

## Information for Tenants

Leaflet No. 13  
(Issue May 2011)

**A lodger is a person who shares all the facilities of your home and is treated like another member of the family.**

**A sub-tenant is a person who has been given exclusive use of a room or part of the property. Even though they may share the bathroom for example, sub-tenants generally lead a separate life to that of the family.**

**This leaflet also looks at the procedure for cases where the tenant has to go away for a period of time and wishes a friend to stay in the property temporarily.**

Arcon tenants have the right to take in a lodger or a sub-tenant but the rules are slightly different depending on whether you hold a secure or an assured tenancy. No tenant may sub-let the whole of their property while they themselves move elsewhere.

### Secure Tenancies

#### Lodgers

Secure tenants have the right to take in a lodger. You do not have to ask permission from Arcon but you must tell us about it if you do so.

#### Sub-Tenants

Secure tenants have the right to sub-let part of their home but cannot sub-let the whole of the property. You must ask permission from Arcon before you sub-let but we will not refuse consent unless, for example, it will cause overcrowding or where repair works are imminent.

### Assured Tenancies

#### Lodgers

Assured tenants have the right to take in a lodger but you must ask permission from Arcon before you do so. We will not refuse consent unless very good reasons apply, eg it will lead to overcrowding.

#### Sub-Tenants

Assured tenants have the right to sub-let part of their home but cannot sub-let the whole. The Association must give permission before you do so but this permission will not be withheld unreasonably.

Please note that Starter tenants do not have the right to take in lodgers or sub-let any part of their home.

### Procedure

Any tenant wishing to take in a lodger or sub-let part of their home should contact their housing officer stating:

- the name, age and sex of the intended occupier.
- the room(s) they will occupy.
- the terms and charges under which the accommodation is let.

Your housing officer will normally reply in writing within 10 days. We cannot withhold its consent unless very good reasons apply.

Although secure tenants are not legally obliged to seek permission before taking in a lodger, you are strongly advised to do so because the distinction between a lodger and sub-tenant is not always clear.

# Lodgers and sub-tenants



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## Implications of taking in a Lodger or Sub-Tenant

Rent from the lodger or sub-tenant will adversely affect the amount, if any, of housing benefit you currently receive.

If your lodger or sub-tenant causes a nuisance you, the tenant, will be held responsible.

If you leave your home permanently for any reason, eg because of a transfer, you must make sure the lodger/sub-tenant leaves also.

## When a tenant goes away

There are occasions when tenants may need to leave their homes for fairly lengthy periods of time but with every intention of returning eventually. Such occasions may be a long stay in hospital or a lengthy visit abroad. In many of these cases, the tenant may ask a friend or relative to stay and look after the property while they are away.

If we are informed before you leave of all the circumstances, we will not normally object to these arrangements. If we are not told of such arrangements and an unknown person is discovered to be living in the property problems may occur. It could lead to termination of your tenancy, eviction of anyone found on the premises and the property being relet.

Any tenant who needs to leave their home for lengthy periods of time should contact their housing officer before they go away and give the following details:

- reasons for the absence.
- likely duration of absence.
- certainty of return.
- circumstances of the proposed flatsitter/housesitter.
- likelihood of the flatsitter/housesitter leaving on time.
- how the rent is to be paid.
- arrangements for clearing rent arrears.

If the absence is likely to be for more than a year, tenants may be advised to give up their existing property but be guaranteed rehousing when they return. Arcon will always try to be as understanding as possible. In most cases a mutually acceptable arrangement can be agreed.

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