



# **ARK HOUSING ASSOCIATION**

  

## **TENANTS HANDBOOK**

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## **1. INFORMATION ABOUT ARK HOUSING ASSOCIATION**

ARK was founded in 1977 by some Edinburgh residents who were concerned about the plight of a homeless person with learning difficulties. Since 1977 ARK has grown considerably and now has both, individual mainstream properties and shared properties for people with learning difficulties in over 30 locations throughout East and Central Scotland.

ARK is registered with the Registrar of Friendly Societies and with Communities Scotland. Communities Scotland is a national body regulate both Local Authorities and Housing Associations to ensure that public money is well spent and tenants are provided with a housing service, which is both cost effective and responsive to tenants needs.

### **What is a Housing Association**

A Housing Association is a non-profit making organisation, which builds, improves and manages homes for rent.

### **Committee of Management and Membership**

Housing Associations are run by voluntary Management Committees. A Committee is elected each year by members of the Association at the Annual General Meeting.

Membership of the Association is open to anyone who has an interest in the workings of the Association. To become a member you are required to buy a share for £1.00. This gives lifetime membership of the Association and the right to vote at the Annual General Meeting.

The Management Committee of ARK Housing Association meets quarterly. It is their job:

1. Set the policies to be followed by the staff employed by the Association.
2. Ensure that the staff carry out the legal responsibilities of the Association.
3. To give the authority to staff to allow them to carry out the day to day work of the Association.

Members of the Association and the Management Committee are all volunteers and are not paid for the work they do.

If you want to become a member of ARK Housing Association please contact the Personal Assistant to the Chief Executive on **0131 478 8141** who will provide further information and an application form.

## **OUR FINANACES**

All Housing Associations are “not for profit” organisations. This means that all income earned is reinvested in its houses, through management, maintenance and improvements or in paying loans.

### **Income**

- Rental income from properties

### **Expenditure**

Each year the Management Committee sets the budgets for spending our income. The budgets each year might be higher or lower than the previous year depending on what work we need to carry out.

- **Management Expenditure**  
This is the money spent delivering services, employing staff, running the office and general administration.
- **Planned Maintenance/ Improvements**  
This is expenditure on maintenance and improvements to groups of properties or areas of ground such as major roof repairs, kitchen replacement, external rendering and window replacement.
- **Day to Day Repairs**  
These are the day to day repairs reported by tenants, or the work needed to an empty house before we can relet it.
- **Loans**  
We have loans which were used to build properties and upgrade properties for which we pay interest charges each year.

### **Surpluses**

If we make any surplus we will re-invest the money in our houses and in making our services better.

## **2. RENT AND HOUSING ADVICE**

## HOW YOUR RENT IS WORKED OUT

Your rent is reviewed each year and changes every April.

We will consult with our tenants before any rent increase. We will endeavour to keep the rents of our properties affordable, in calculating rent increases we use the rate of inflation (Inflation is information produced by the government which tells us how quickly prices are rising) we will attempt to limit any increase to the rate of inflation plus 1%.

To calculate the increase each year, we use the rate of inflation published for December. The rate of inflation for December 2001 was 0.7%.

This increase is then applied to your rent

For example:

Annual Rent	£2,000
Increase of 1.7%	<u>£34</u>
<b>New Annual Rent</b>	<b>£2,034</b>

We charge your rent annually. The rent is divided by 12 to give the monthly charge.

For example:

Annual Rent	£2,034
Divided by the number of months	<u>12</u>
<b>Monthly Rent</b>	<b>£169.50</b>

This increase would represent a weekly increase of £0.65p per week

## Service Charges

If we provide you with services then we normally charge you separately for these. This service charge is normally on top of your rent. The types of things which are covered by Service Charges are grass cutting or garden maintenance, stair cleaning etc.

You should pay Service Charges along with your rent every month. You can normally get Housing Benefit to help with the costs of Service Charges unless the charge is for heating or power used in your home.

## **PAYING YOUR RENT**

Payment of rent is due monthly in advance, on the first of every month.

If you prefer to pay weekly, fortnightly or four weekly you can do so but should contact your Housing Officer to confirm this arrangement

### How to Pay

#### **Giro Payments:**

You can be issued with a Post Office Giro payment book. This allows you to make payments at any Post Office.

#### **Bank Payments**

You may find that paying your rent by Standing Order convenient.

A Standing Order is an arrangement between you and your bank to make regular payments to our Bank Account

Standing Order payment forms are available on request from The Priory. A standing order form is enclosed with the letter telling you what your new rent is each year.

Completed Standing Order forms should be sent to **your** bank and will keep going (at the same amount) until **you** tell your bank to change the amount or to stop making payments

Should you wish to pay your rent by any other means please contact your Housing Officer.

