

# Tenancy Agreement Preliminary Notice of Variation

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How we have structured this Preliminary Notice of Variation

Comparing the current tenancy agreement with the draft tenancy agreement on a section by section, line by line, word by word basis would have been very difficult because the draft tenancy agreement is in a different format.

To help you understand the key proposed variations we have listed them on pages 2 to 6 where:

📄 **The left hand column comprises the heading within the current tenancy agreement.**

📄 **The middle column provides the proposed variation**

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**☐ The right hand column side provides the reasons why we are proposing the variations.**

As there are new descriptive sections which did not feature in the current tenancy agreement we have identified those clearly as being new sections in the left hand column.

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Current tenancy agreement section	Proposed tenancy agreement section	Amended terms & conditions
Additional Section Added	Contents and Definitions	We have added a content and definitions page(s). We have amended the order of the content and split the document into 19 sections.
1. Introductory Tenancies	1. Introduction to the Tenancy Agreement	Current agreement contains one long section explaining introductory and secure tenancies. In the proposed agreement we have split this section into 11 sub sections making it clearer and easier to understand. Section - 1.1 explains the reason for a tenancy. 1.2 states the two kinds of tenancies contained in this agreement. 1.3 is on Secure tenancy. 1.4 explains Introductory tenancy. 1.5 explanation of what happens if you breach your agreement. 1.6 explanation of being a joint tenant. Table A is added showing the difference in legal rights between the two tenancies. 1.8 information added in requiring Order of possession. 1.9 added in proposed agreement. 1.10 this information is under section 3.3 in the current agreement. 1.11 regarding fraud, added to proposed agreement to bring agreement up to date with current policies.
Additional Section Added	2. False statement	Section 1 added in proposed agreement to bring agreement up to date with current legislations.
1.1a – 1.1d Payment for the premises 1.3 Service of Notices 3.2 Rent	3. Payment of Rent and Charges	Proposed agreement contains more details and explanations regarding rental payment and tenant’s responsibilities in relation to charges. We have divided this section into 12 sub sections to clarify each point. Sections 3.2, 3.3, 3.4, 3.6, 3.7, 3.9, 3.10 & 3.11 added into proposed agreement to bring agreement up to date with current policies and practices. Section 3.5 added to provide clarity for joint tenants on rental payments. Section 3.8 and 3.12 in proposed tenancy reworded from section 1.3 in current tenancy. Section 3.2 in current agreement moved to 3.1 in proposed agreement, wording amended.
3.3 Use of Premises 3.15 Overcrowding 3.16 Lodgers and sub-letting 3.18 Absence from premises 2.7 Succession to spouse	4. Use and Occupation of the property	We have absorbed section 3.3, 3.15, 3.16, 3.18 and 2.7 into section 4 of the proposed tenancy and removed some of the unnecessary wording to make it simpler to understand. 4.7 added clause about notice boards. 4.8, 4.9 & 4.10 added clause on dangerous material due to health and safety concerns. 4.11 added clause to ensure our records are kept up-to-date.
3.15 Access	5. Access to the property	We have moved 3.15 and merged 2.2(b-d) and 3.12 to section 5 of the proposed tenancy

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2.2(b-d) Tenant's right to occupy 3.12 Access		and added more information about reasons in which we may require access to the property and information on emergency access.
2.3 Repair of structure and exterior 2.4 Repair of installations 2.5 Repair of common parts 2.6 External decoration 3.9 Damage 3.10 Reporting disrepair 3.11 Improvement	6. Repairs and Maintenance	We have absorbed 2.2 (a-d), 2.3(a-i), 2.4(a-d) and 2.5 into section 6 of the proposed tenancy. We have added more detailed information with regards to the tenant's responsibilities to make the agreement clearer and in line with current policies and procedures. We have spilt this section into 18 subsections. Added clause 6.1. Section 6.2, 6.9 & 6.10 of the proposed tenancy amended and reworded from section 3.10 of the current tenancy. Section 6.4, 6.16 and 6.18 of the proposed tenancy amended and reworded from section 11 of the current tenancy with clause 6.17 added for information. Section 6.12 and 6.14 of the proposed tenancy amended and reworded from section 9 of the current tenancy. Added clause 6.3, 6.5, 6.6, 6.7 and 6.8 added due to health, safety and fire concerns. Section 6.11 of the proposed tenancy amended from section 3.2(a-i) of the current tenancy. Clause 6.13 added to clarify maintenance of TV aerial. Clause 6.15 added to clarify council policy on damages.
3.25 Insurance	7. Insurance	We have re-worded this section to include information on the type of insurance the tenant requires – section 7.1, information on the repairs possibility of recharge – section 7.2 and 7.3.
3.5 Nuisance 3.6 Racial and other harassment 3.7 Noise	8. Anti- Social Behaviour	This section currently contains several sub sections which we have absorbed under one heading 'anti-social behaviour' to make it easier for you to locate the information. The proposed agreement provides more detailed information on what we consider as anti-social behaviour and breaches to your tenancy agreement. We have done this to make the agreement clearer, to clarify your responsibilities and bring it up to date with current legislation and our policies. Section 8.1 & 8.2 re-worded from section 3.5 in current agreement. Examples of nuisance added to section 8.2 to provide more clarity. Section 8.3 replaces section 3.6 in current agreement; we have expanded the wording in this clause and added bullet points to make it easier to read. We have also added domestic violence and the use of mental, emotional and sexual abuse as a form of harassment. Added clause 8.4 regarding false or malicious complaints. Clause 8.5 added regarding behaviours which can cause damage to the property and surrounding areas. Clauses 8.6 & 8.7 added due to health & safety concerns. Section 7 in currently agreement removed as included in a bullet point of section 8.2 of proposed tenancy.
3.22 Criminal activity	9. Unlawful behaviour	We have removed the two headings on the current tenancy and replaced it with 'Unlawful

