

## EXTENDED ABSENCE TENANT GUIDE



### 1. INTRODUCTION

Permission for extended absence is a means that allow tenants to leave their tenancy unoccupied for an agreed temporary period with the landlords permission.

Every Scottish Secure Tenant (SST) and short SST has the right to seek their landlords permission to leave their tenancy unoccupied for an agreed period. Tenants must tell their landlord if they intend to go away for more than 4 weeks.

Landlords have 28 days to make a decision and tell the tenant of the outcome and can only refuse permission if it is reasonable to do so. The reasons for refusal are outlined in housing legislation.

### 2. APPLICATIONS

Tenants who wish to be absent from their home to another must complete an Extended Absence Request Form. This form is available on request from RCH customer experience team.

We shall consider your application and tell you the outcome within 28 days of application.

### 3. APPROVING PERMISSION

If permission is being approved, the tenant retains their full tenancy rights and conditions and must continue to pay rent and fulfil all existing tenancy obligations.

RCH must have up to date details of your temporary address and contact details and the name and contact details of the person who is looking after the house during your absence.

Failing to keep us up to date with contact information could lead us to consider your tenancy as abandoned and end it.

### 4. GROUNDS FOR REFUSAL

River Clyde Homes will not unreasonably refuse consent for tenants to be absent from their home. However, the grounds under which we may refuse consent include the following:

1. The tenant has not completed the application correctly or provided the necessary information within 7 days of request.
2. We are not satisfied with their arrangement to comply with their tenancy obligations i.e. pay rent.

3. we have served a Notice of Proceedings warning the tenant that we are seeking to have them removed from your home under Schedule 2, grounds 1-7 of the Housing (Scotland) Act 2001
4. we have obtained an order against the tenant for recovery of possession of the property (eviction)
5. the tenant has rent arrears equivalent to three month's rent charge and an arrangement to repay this debt has not been kept for a period of three months.

The above examples do not in any way alter our general right to refuse permission on reasonable grounds and we will consider every case in its own merits. If the change has already been made without our approval we may consider the tenancy as abandoned and follow the usual abandonment process.

This decision completes the application and any further request from the tenant for permission to be absent from the tenancy must be made as a fresh application.

## **5. APPEAL PROCESS**

The tenant has 7 days to appeal this decision and can do so in writing stating the reason for the appeal and enclosing any new information that is relevant.

The Housing Team Leader shall consider you appeal and respond within 14 days with the outcome.

This decision completes the appeal process and finalises the application. If the change has already been made without our approval, we may consider the tenancy as abandoned and follow the usual abandonment process.

The tenant does not have the right to use RCH complaint procedure as under the Scottish Public Services Ombusman guidance, dissatisfaction with a process which has an appeal route is not treated as a complaint.

## **END OF PROCEDURE NOTE**