#### **Housing Benefit**

Housing Benefit is a national scheme administered by Local Authorities (councils). Anyone who pays rent can apply, even if they are working or getting other benefits such as Income Support or State Retirement Pension.

To make a claim please contact you're local council.

The amount of Housing Benefit you get will depend on the amount of money you have coming into the house and any savings you may have. The number and ages of any people in your house will also be considered.

The council will send you a letter telling you the outcome of your claim. You should then contact us to find out how much rent you have to pay.

Please note that, even if you do not qualify at first, if your circumstances change in any way you can contact the Council to make a new claim.

**You must always inform the Council in writing of any changes to your circumstances if you do qualify.** Changes in circumstances may be if wages or benefits go up or down, or someone has moved in or out of your home. You must also tell the Council if your income support stops.

The Council will send you a new form at least once a year. You should fill it in and send it back to them promptly. **If you do not do this you could lose your entitlement to housing benefit and have to pay full rent for your home.**

You still need to fill in a Housing Benefit application form if you or your partner is on Income Support. You will get full Housing Benefit unless you have other adults living with you. If this is the case your Housing Benefit will be less and you will have to pay rent to us.

## **IF YOU FALL BEHIND WITH YOUR RENT**

If you find yourself in rent arrears or having problems paying your rent, we will always be understanding. This type of problem is often temporary and can come about through unemployment, debt or a family bereavement.

It is best to get help and advice as quickly as possible from your Housing officer or another member of the Housing Management team. You can do this by telephoning ARK on **0131 478 8160/8161** between 9.00am and 5.00p.m. You can discuss your arrears by phone or make an appointment for the Housing Officer to visit you at home. You can also call into the office at The Priory Canaan Lane Edinburgh.

Our staff can make an affordable arrangement for you to pay back your arrears. We do this by taking into account how much money you have coming in and how much money you have to pay out

You may put your home at risk if you fail to keep an arrangement to pay off your arrears. If we take you to court you will be responsible for the costs.

## **DEALING WITH OTHER DEBTS**

If you are having problems keeping up with other debts, you should get help as quickly as possible. Don't ignore the problem. The sooner you get help the easier it will be to solve the situation.

There are a number of different agencies, which can offer a sympathetic and confidential service, which may be able to assist you

- Welfare Rights offices
- Citizens Advice Bureaux's
- Shelter Housing Advice Centre's

You could also help yourself by following a few simple steps.

**1. Work out a Budget**

Add up all the money you have coming into the house each week or month.

Work out, over the same period, all the things you spend your money on. You must include items such as food, electric, gas, rent, council tax, and any other regular payments.

Take what you pay away from what you have coming in. The amount left is what you can use to pay off any debts.

If there is nothing left, you should try to cut back on things which are not important. You should also make sure that you are getting all the benefits you are entitled to. You can get advice the organisations above.

**2. Arrange to pay off your debts.**

Deal with the most important things first.

Get in touch with the people you owe money to and show them how much you can pay.

Arrange to pay them a fixed amount each week or month. Do not agree to pay more than you can afford.

Think about asking them to accept smaller payments over a longer period of time.

Ask for assistance. A debt adviser can be seen by contacting the Citizens Advice Bureau.

Get advice immediately if the people you owe money to threaten to start legal action.

### **3. REPAIRING YOUR HOME**

## **WHAT TO DO IN AN EMERGENCY**

Emergencies can happen anytime and to anyone. Make sure you can cope with them.

Below are some useful telephone numbers

<b>POLICE, FIRE, AMBULANCE</b>	<b>999</b>
<b>GAS ESCAPES (TRANSCO)</b>	<b>0800 111 999</b>
<b>ARK HOUSING ASSOCIATION</b>	<b>0131 447 9027</b>

If you require any emergency repairs outwith the office hours of 9.00a.m to 5.00p.m please contact the following numbers.

**(Out of Hours)  
EMERGENCY REPAIRS ARK TENANTS**

### **GRAMPIAN AREA NORTH**

**Marwell Group**

**ABERDEEN, PORTLETHEN AND INVERURIE, MACDUFF,  
FRASERBURGH and PETERHEAD**

01224 825008 OR 07973 401106

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**No 1 Building Services**

**BUCKIE**

01542 833909/835912 OR 07970 416553/631823

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### **FORRES**

Delta Electrical 07880540571

Bruce Hay (All Trades) 01309 672400

**ALL OTHER AREAS CONTACT SKILLBASE 08459 303031**

**For any Gas Emergencies in Fraserburgh, Peterhead, Inverurie and Aberdeen please call Heatcare on 01343 545005.**

**For Gas Emergencies in all others areas please call Kingdom Gas on 0800 389 9463.**

## **FIRE**

### **In the event of a fire which you cannot control.**

- Close the door of the room where the fire is located. This will help to contain the fire and restrict the spread of poisonous fumes.
- Warn the other people in the house and leave quickly. Don't stop to collect anything. Remember your escape route can be cut off very quickly
- If your exit is cut off close the door of your room and seal it with a blanket or rug to prevent fire or smoke spreading. Call for help from a window
- Call the Fire Brigade
- Don't go back for any reason

## **GAS ESCAPES**

### **If you smell gas.**

- Switch off gas at the gas meter.
- Put out cigarettes. Do not use matches or naked flames.
- Do not operate electrical switches or door bells.
- Open all doors and windows and keep them open until the escape is stopped.
- Check to see if a gas tap has been left on accidentally or if a pilot light has gone out.
- Phone Transco on **0800 111 999** and report the escape.

