Housing Act 1988 and Housing Act 1996. The Trust will seek the advice of their legal advisors.

Adopted 14 September 2021

Signed Chair David Graham

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