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3.23 Drugs		behaviour'. We have simplified and updated this section using bullet points and removed some of the explanatory information.
3.17 Gardens	10. Garden	We felt this section needed to contain greater detailed information to the tenant to inform them of their duties and responsibilities. Section 10.1 we have added bullet points to highlight responsibility for the upkeep of gardens. Section 10.2 clause added to include action we could take against your tenancy. Sections 10.3 to 10.07, we have added information regarding height of plants, plants should not cause a nuisance, information on upkeep of communal garden and the use of shared driveways.
Additional Section Added	11. Boundaries, Path and Driveways	We have added this section into the proposed agreement to provide clarity on fences, pathway and drives. Section 11.1 clause added to provide information and bring the tenancy up-to-date with current policy on obtaining permission for any works carried out. Paragraph 11.2 added for information. Section 11.3 clause added with information on maintenance of fencing, walls, path and driveways.
3.13 Roadways 3.24 Vehicle repairs/ business	12. Vehicles and Parking	We have expanded this section to give greater information on vehicles and parking. We have included bullet points to clarify use of driveways, caravan/motorhome, parking on kerbs or grassed/landscaped areas and designated areas. We have included clauses on parking untaxed/illegal vehicles, building parking spaces/drives without permission, causing obstructions, nuisance or damage, having a motor-related business and storing within communal areas.
Additional Section Added	13. Use of Communal Areas	We have added this section into the proposed agreement to clarify the use of communal areas and inform tenants of their responsibility. We have included bullets points, added some wording about sharing the use of communal areas, not to leave waste & items in communal areas and not to cause nuisance or disturbances within communal areas. Also included a clause on recharge.
3.8 Pets	14. Keeping of Animals	We felt we needed to include greater information on keeping pet/animals within your property. Section 14.1 & 14.2 explains the type and quantity of animal you can keep with or without prior permission in the house or bungalow and section 14.3 for flats. Section 14.4 to 14.8 explains your responsibilities for pets/animals and what you must not do. Section 14.9 clause added regarding feeding wild animals/birds responsibly. Section 14.10 gives examples of what we would consider as nuisance caused by your animal/pet. Section 14.11 clause added to state pet/animals should be left unattended in property only for a certain length of time. Section 14.12 clause added to remove permission if pet/animal is causing a nuisance. Section 14.13 & 14.14 clause added regarding pet/animal must not

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		cause any damage to property or surrounding area and should they do, it is the tenant's responsibility to make good these damages. Section 14.15 clause added to state pet/animals must not prevent authorised person's from gaining access into the property. Section 14.16 clause added regarding prohibited animal.
3.11 Improvements	15. Alterations to the property	We have expanded this section to give greater information on alternations, erections and improvements. Section 15.3 gives examples of what we would term as an alteration. Section 15.4 and 15.5 provides information on factors impacting on any consent given. Section 15.6 & 15.7 clause added that we may serve notice on and/or remove any unauthorised alterations.
Additional Section Added	16. Recharges	We have added this section into the proposed agreement to provide information on our recharge policy giving examples on what we may recharge you for.
3.19 Ending the tenancy 3.20 Moving out	17. Ending your tenancy	We have expanded and reworded this section in the proposed tenancy. It now includes clause 17.2 informing the tenant they are liable for the rent during the 4 weeks' notice period. In Section 17.3 we have used bullet points to update clause 3.20 in the current tenancy to reference what you must do when you vacate the property. We have included paying off any arrears, taking a meter reading, handing keys back on the agreed date, advise us of your forwarding address and ensuring all household members and animals leave the property. Clause 17.4 added to bring the tenancy up to date with current policy reflecting our process should keys be handed back without notice. Amendments in clause 17.5 and 17.6 includes garden, outbuilding and loft space and making good any damage/alternations within the property before ending your tenancy. Clause 17.6 & 17.7 added to inform the tenant of the legal processes regarding goods left in the property.
4. The tenant's rights	18. Consultation and Information	We have removed section 4.1, 4.2, 4.5, 4.6, 4.7 from the proposed tenancy agreement as these have been moved to the associated sections within the tenancy agreement therefore does not need to be duplicated. No rights are lost. We have kept 18.1 Right to consultation and 18.2 Right to Information and shortened the clause to keep it current.
Additional Section Added	19. Notices	We have added a new section in the proposed agreement giving information on our policy for serving a notice.