## **IF YOU GET A BURST PIPE**

- Turn off the water at the stop valve.
- Switch off the electricity at the mains.
- Switch off any water heaters.
- Switch off the central heating system.
- Open all taps to sinks and baths.
- If possible collect water in the bath for flushing the toilet and for washing.
- Call the appropriate emergency number for your area.
- Warn any neighbours who might suffer damage.

## **IF YOUR PIPES FREEZE**

- Turn off the water at the stop valve
- Open all taps to sinks and baths
- If possible collect water in the bath for flushing the toilet and for washing
- Call the appropriate emergency number for your area.

## **ELECTRICAL PROBLEMS**

If you have just switched on a light or appliance or plugged in an appliance and the power fails

- Check the trip switch at the RCD. This box is usually near the electricity meter.
- If one of the switches is at OFF unplug the appliance or switch off the light and then reset the trip switch.
- Switch on the light, if this trips the switch the fault may be caused by the light bulb so check for and replace any fused bulbs. If the switch is tripped when you plug in an appliance do not use it and get a qualified electrician to check it.
- If you cannot identify, or are unsure of the cause of the fault, call ARK Housing on **0131 447 9027**

## **REPORTING REPAIRS**

Repairs should be reported to us at The Priory either in person or by phoning us on **0131 447 9027**.

In order that your repair can be processed as efficiently as possible you should:

- Describe the repair in as much detail as possible.
- Tell us when you will be at home to allow workmen access.

Where the repair is an **emergency** the method of reporting is the same unless the emergency occurs **out with office hours**. In this case please telephone the appropriate emergency repair number for your area.

## **RESPONSE TIMES**

To make sure that the repairs service operates as efficiently as possible your repair will be assessed. The time taken to complete the repair will be based on which response time category that this assessment places it in.

## **EMERGENCY RESPONSE**

These are repairs which could affect your health, safety or security or cause serious structural damage to your home if not attended to.

e.g. Total loss of hot and cold water supplies.

Total loss of heating.

Insecure or broken windows

Insecure external doors or broken locks.

Fire damage  
Choked drains  
Severe leaks

We or the emergency call out service will respond to these repairs within 24 hours of being told by you. You should note that, if your door keys are lost and we are called out to gain entry, the costs of this work will be charged to you.

### **URGENT RESPONSE**

These are also repairs which could be a health or safety hazards but are not serious enough to be classed as an emergency.

e.g. Partial loss of hot or cold water.

Partial loss of heating

Most roof leaks

Constantly running overflows in flats

We will respond to these repairs within 3 – 5 working days of being told by you.

### **ROUTINE REPAIRS**

This response time generally covers any other type of repairs which you tell us is required. We will respond within 14 working days of being told by you.

### **TENANTS RIGHT TO REPAIR SCHEME**

The Right to Repair scheme was introduced by the government to make sure that all council and Registered Social Landlords tenants throughout Britain receive a good repairs service.

We will pay compensation to tenants whenever a qualifying repair is not attended to within agreed response time.

Qualifying repairs and their response times are specified in the Housing (Scotland) Act 2001. These are listed below.

### **LIST OF DEFECTS AND REPAIRS WHICH ARE QUALIFYING REPAIRS, AND MAXIMUM TIMESCALE FOR COMPLETION (DAYS)**

<u>DEFECT</u>	<u>MAXIMUM TIME</u>
1. Blocked flue to open fire or boiler	1 day
2. Blocked or leaking foul drains, soil stacks or toilet Pans where there is no other toilet in the house.	1 day

3.	Blocked sink, bath or basin	1 day
4.	Complete loss of electric power	1 day
5.	Partial loss of electric power	3 days
6.	Insecure external window, door or lock	1 day
7.	Unsafe access path/step	1 day
8.	Leaks or flooding from water or heating pipes, tanks or Cisterns	1 day
9.	Loss or partial loss of gas supply	1 day
10.	Loss or partial loss of space or water heating, where no Alternative heating is available	1 day
11.	Toilet not flushing where there is no other toilet in the house	1 day
12.	Unsafe power or lighting socket, or electrical fitting	1 day
13.	Complete loss of water supply	1 day
14.	Partial loss of water supply	3 days
15.	Loose or detached banister or handrail	3 days
16.	Unsafe timber flooring or stair treads	3 days
17.	Mechanical extractor fan in kitchen or bathroom not working	7 days

When you report a repair, we will tell you if it qualifies under the Right to Repair Scheme, the maximum time in which the work should be completed in, the last day of the maximum time, details of the contractor carrying out the work and details of an alternative contractor. We will want to know when you can provide access to carry out the repair.

