

# RENTING YOUR HOME FROM CASTLEHILL HOUSING ASSOCIATION

Some questions you may have about the Association and your tenancy

## *What type of organisation is Castlehill?*

Castlehill is a Limited Company established in 1970 and is a registered housing association with charitable status. Our area of operation covers Aberdeen City, Aberdeenshire and Moray.

Controlled by a voluntary Management Committee, the Association is a non-profit making organisation which exists to provide and manage good quality, secure and affordable accommodation for a range of people with different needs. Anyone interested in the work of Castlehill can become a member of the Association by purchase of a £1.00 share, this being the limit of each members financial commitment. Members are entitled to attend the Annual General Meeting at which the Management Committee is elected.

The Association receives some funding for new schemes and projects from the Scottish Executive through its agency, Communities Scotland. The remainder of our funding comes from private loans which are paid back from our rental income.

Communities Scotland is also responsible for monitoring the work of the Association to ensure that high standards of housing provision and service to tenants are maintained.

Castlehill is affiliated to the Scottish Federation of Housing Associations, the representative body for Associations throughout the country.

## *What type of tenancy will I be given?*

From 30th September 2002, all Castlehill tenants will have a **Scottish Secure Tenancy**. This type of tenancy was introduced by the Housing (Scotland) Act 2001, and will be used by Councils, Housing Associations and other registered social landlords. The purpose of the agreement is to give security of tenure and to outline the rights and responsibilities of both tenants and the Association.

### ***When do I receive my Tenancy Agreement and what will it contain?***

Once you have accepted the offer of a tenancy and a start date has been arranged, a member of our staff will go through the details of the Tenancy Agreement with you and give you the opportunity to raise any queries you may have. Two copies of the agreement are signed by the tenant and Castlehill staff and you will be given one to keep.

The Tenancy Agreement is a legally binding contract between you and the Association and contains details of the terms of tenancy including...

- amount and breakdown of rent, and any service charges, and the process for the annual rent review.
- explanation of the responsibilities of the Association and the tenant, including repairs, for example.
- explanation of the grounds on which the tenancy can be brought to an end by either party to the Agreement.
- tenants rights regarding succession of the tenancy, subletting and altering the property.
- rules on the use of the property including, for example, behaviour towards neighbours or the keeping of pets.

Comprehensive explanation of the contents of the Tenancy Agreement is given in the Tenants Handbook which all new tenants receive.

### ***How is the rent level set and reviewed by the Association?***

Castlehill has a formal rent policy based on the principal that rents should be maintained at an affordable level for those on limited incomes. Each property attracts a number of points based on its size, age, location, type and facilities. These points are allocated a financial value which is reviewed each year. This annual review is undertaken before April and any increases are related to inflation as indicated by government figures. All tenants are consulted on any proposed rent increase and their views put forward to the Association's Management Committee before any decision to implement an increase is taken.

Service charges are reviewed on the basis of the actual costs of providing the individual service, eg gardening, and the potential costs for the forthcoming year. A copy of our rent policy can be made available on request.



### ***If I cannot afford the rent, can I get any financial assistance?***

Depending on your income and savings you may qualify for some or all of your rent to be paid through **Housing Benefit**. Other factors taken into account in assessing benefit entitlement include your age, the monthly rent and who else is living with you in the property. Housing Benefit is assessed and paid by the local Council and can be paid directly to the Association in many circumstances.

If you have any doubts about your ability to afford the rent at anytime during your tenancy, our staff will be happy to give you advice and, if necessary, assist you with the completion of relevant forms.

### ***Can I move into my new home as soon as I get the keys?***

No. You should not start living in your property until the day when your tenancy commences. The Association will, however, try to ensure that you are given keys a few days before the start of tenancy date and you can use this time to measure up for carpets, curtains etc, or make other arrangements for moving in. Castlehill cannot take responsibility during this time for any items that you may have in the property as, on rare occasions, a contractor may have access to complete repairs or other works.

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

Due to the Association's status as a charitable organisation, **no Castlehill tenant has the Right to Buy the property they occupy**. The Housing (Scotland) Act, 2001 introduced some changes to the way in which the Right to Buy scheme works but this right was not extended to tenants of charitable housing associations such as Castlehill. You must consider how any current right to buy that you may have would be affected by a move to a Castlehill tenancy and if you are in any doubt about your rights in this matter you should seek further independent legal advice.

### ***Important points regarding the Right to Buy.***

As stated above, you will not be able to buy the property you rent from Castlehill. Before deciding to accept a Castlehill tenancy, however, it is important that you consider your legal status if you have the right to buy in your current home or if you may be considering moving on again in the future to another landlord where you may be able to exercise the right to buy.

- If you were a Secure tenant of a Council or non-charitable Housing Association prior to 30th September 2002 you will have the 'preserved' Right to Buy. You will keep this unless you transfer to another property with the same landlord or move to another Council or non-charitable Housing Association. After such a move you would only be eligible for the 'modernised' Right to Buy as outlined below.
- If you take up a tenancy with a Council or non-charitable Housing Association after 30th September 2002 you will qualify for the modernised Right to Buy.
- If you are a tenant of a non-charitable Housing Association and had an Assured Tenancy prior to 30th September 2002 you will qualify for the modernised Right to Buy after that date.
- If you become a Castlehill tenant and later move on to a landlord where you have the modernised Right to Buy, your years of tenancy with Castlehill will count towards calculating any discount should you choose to purchase your property.

#### *Modernised Right to Buy*

- You must hold at least 5 years continuous tenancy/tenancies with a social landlord eg - Council or Housing Association.
- Generally, tenants will not be able to exercise the Right to Buy until 2012 and this period may be extended in areas where there is a shortage of affordable rented housing.
- Discounts start at 20% of market value and rise by 1% per year of occupying the property to a maximum of 35% or £15,000.
- Sheltered Housing and some other types of special needs housing remain ineligible for purchase.

**If you have any particular questions about a tenancy with Castlehill please contact the person who signed your offer of tenancy letter. If that person is not available another member of our Housing Management staff will be pleased to assist or advise you.**