

HORIZON HOUSING ASSOCIATION LIMITED	HOUSING SERVICES POLICY
TITLE	BUSINESS FROM HOME
DATE APPROVED	MARCH 2007
DATE OF REVIEW	MARCH 2010

1.0 INTRODUCTION

Performance Standard AS1.3 requires that the Association shall have Policies and procedures based on established good practice, in place to deal with a range of tenancy matters (e.g. relationship breakdown, assignments and exchanges, lodgers and subletting, succession, etc).

1.1 The Association has set out in its, Tenancy Agreement at clause 2 section 2.3, that "you and anyone living with you must not run any kind of business from your property, however if you ask we may give permission, we may also increase your rent".

1.2 Therefore it is necessary to set out in a policy statement, to be supported by detailed procedures, the circumstances under which the Association shall give its consent to the operation of businesses within its domestic properties.

2.0 SCOPE OF THIS POLICY

The Association interprets "business purposes" to include all activities carried out for financial gain within our housing stock, including the property and the vicinity thereof gardens, car parking areas and common areas. This includes an individual event or an ongoing business venture.

2.1 Objectives of this Policy

The Association aims to

- Provide housing developments where tenants and their households may live without undue disturbance from others.
- Ensure that tenants and their households observe the law relating to the operation of commercial activity, particularly with regard to commercial activity within a domestic setting.
- Protect its property from damage or deterioration that may arise from commercial activity
- Avoid risks that may arise from commercial activity within its housing stock.
- Observe any Title restrictions attached to land in its ownership.
- Promote social inclusion and recognises that home working may be compatible with the needs of disabled people, or families with young children.

3.0 GIVING PERMISSION TO OPERATE A BUSINESS FROM HOME.

3.1 The Association shall give its permission for the operation of a business from home where the information provided by a tenant who wishes to run a business from home indicates that it is compatible with the objectives listed above.

3.2 Tenants who make application to operate a business from home and do not receive the Association's permission to do so, or who receive permission with conditions attached which they find unsatisfactory, may use the Association's Complaints Procedure to receive further explanation of the reasons for an unsatisfactory decision, and appeal if they remain dissatisfied thereafter. If the tenant remains dissatisfied with the Association's decision not to allow them to run a business from home they have the right to make an application to the sheriff under the Housing Scotland Act 2001

3.3 Tenants who operate businesses from home without the Association's consent, and who persist in so doing after due notice to cease such operations, are in breach of their conditions of tenancy and the Association may commence legal action to end their tenancy.

4.0 REVIEW OF THIS POLICY

4.1 The Director of Housing Services shall report at least each three years to the Housing Services Sub Committee on the operation of this policy, with recommendations for amendment as necessary.