If the contractor fails to start work by the last day of the maximum time you have the right to contact an alternative contractor to carry out the repair. As soon as you do this, the alternative contractor will let us know and request a copy of the works order.

We will double check with the first contractor as to why he has not completed the work. **If it is because you failed to provide access within the response time then you will no longer qualify for this scheme.** If it is because materials are on order then you would qualify for compensation but the alternative contractor would not be able to carry out the repair. In all other

cases you would be entitled to a compensation payment of £15.00 and we would issue a copy of the works order to the alternative contractor

If the alternative contractor fails to complete the work within the response time, then you will be entitled to a further £3.00 for every day he is late, up to a maximum of £100.00

## **PLANNED MAINTENANCE**

We also operate a planned maintenance programme as part of the process of keeping your home in good repair.

Under this programme we carry out major improvements to your home for example, the installation of fitted kitchens and new windows.

We also use this programme to make sure that all gutters and downpipes, external woodwork and common stairs are painted every five years. All necessary repairs will also be carried out to these items before painting.

## **ALTERATIONS AND IMPROVEMENTS**

If you wish to improve or adapt your home in any way (except by decorating) you must have our permission before you begin.

Permission will normally be granted quickly. Please put your request in writing detailing proposed work to your Housing Officer.

The Maintenance Co-ordinator can offer advice with your proposals and will visit prior to and after the work has been completed if necessary. By involving us from the beginning of your plans you can be sure that the alterations will be structurally safe and will not break building or planning regulations.

## **TENANTS RIGHT TO COMPENSATION FOR IMPROVEMENTS**

Tenants have a statutory right to compensation for certain improvement work. To qualify for compensation the following conditions must be met:

1. a) You must be a **qualifying tenant**, which is
  - i) A Scottish Secure tenant immediately before the tenancy is terminated.
  - ii) The person who carried out the qualifying improvement work
  - iii) A tenant of a joint tenancy which existed at the time the work was carried out

- iv) A person who succeeded to the Scottish Secure tenancy or the personal representatives of a deceased tenant if there is no successor
- b) be a **qualifying** improvement. A full list of qualifying improvements can be obtained from the Housing and Property Section. The short list below is for general information only.
  - i) replacement of windows, doors or bathroom or kitchen Fittings
  - ii) loft, wall, pipe or tank insulation
  - iii) Sound insulation
  - iv) Space or water heating
  - v) Thermostatic radiator valves
  - vi) Rewiring including the installation of smoke detectors
- 2. You must end your tenancy, but not by purchasing your home through the Right to Buy scheme.

To apply for compensation you should contact your Housing Officer on **0131 478 8160** to get full details of the scheme and an application form. It is essential that your application for compensation is made when you submit your 4 – week notice to end your tenancy or no later than 21 days after the end of your tenancy.

# **4.    LOOKING AFTER YOUR       HOME**

## IN YOUR HOME

### SECURITY

Most burglaries take place on the spur of the moment when a thief spots an opportunity. You can avoid providing this opportunity by taking a few simple precautions.

- **Never** leave keys in a “secret” hiding place – thieves know all the hiding places. If necessary leave keys with a trusted neighbour.
- **Always** lock doors and windows when you go out – even if it is only for a few minutes.
- If the house is going to be empty at night leave a light on in the living room and draw the curtains.
- **Don't** leave notes on the door saying you are out and when you will be back.
- If you are going on holiday make sure you remember to cancel newspapers and milk. Ask a neighbour to keep an eye on your house.
- Keep ladders out of sight in your garage or shed and make sure that these are kept locked.

Some thieves may try to get into your house by pretending to be a workman or an official. You should never let a stranger into your home unless you are sure they are genuine.

- Ask for identification. Our staff will always carry an identification card with a photograph.
- If any callers don't have identification ask them to come back later and use the time to contact their organisation and ensure they are genuine.
- If you have any doubts telephone the police.

### INSURANCE

We have insured your house or flat's structure but **you are** responsible for arranging your own contents insurance.

Any insurance company will be happy to provide you with details of the cover available and the costs involved. At the very least we recommend that you obtain cover for loss due to fire, flood and theft.

We can also provide you with details of a scheme which is run especially for Tenants by the Scottish Federation of Housing Associations. Please contact any member of the Housing and property Team for further information and application forms.

