

Tenancy Agreement and Tenancy Policy

Consultation feedback report

January 2026

Introduction

Following local government reorganisation, North Yorkshire Council inherited housing stock and housing management policies from three predecessor councils. This has resulted in inconsistencies in tenancy agreements and operational practices across the Council's housing service.

To address this, the Council is progressing work to harmonise tenancy arrangements through the development of the NYC Tenancy Agreement and proposed amendments to the NYC Tenancy Policy. These changes reflect legal updates, policy alignment, operational improvements, and best practice.

A consultation is required as outlined in Sections 105 and 137 of the Housing Acts 1985 and 1996. The service of a Preliminary Notice of variation under section 103 of the Housing Act 1985 was also required for the tenancy agreement changes.

This report is not intended to cover the detail of all the responses received but provides a summary of the feedback. We are committed to engaging and involving tenants and using their insight to influence and improve services and to ensuring their voice is heard in decisions that affect their home, their safety and their communities. We aim to put our tenants central to our decision making and therefore we have considered all comments provided and we would like to thank everyone who took the time to respond.

Consultation process

The proposed new Tenancy Agreement and Tenancy Policy were published on the North Yorkshire Council website in the consultation space. The consultation on both publications ran from 26 November to 31 December 2025 inclusive. A survey was available for any tenant comments or feedback.

We wrote to every existing North Yorkshire council tenant and included a Preliminary Notice of Variation

We shared details of the survey in the letter accompanying the preliminary notice and sent a reminder email to the 4612 tenants with a registered email address in early December.

We promoted the consultation in our newsletter and at tenant panel meetings and with our colleagues through internal communications.

To ensure as many tenants as possible were able to participate we held 3 face-to-face to drop-in sessions in Richmond, Harrogate, and Selby. Alongside these sessions, to give tenants flexibility and choice in how they shared their views, we offered a Microsoft team's meeting drop in, a help desk service for general queries and 57 tenants were issued paper copies of the documents and the survey.

There were 89 responses to the survey. The responses were anonymous.

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Key themes

There were consistent themes in the qualitative responses to the survey, including:

General

6 respondents were concerned about losing their secure tenancy status and 6 respondents mentioned typos and requested plainer language

Repairs

Repairs timeliness and competition was an issue for 12 respondents and gardens and grounds maintenance such as gutters, fascias, gates and grass was mentioned by 7 respondents. A suggestion regarding loft storage was put forward by one tenant.

Succession

Concerns about children and family members and succession were mentioned by 3 responders. Some preferred enhanced succession rights

Joint Tenancies

There was some anxiety about one joint tenant's notice ending the tenancy for both and comments made relating to relationship breakdown and domestic abuse

Rent Payment Schedule

3 tenants had a strong preference to retain the 48-week payment schedule

Overall sentiment

There was a strong overall understanding and acceptance among many respondents. Some of the comments included 'reasonable', 'sensible' and 'modern'. There were some clear concerns, and some tenants advised they were worried. Some tenants appreciated the opportunity to feedback, but some tenants felt that they had a legally binding contract and didn't accept it could change.

Succession: "If myself or my wife were to pass away... the tenancy would transfer to the living partner, meaning it would not be allowed to be passed to our daughter... we have all lived here for 21 years."

"The agreement states that where succession is refused, the Council may grant a new tenancy at its discretion. I would welcome clearer criteria explaining when this discretion would be exercised, to give tenants and their families greater certainty"

Multiple tenants, particularly long-standing secure tenants requested plain language clarify on succession and when discretion may be exercised.

Joint tenancies: "If one of the joint tenants gives notice... should the remaining tenant then worry about losing their home too?"

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“I’ve been a tenant for nearly 30 years and my husband moved in with me 25 years ago we moved into our current home 13 years ago and if we split up and he moved out would I then be forced to leave too?”

This concern was echoed in face to face and telephone conversations. This is not a change to the terms of any current or any joint tenancy. There is case law establishing this (Hammersmith & Fulham LBC v Monk, confirmed later by Sims v Dacorum). If one tenant decided to end the tenancy, it will end the tenancy for both tenants, whether they agree or not and North Yorkshire Council cannot override this rule.

The wording in the agreement has been used to ensure this is explicit for tenants so that they understand the legalities of joint tenancies

Rent-free weeks: “Please leave [rent-free weeks] as it is... the two weeks around Christmas are a massive help.”

“Do not remove rent free weeks, people are struggling enough already”

“Will we still be able to continue paying rent by direct debit on a monthly basis”

Tenants will be offered support to implement the new payment schedules and we will make it clearer in communications to tenants that existing monthly payment options and direct debits can remain.

Repairs and access: “I support the emphasis on reporting repairs promptly, including damp and mould. However, I would welcome reassurance that tenants will not be held responsible where issues are structural, historic, or due to delays in council repairs. I understand the need for access for safety inspections. It would be helpful if the agreement clarified the process followed before enforcement action is taken where access has been missed due to illness, work, or caring responsibilities”

Repairs are a top theme and the Repairs Standard covers the issues raised however a suggestion was made to permit limited, safe storage in lofts therefore an amendment can be made to communications to make clearer the reasons why there is no storage allowed.

Tenants requested clarity to wording regarding charging to reassure them that they won’t be charged for issues outside their control.

Tenants also asked for reasonable notice and consideration of health/work and caring commitments when arranging appointments

Tenants asked for clearer steps before enforcement action for missed appointments.

Conclusion and next steps

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Most of the comments received were in response to the new wording and not a change in the rights or security of tenure. Our responses to the key points are set out below:

| Issue raised | Response |
|-----------------------|--|
| General | We have considered and reflected on the feedback and made changes to the draft documents to correct any typos. There is a clear need for more plain English wording and reassurance regarding tenancy security and we will therefore include a more explicit line about tenancy security in tenant communications and in addition include a FAQ document. |
| Succession | All existing tenants will retain their existing succession rights. This is made clear in Appendix A. We will reiterate this in the communications. |
| Joint Tenancies | The wording relating to joint tenancies was introduced to make it clear for all joint tenancies of the implications of ending a tenancy. This is set out in legislation and in case law and is not a change for existing tenants. The former tenancy agreements did not make this clear and this was apparent to us when issues arose therefore new wording has been introduced. |
| Rent Payment Schedule | We will make it clear that support for the transition is available and that existing monthly payment options and direct debit arrangements can continue |

The consultation has not resulted in the any substantial or material changes to the proposed document, but minor typos and amendments have been made following the feedback.

A document to support tenants understanding of the changes will be created to help with the implementation of the new agreement and tenancy policy.