



# Social care and support

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## Tenancy agreements

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In Supported Living the services included in a tenancy ordinarily include the provision of bricks and mortar, housing management, repairs and maintenance and services such as the provision of white goods, furniture, gardening, communal utilities etc.

### Tenancies and licences to occupy

A tenancy grants 'an interest in land', established by the payment of rent and a contract conveying rights and responsibilities on both parties, landlord and tenant.

A tenancy will usually be offered on an assured or an assured shorthold basis. Assured tenancies are not specifically time limited and can only be brought to an end under certain grounds described in the Housing Act.

Assured tenancies are usually granted by Registered Providers (Housing Associations) and specialist landlords, often not for profit organisations.

The other type of tenancy agreement is Assured Shorthold. This is for a defined period, usually 6 or 12 months but can be any timescale. At the end of the defined period either of the parties can end the contract. If both want to carry on, the agreement reverts to a periodic tenancy, which allows both parties to give each other an agreed amount of notice (usually 1 month from the tenant, 2 from the landlord) when either wants to bring the contract to an end.

In shared accommodation, the tenancy will need to be one joint agreement signed by all occupants, or separate individual agreements granting exclusive occupation of a bedroom and shared use of any communal areas. This last option is usually most appropriate as joint agreements make each tenant "joint and severally liable", meaning that if one person defaults or otherwise goes against the terms the other tenants will also be subject to any action the landlord wishes to take. If one tenant leaves, the whole agreement comes to an end, and the landlord may not issue a new agreement for the remaining tenants.

Some landlords may offer licenses to occupy. These are not the same as tenancies as they don't grant a legal interest in the land in the same way. They only allow the licensees to live in the property as long as the landlord wishes, with no rights to quiet enjoyment or right to remain if the landlord wants to evict at any time. Licenses are applied in registered care homes.

Mencap has produced a comprehensive guide to the types of tenancies usually offered by landlords and an individual's rights within these and [you can find it on their website](#).

## We can help

If you have any questions about social care, please contact us using Tel: 0333 1212 300 or Email: [info@downs-syndrome.org.uk](mailto:info@downs-syndrome.org.uk). If our information officers are unable to help, they will refer you to our social care adviser.

### Contact us

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