You should also note that you may be liable for repair costs where you, a member of your family or a visitor have caused damage, accidentally or deliberately, and you may want to make sure that any cover you obtain or already have includes this liability.

## **CONDENSATION**

This is caused by too much moisture in the air within your home. When this moist air meets a cold surface such as a window or external wall it changes back to water. If this happens regularly mould may start to grow.

If your home suffers from condensation.

**Heating** You will get less condensation if you keep your house warm. If you are concerned about how this may affect your heating bills ask your local Gas or Electricity office about budget schemes to help spread the costs.

**Ventilation** There is a greater chance your home will suffer from condensation if the ventilation is poor. Ventilation is essential, particularly where you use gas or solid fuel heating appliances. Do not use bottled gas fires, as these produce a pint of water for every pint of fuel they use. Open the vents in your windows and ensure that wall vents are not covered up.

**Chimneys** Never block up a chimney completely. If you are sealing off a fireplace make sure an air vent is fitted.

### **Tips to reduce condensation in your home.**

- Dry clothes out of doors if possible. If drying indoors open a window to allow ventilation to the room where your drier is.
- If you use a tumble dryer make sure it has an outside vent or open a window to allow more ventilation to the room where your drier is.
- Keep kitchen and bathroom doors closed otherwise water vapour could spread through your home and condensation could affect other rooms.

- Don't overfill cupboards or wardrobes as this can make it difficult for the air to circulate
- Use extractor fans if they are fitted.
- Keep windows open as much as possible.

# **5. YOUR RIGHTS AS A TENANT**

## **YOUR RIGHTS AS A TENANT**

### **THE RIGHT TO BUY**

The Housing (Scotland) Act 2001 extended the Right to Buy to some types of Association. As ARK Housing Association had charitable status on the 18<sup>th</sup> of July 2001 – the date the Act received Royal Assent ARK's assured tenants are exempt from the Right to Buy. Therefore they are unable to buy their house.

Only the small number of existing secure tenants who have had a continuous tenancy with ARK prior to 1987 will retain their right to buy with the same discount entitlement.

### **ABOUT YOUR TENANCY**

You have a Scottish Secure Tenancy with us. This was introduced by the Housing (Scotland) Act 2001 on the 30<sup>th</sup> September 2002. All current tenants on that date transferred from an assured tenancy to a Scottish Secure Tenancy and had to sign a new tenancy agreement. A full explanation of your rights and responsibilities under a Scottish Secure tenancy is available in your tenancy agreement.

### **SUCCESSION**

Succession to a Scottish Secure tenancy means a person, who is the qualifying person, inheriting the tenancy on the death of the tenant.

A Scottish Secure Tenancy can only be succeeded to twice and each time there are three levels of priority. If the tenancy has been inherited twice, the third death will normally end the tenancy.

If you die, the tenancy can pass to someone of the following:

- **First priority** goes to the surviving spouse, co-habitee of either sex (providing the house has been their only or principle home for at least six months before the tenants death) or joint tenant ;
- **Second priority** (if nobody qualifies or chooses to succeed from the first priority group) goes to other members of the tenants family, providing that they are aged 16 or over and the house was their only or principle home at the time of the tenants death.
- **Third priority** (if nobody in any of the above categories qualifies or chooses to succeed) goes to carer's aged at least 16 where the house was their only or principal home at the time of the tenants death and where they have given up their only or principal home to care for the tenant or a member of the tenants household.

## **ASSIGNATION**

There are certain circumstances, such as marital breakdown, when you might decide to leave your home and wish to pass your tenancy to another person who lives in the household.

You can assign your tenancy to anyone who is aged 16 years or over provided that person has lived in the property as their only or principal home for a minimum of 6 months.

## **TERMINATION**

If you want to end your tenancy, you **must** advise us in writing **at least 28** days before the date you wish your tenancy to end. If the tenancy is a joint one with, for example a spouse or partner, he or she must give their notice at the same time or continue with the tenancy. If one of the joint tenants wishes to remain in the house and continue with the tenancy you **must** tell your Housing officer so that the tenancy records can be amended.

If you are the sole tenant and are married, your husband or wife must agree in writing before the tenancy can end, even if he or she has now left the household.

We will inspect your home before the tenancy ends and, if necessary, tell you of any work that you must carry out before leaving. It is important to note that if this work is not done we may charge for the cost of having it completed. At the end of the tenancy the property should be left in a clean and tidy condition and the keys returned to ARK Housing Association staff.

## **ABANDONED PROPERTIES**

If you move out of your home without telling us, we may end your tenancy and let the property to an applicant from our waiting list. We will do this by serving a Notice on you telling of our intention to repossess the property as abandoned. You will have 28 days to respond to this Notice. If you do not we will send another notice to end your tenancy.

