

Introductory council tenancies

This factsheet looks at the 12-month introductory tenancies that many councils give to new tenants.

Many councils give their new tenants an introductory tenancy.

Why introductory tenancies?

An introductory tenancy runs for a trial period. This allows the council to decide if you are a good tenant before granting you a longer term tenancy. The council will look at things like whether you pay your rent or cause a nuisance to your neighbours.

Introductory tenants can be evicted more easily than other council tenants.

Who gets an introductory tenancy?

You can only get an introductory tenancy for a property offered to you through the council's housing waiting list.

Not all councils offer introductory tenancies. Some grant secure or flexible tenancies from the start. A secure tenancy is sometimes referred to as a lifetime tenancy. A flexible tenancy is for a fixed period, normally five years. Check with the council what you are being offered.

You will not be an introductory tenant if you are transferring from another council or housing association tenancy – unless you were an introductory or an assured shorthold 'starter' tenant in your previous home.

Length of trial period

You will usually be an introductory tenant for 12 months. Time spent as an introductory tenant (or a housing association starter tenant) in another property immediately before your current tenancy started counts towards your 12-month trial period.

The council can extend the trial period to 18 months if it needs more time to decide if you will be a good tenant. If it wants to do this it must write to you to:

- explain why explain it wants to extend the trial period
- give you at least eight weeks' notice (before the end of the 12-month period)
- say you can ask it to review this decision and tell you what the deadline for this is.

End of the trial period

You will become a secure or flexible tenant of the council after 12 months, except when the council has:

- started court action to evict you
- extended your trial period to 18 months.

How you can be evicted

The council must first give you notice telling you that it intends to start possession action against you. This is often called a 'section 128 notice'. The notice must tell you why the council wants to end your tenancy.

You can ask the council to review its decision to evict you. This is your opportunity to say why you shouldn't be evicted. You must do this within 14 days of getting the notice from the council. The council must respond in writing to say whether it will let you keep your tenancy or if it will go to court to obtain a possession order.

If it decides to carry on and go to court, it must tell you the reasons why. It can't start court action until four weeks have passed from when you got the section 128 notice.

If the council has followed the correct steps the court will make a possession order unless there are exceptional circumstances.

Get advice immediately if you get a section 128 notice. Ring Civil Legal Advice on **0345 3454 345** to find out if you can get legal aid.

Right to buy

You can't buy your council home while you are an introductory tenant. But time spent as an introductory tenant does count towards the three-year qualifying period you need to buy your home under the right to buy scheme.

Further advice

You can get further advice from england.shelter.org.uk/housing_advice, local Shelter advice service or local Citizens Advice. If you have nowhere to sleep tonight, are at risk of harm or losing your home within the next 2 months, call Shelter Helpline on **0808 800 4444** for advice and information on your options.*

*Calls are free from UK landlines and main mobile networks.



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Note
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