



# **Rent and Service Charge Setting Policy**

## **February 2024**

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## 1. Scope

Torus is committed to a rent and service charge policy for social rents that is fair and equitable.

Torus is committed to developing new homes and financing this through the affordable rent regime as agreed with the Homes England (HE).

This Policy covers Torus Social Tenants paying rent linked to Formula Rent or Affordable Rent as well as occupants of Hostel Units, and Shared Ownership Tenants.

## 2. Policy Statement

This policy outlines Torus' approach to rent and service charge setting for social rents and the approach to affordable rent setting. Affordable rent is as defined in the Regulator of Social Housing Rent Standard and is classed as social housing.

Torus' Rent Setting Policy is that:

- Rents shall be set in accordance with relevant Government and Regulator of Social Housing standards and guidance, including the Government's Policy Statement on rent setting for social housing or the Regulator of Social Housing's Guidance on Affordable Rents.
- Rent will be revised annually as set out in the Tenancy Agreement. Tenants will be given at least four weeks' notice in writing of the new rent for their property.
- Annual Rent and service charge increases will be subject to approval by the Torus (Group) Board
- Annual rent charges will be set and charged over 50/51 or 52/53 rent debit weeks dependent on the terms of the tenancy agreement and the number of Mondays in any year. New tenancies will be let over 52/53 weeks.
- New tenants and tenants will be charged the Formula Rent or Formula Rent plus 5% for General Needs (10% Sheltered/supported housing) plus any service charge that is applicable (or Affordable Rent where applicable)
- Mutual exchange tenants within Torus' stock holding will be charged the same rent as the tenant they exchange with plus any service charge that is applicable; and
- Torus will offer services and provide information to tenants that will assist them in paying their rent including accessing Housing Benefit and/or the housing cost element of Universal Credit.

The objectives of the Torus Rent and Service Charge Setting policy are:

- Rent levels are reviewed and set annually for each property. A property will move to a Formula related rent or Affordable Rent if applicable when it is vacated.

- All tenants are made aware of the weekly rent payment due to Torus in respect of their property.
- The provision and maximisation of rental income to the business, subject to local circumstances and affordability, allowing Torus to provide services required by our customers.
- Torus to operate as a responsible landlord by keeping its homes to a high standard of repair.
- Compliance with the Regulator of Social Housing's Regulatory Code and Guidance.
- Compliance with the Government's Policy Statement on rent setting for social housing published in February 2019, updated in December 2022, and
- Compliance with the Rent Standard 2020 published by the Regulator of Social Housing which allows rents to be increased by up to CPI + 1% up to 2025. Torus will adopt the policy of increasing rents by CPI + 1% until April 2025, subject to local circumstances and affordability. Formula rents for the period 1 April 2024 to 31 March 2025 will be increased by CPI + 1%. The reference point for CPI is the September CPI published by the Office for National Statistics
- Where rent setting is reliant on a RICS accredited valuation no rent increase will be applied where a valid valuation spans the increase date, i.e. in the quarter before the increase date.
- The calculation of rents and service charges is the responsibility of the Group Finance Director, Details of individual responsibility in the calculation process are contained in the Rent Review procedure.
- An overview of the Torus approach to rent and service charge setting is published on the Torus website and updated annually.

### **Affordable Rents**

The rent setting policy meets the requirements of government guidance on the calculation of affordable rents and complies with the Regulator of Social Housing Standard's Rent Standard 2020.

The guidance on affordable rents states that:

- rents can be set at up to 80% of local market rents
- the rent must be re-calculated each time a property is re-let at an affordable rent. Affordable rent calculations are valid for 3 months after which a new valuation will be required
- service charges are included within the calculation
- valuation of market rent must be in accordance with a RICS recognised model

All affordable rents (inclusive of service charges) will be set at up to 80% of the current median market rent unless this is below social rent (excluding service charges) in which case the social rent will be used.

Where a new valuation is undertaken and results in an increase or decrease of greater than 10% or affordability or letting issues arise, the new rent set will be subject to approval from the Group Finance Director and Group Housing Director.

All new build properties, developed with social housing grant from April 2011, that are for rent will be subject to an affordable rent in line with Rent Standard requirements. All rents will be calculated using a RICS recognised model.

Affordable rents (inclusive of service charges) on new developments can be set at up to 80% of the current median market rent. Rents can be set at levels above Local Housing Allowance rates, however this will be highlighted to Boards and/or committee prior to development scheme approval.

Any Supporting People charges will be added to the affordable rent in line with this policy.

Annual affordable rents (inclusive of service charges) will increase in line with the government rent policy and the Regulator of Social Housing rent standard 2020, subject to approval by Torus (Group) Board.

### **Service Charges and Supporting People Charges**

Torus will consult with tenants before making any changes to services which will result in changes in service charges. Service charges will be reviewed annually in line with costs of service provision and there will be periodic adjustments. Where costs are anticipated to be inflation linked Torus will increase these by the CPI linked rent inflation applicable for the relevant year (CPI being based on the previous September).

Variable service charges will include adjustments in relation to surplus/deficits from previous years and will be based on the date of commencement of tenancy.

Annual service charge increases are subject to approval by the Torus (Group) Board

Torus will continue to implement charges raised under the supporting people framework in line with government policy.

### **Hostels**

Occupants of hostel units have a licence not a tenancy but are covered by the Government Guidelines on Rent setting. Service Charges will be calculated annually in line with anticipated costs.

### **Shared Ownership**

The Rent element of the Shared Ownership charge will increase by RPI plus 0.5% in accordance with the relevant lease agreement. Where the lease agreement stipulates an alternative mechanism the lease agreement provisions will apply. The latter currently applies to ex Golden Gated Housing Trust shared ownership properties, in which rent charge increases are linked to rented property increases (with the proviso that there are no rent reductions).

The Service charge element will be reviewed annually.

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## **Exempt Rent Properties**

Rents in respect of properties that are exempt from rent standard 2020 requirements e.g. supported accommodation will be set with the agreement of commissioning body e.g. local authority or NHS. Thereafter rents will increase in line with the standard rent increase for social and affordable rent properties

## **High Income Tenants**

It is acknowledged that there is scope within the Government policy to charge market rents where household income exceeds £60,000 per annum. Torus will not adopt this policy.

## **3. Implementation**

Increases in rent and service charges are effective from the first Monday in April each year. Tenants will be given at least 4 weeks' notice in writing of the increase in rent levels.

Torus will have a procedure to allow a tenant to appeal against their rent and service charge assessments.

## **4. Consultation**

This policy has been formulated in line with the Regulator of Social Housing's requirements for regional social landlords in term of social rent and affordable rent setting guidelines.

## **5. Responsibility**

The Group Finance Director is responsible for the implementation and review of this policy.

## **6. Diversity & Inclusion**

There are no adverse diversity and inclusion impacts of this policy.

## **7. Monitoring and Review**

This policy will be reviewed annually or when any changes in relevant government regulations are changed.