If you have a joint tenancy and we have grounds to believe that one of you no longer occupies or intends to occupy the property, we will arrange for a Notice to be served on the abandoning tenant telling them that we intend to end their share of the tenancy. They will have 28 days to respond to this. If they do not we will serve another notice and their tenancy will end 8 weeks later. Copies of these notices will be served on the remaining tenant.

If we end your tenancy in either of these ways, but you feel that it was wrong to do so, you can make a Formal Complaint to the Housing Manager within 6 months of the tenancy being ended. You can also appeal to the Sheriff Court for a period of up to 6 months from the end of your tenancy.

## **TAKING IN A LODGER**

If you have enough room in your house you may want to take in a lodger. A lodger is a person who is not a relative but lives with you as part of your family and pays you something towards their keep.

**You should not take in a lodger without first obtaining our permission.**

If you receive housing benefit **you must** tell the Council that you have a lodger as this will affect the amount of Housing Benefit you get and the amount of rent you will need to pay us. If you are getting Income Support you must also tell the Benefits Agency.

## **SUB-LETTING YOUR HOME**

If you are going to be away from your home for a period of time, for example, six months, and do not want to leave the house empty, you have the right to sub-let it.

**Before making any arrangements you must first get our permission to sub-let your home.**

If your sub-let is approved **you will** still be responsible for the tenancy. This includes the payment of rent and the behaviour/conduct of your sub-tenant.

## **YOUR OPTIONS FOR MOVING**

### **HOMESWAP AND HOMES MOBILITY SCHEME**

These are two schemes run by an organisation called H.O.M.E.S. (Housing Organisations Mobility Exchange Services) which can help you in finding a new home in the same area or in another part of the country. If you are interested in finding out more about these schemes you should contact your Housing Officer on **0131 478 8160**

### **MUTUAL EXCHANGES**

All of our tenants have the right to exchange. It is up to you to find someone suitable to exchange with. They can be tenants of ARK or another landlord such as the Council.

Once you have found someone willing to carry out a mutual exchange, you **must** get our written agreement before making any arrangements to move. We will respond to you within 28 days of receiving your application with a

decision. We will **not** agree to an exchange if you or the tenant you are exchanging with

- Has been served with a Notice of Proceedings for recovery of possession which is still valid
- If we have obtained an order for recovery of possession of the house
- If the house has been designed or adapted for persons with a disability
- Have current or former tenant arrears or rechargeable repairs equivalent to more than 1/12<sup>th</sup> of the annual rent
- Have not kept your home in a good state of repair or decoration
- Have not looked after your garden
- Will be under-occupying or overcrowding our property

## **TRANSFERS**

If you want to move to another house we own you can also apply for a transfer.

To do this you will need to complete an application form which we will assess on the basis of your re-housing need. This is done by awarding your application points for factors such as overcrowding or medical/health problems.

You will automatically be placed on the waiting list but you will need to get a certain numbers of points before we will actively consider for rehousing.

If you have been accepted onto the waiting list we will not consider you for a transfer if you

- Have current or former tenant rent arrears or outstanding repair accounts, which are more than 1/12<sup>th</sup> of your annual rent. However, consideration will be given to your application if you enter into an agreement with us to make regular payments towards the debt for a minimum period of three months.
- Have not kept your home in a reasonable state of repair and redecoration
- Have not looked after your garden.

More details on applying for a mutual exchange or a transfer and copies of the policies covering these can be obtained from the Housing and Property Section by telephoning **0131 447 9027**

## **HOW TO APPLY FOR AN ARK HOUSING PROPERTY**

### **ALLOCATIONS POLICY**

Our policy applies to our mainstream properties throughout the East of Scotland.

The main aims of this policy are to make sure that:

Applicants are accepted onto the waiting list on the basis of their housing need.

Properties are allocated fairly to those in housing need.

We will allocate vacancies to applicants with the highest number of points except in certain circumstances which are detailed in the allocations policy.

#### **Who can apply for housing?**

All persons who have reached the age of 16 years and over are able to apply for housing.

We operate an open waiting list and applications may be submitted for assessment throughout the year.

#### **How is housing need assessed?**

Our points system is designed to prioritise applications on the basis of housing need.

Points will be awarded to applications on the information provided in the housing application form. All applications will be placed on the waiting list but they must be awarded a certain amount of points before they will be actively considered for housing.

Factors which will be taken into account and for which points will be awarded when the housing need of an applicant is assessed include:

- ❖ Homelessness
- ❖ Security of Tenure
- ❖ Lack of Amenities
- ❖ Sharing Amenities
- ❖ Overcrowding
- ❖ Under occupation
- ❖ Medical Conditions
- ❖ Support and Social Reasons

Factors which **will not** be considered;

- ❖ Local Connection
- ❖ Length of Time Resident in Area
- ❖ Property Ownership
- ❖ Ability to Pay
- ❖ Personal References
- ❖ Waiting Time on List.

All applicants must complete a Housing Application form which is available from the Associations Office at The Priory, Canaan Lane, Edinburgh EH10 4SG or contact the Housing and Property Section on **0131 447 9027**

## **6. DEALING WITH PROBLEMS**

## **BEING A GOOD NEIGHBOUR**

It is unfortunate that, even with the best of intentions, problems can sometimes arise in a community or between neighbours

We receive many complaints from tenants every year complaining about their neighbours making too much noise.

We will investigate these complaints and visit both parties to try to achieve a solution to the problem.

We are relatively successful but sometimes relations between the neighbours involved never return to normal

It is possible to avoid this problem simply by showing consideration to those living around you.

### **Noise**

Too much noise from parties, hi-fi's or household machines can upset neighbours, especially if it happens at night.

Try to remember that noise is unwanted sound which disturbs, irritates and causes stress. We receive more noise complaints than any other type.

Inconsiderate behaviour is mainly responsible for this situation. We would ask all tenants to lessen the risk of annoyance by being more considerate in your day to day activity.

For example

### **Amplified music**

Try to remember that those living around you may not share your enthusiasm for loud music.

- Keep the volume of amplified music at reasonable level at all times
- If you want to turn up the volume use headphones
- Place televisions, radio and stereo speakers away from walls shared with your neighbours.
- Keep the volume of car stereos down

## **Parties**

Your guests may have had a great time but late night parties are rarely enjoyed by uninvited neighbours.

- Tell neighbours in advance if you intend having a party and try to keep the noise to a minimum
- Ask your guests not to make a noise or slam car doors when arriving or leaving.

## **Car repairs and maintenance**

Tuning, repairing and servicing cars in the vicinity of your home should be kept to a minimum. Please carry this type of work at a time of the day least likely to disturb your neighbours.

Make sure car exhausts are kept in good repair and that engines run smoothly.

Music while you work is fine but not when the whole street has to share it

## **Pets**

Howling and barking dogs inside or outside the house cause significant nuisance. If your dog barks when left alone arrange for a friend to take the animal while you are out.

Noise nuisance is seldom caused by well trained, supervised and cared for pets.

## **DIY, household appliances, gardening**

Keep DIY and visiting builders activities to times of the day least likely to disturb neighbours.

Tell neighbours in advance of any drilling, hammering etc. that will be done.

## **Gardens**

If you have a garden it is your responsibility to ensure that it is kept in a tidy and acceptable condition. If you are unable to care for your garden due to ill health or age you may be able to get assistance. For further information please contact your Housing Officer.

## **Disagreements with neighbours**

If you fall out with your neighbour it is best if you try to resolve the problem between yourselves. Your neighbour may not even be aware of causing a problem and a few reasonable words may resolve the situation.

If the situation does not get any better or you think that it is too serious for you to deal with on your own, please contact your Housing Officer. After finding out all the facts, the Housing Officer, will visit your neighbour and advise him/her that a complaint has been made. Your neighbour will then have the opportunity to discuss the situation.

Following this visit the Housing Officer will decide what action, if any, will be taken. You and your neighbour will be advised in writing of the decision.

Most problems are sorted out at this stage. Where the problem continues we can, in certain cases, take the complaint to court. We can request an eviction order against the tenant who has broken a tenancy condition.

These sorts of disagreements can be very difficult to deal with and you can help us by keeping a diary of any incidents. Please also report incidents to the police when necessary.

## **Harassment**

We know that all forms of harassment can cause great distress.

All complaints regarding tenant harassment will be dealt with urgently. We will be understanding and deal with your complaint confidentially.

If you have suffered harassment we will consult you to find out how you wish the complaint to be dealt with. This can vary from issuing a verbal warning to taking legal action against the tenants or tenants responsible.

## **7. WORKING WITH ARK HOUSING ASSOC.**

## **TENANT PARTICIPATION**

We believe in encouraging tenants to get involved in making decisions affecting their homes. We want to:

- Involve tenants in decision making, and
- Sharing information, ideas and power: and
- We want to put into practice the ideas and suggestions in The National Strategy 'Partners in Participation'

### **How we will provide information**

We will provide tenants and tenant groups with a range of information, including:

- A written tenancy agreement
- A newsletter 4 times a year
- A tenant Handbook,
- A copy of the Annual Report
- Regular information about our comments and complaints procedures

And on request we will supply:

- Information on Housing Management Policies such as admission to our waiting list, allocations, transfer and exchanges, setting of rents, and repairs and maintenance.
- A range of information leaflets

### **How tenants can participate**

We will encourage involvement on all levels. We will seek to develop a Code of Practice in partnership with Registered Tenant Organisations which will set out how tenants will share power and influence decision-making.

- We will provide Registered Tenant Organisations with relevant information at the earliest stage to allow for real participation.
- We will consider the views of Registered Tenant Organisations before we take decisions on issues which will effect the provision, maintenance and management of the Housing stock in their areas
- We are aware of the large geographical area and small numbers of ARK tenants in certain areas; therefore, we will endeavour to encourage participation on all levels including on an individual or informal basis.

## **How to register a Tenant Organisation**

Tenant organisations will qualify to become Registered Tenant Organisations if they can show that they:

- Have an acceptable constitution;
- Have a properly elected committee and office bearers
- Genuinely represent the views of the tenants in their area and;
- Keep accurate financial records

We will provide help and support to new tenant groups trying to meet the registration requirements. We will work with informal groups who cannot meet these requirements for genuine reasons.

## **8. IF YOU HAVE A COMMENT OR COMPLAINT**

## **WHAT TO DO IF YOU HAVE A COMMENT OR COMPLAINT**

We aim to provide a first class service but sometimes we make mistakes. If you are unhappy about any part of our service we want to know. Problems can arise without our knowledge so we welcome the opportunity to put matters right.

We would also like to know if you are pleased with a particular service.

### **Getting Independent Advice**

We would always hope that a problem could be sorted out informally.

You may feel it is important to get independent advice before you decide whether to complain to us formally. Advice Agencies which can be of assistance are;

1. Citizens Advice Service
2. Shelter
3. Solicitors
4. Welfare Rights Service.

## **WHO CAN USE THE COMMENTS& COMPLAINTS PROCEDURE**

Anyone who receives or requests a service from us can use the Complaints Procedure. This includes tenants, applicants for housing, owners and people living in neighbouring properties.

The procedure is also open to people who may be acting on behalf of a tenant such as a Councillor or an MP

### **What Can You Complain About?**

You can complain about any part of our service, which you are unhappy about, for example:

- If a repair has not been carried out properly.
- If you have not received information that you have asked for
- If you feel a member of staff, a committee member or a contractor has not behaved acceptably towards you.
- If you feel your housing application has not been handled properly

We will always try to deal with complaints sympathetically but there are some things we will not be able to give information about. For example, it would be wrong for us to discuss the details of someone else's Housing Application as this would be a breach of confidentiality, but we can explain how our Allocations Procedure works.

### **Step 1- Try to Sort Things Out Informally**

First, speak to the staff providing the service you wish to comment or complain about. Most problems can be dealt with quickly by people closest to the situation.

If you feel unable to approach the staff directly or are unhappy with the response, then you or someone else on your behalf can write down your comment or complaint.

Your comment or complaint will be passed to the appropriate section who will contact you within 10 working days. If we cannot resolve your comment or complaint in this time, we will write to you to tell you why and also to let you know how long we will take to investigate and respond to you. Some comments or complaints may take longer than others to deal with, but we will tell you what is happening.

### **Step 2 – The Formal Complaints Procedure**

If you have made a complaint and are still not happy, you can write to The Chief Executive who will review the decision and decide if more action is needed. You will receive an acknowledgement within 3 working days which will explain how the complaint is being dealt with. We will respond to your complaint within 10 days.

### **Step 3 – The Appeals Procedure**

If you are still not satisfied with the outcome of your complaint you may appeal ARK's Management Committee. Appeals should be in writing and sent to the Chairman of the Management Committee, who will acknowledge receipt of your letter within 3 working days and also inform you of the date when the Committee will consider your appeal.

### **Step 4- Scottish Public Services Ombudsman**

The Scottish Public Sector Ombudsman investigates individual complaints against Housing Associations and other public bodies. This organisation replaces the Housing Association Ombudsman.

The service is free, however, normally, you must have gone through the Associations own complaints procedure before contacting the Ombudsman  
The contact name and address for this service is

Carolyn Hirst,

Deputy Scottish Public Services Ombudsman  
Drumsheugh Toll  
2 Belford Road  
Edinburgh EH4 3BL

**Telephone No. 0131 220 0599**

## **9. HOW TO CONTACT ARK HOUSING ASSOCIATION**

## Useful contact numbers for ARK Housing Association

To contact ARK by post write to **ARK HOUSING ASSOCIATION  
THE PRIORY  
CANAAN LANE  
EDINBURGH  
EH10 4SG**

To contact ARK by Phone **0131 447 9027**

Local rate phone number **0845 3036784**

To contact ARK by Fax **0131 478 8173**

To contact ARK by email [admin@ARKha.org.uk](mailto:admin@ARKha.org.uk)

**FOR EMERGENCY OUT OF HOURS REPAIR NUMBERS PLEASE REFER TO PAGE 12 and 13 OF THIS HANDBOOK.**

**Should you wish a copy of this handbook in a different format e.g on tape, Braille Please contact your Housing Officer**

***We hope you find your handbook useful. If you have any comment or queries about the content, please do not hesitate to contact us.***