



# View Point

Sub-Regional Choice Based Lettings  
Scheme

# Common Allocations Policy

Ashfield District Council  
Mansfield District Council

**This Policy is subject to final  
Councils approval and to be used  
upon implementation of the Scheme**

## **V2.2**

### **Definition of Terminology**

#### **Adapted Properties**

Property that has been adapted for an applicant with disabilities.

#### **Allocation Policy**

This explains the rules that determine how the Councils and Landlords allocate social housing properties. The Policy also outlines other housing options.

#### **Bidding Cycle**

This is the length of time properties are advertised as being available.

#### **Choice-based lettings**

A Scheme that gives all applicants a greater degree of choice of home.

#### **Direct Let**

This is when a property is offered to a household without it having been advertised.

#### **Effective Date**

The date an application is placed in a housing needs band, used as the applicable date when short-listing

#### **Eligibility**

The term used to describe factors that match an applicant to a property. For example, the size of your household and the number of bed spaces in a property.

#### **Exclusion**

The term used for applicants who will not be allowed to bid for a property.

#### **Expressing an interest**

Your way of telling the Landlord that you would like to live in a property.

#### **Extra Care Properties**

Housing that is designed with the needs of frailer older people in mind and with varying levels of care and support available on site

#### **Golden Transfer Tenant**

The term given to tenants who are eligible for rehousing due to maintaining all parts of their tenancy agreement successfully.

#### **Labelling Criteria**

The phrase used to refer to the information about properties advertised through the Scheme.

#### **Mutual exchange**

A swap of accommodation between two social housing tenants that relies on each tenant moving permanently into the other persons/tenants property.

**Nomination**

The term is used when a local housing authority provides, from its housing register, the name and details of an applicant to a landlord for an offer of housing.

**Principal Partners**

The two local authorities who have developed the Scheme.

**Project Group**

The group responsible for the monitoring and reviewing of all aspects of the Scheme

**Registered social landlords**

A housing association or a not-for-profit company registered by the Housing Corporation to provide social housing.

**West Nottinghamshire Sub-Region**

The area in which the Choice Based Lettings Scheme will operate, consisting of Ashfield and Mansfield.

**Shortlist**

A list of applicants that have expressed an interest in a particular property advertised through Choice Based Lettings.

**Social housing**

The term used for affordable rental accommodation owned by a local Council or housing association.

**Statutorily homeless**

A term that refers to people or families to whom a local housing authority have a duty to make a permanent offer of housing.

**Succession of tenancy**

When a tenant dies, the tenancy will automatically pass to any joint tenants, a partner or a close member of the tenant's family subject to certain restrictions.

**Sustainable communities**

The Department for Communities and Local Government says a sustainable community is a place where people want to live and work now and in the future.

<b>Contents</b>	<b>Page</b>
<b>1. West Nottinghamshire Sub-Regional Partnership</b>	<b>7</b>
1.1 Introduction	7
1.2 Governance	8
1.3 Review of the Scheme	8
<b>2. Statement of Choice</b>	<b>8</b>
<b>3 Legal Framework</b>	<b>9</b>
3.1 Legal Requirements	9
3.2 Equality and Diversity	10
<b>4. Aims and Objectives</b>	<b>10</b>
4.1 Key aims and objectives for the allocation Policy	10
<b>5. The Housing Register</b>	<b>11</b>
5.1 Eligibility – who can apply for housing	11
5.2 Applying to join the register	11
5.3 Joint applications	11
5.4 Multiple applications	11
5.5 Exclusion from the register	11
5.6 Applicants who are unable to participate in choice based lettings	12
5.7 Other Restrictions	13
5.8 Declaration	13
5.9 Social Housing applicants from outside of sub-region	13
5.10 False Information	13
5.11 Re-registration	13
5.12 Cancelling applications	14
5.13 Data Protection	14
5.14 Cross boundary moves	14
5.15 Councillors and Involvement in decision making	15
<b>6 Assessment of housing need</b>	<b>15</b>
6.1 Introduction	15
6.2 Housing need bands	15
6.3 Assessing applications	15
6.4 Deciding the effective date	16
6.5 Local connection to the sub-region	16
6.6 Local connection to a particular district	17
6.7 Applicants with no local connection	18
6.8 How local connection is determined	18
6.9 Reduced preference	18
6.10 Suitability to be a tenant	19
6.11 Reduced preference reviews and exceptions	19
6.12 Deliberately worsening circumstances	20
<b>7. Banding Scheme</b>	<b>20</b>
<b>8. Housing Priority</b>	<b>23</b>
8.1 Deciding who has priority on the register	23

8.2	Homelessness	23
8.3	Accepted homeless applicants who refuse offer of property	24
8.4	Suitable accommodation	24
8.5	Other homeless households	25
8.6	Prevention of homelessness	25
8.7	Tenants under occupying social housing	25
8.8	Rights of succession	25
8.9	The effect of relationship breakdown on a secure tenancy	26
8.10	Applicants where tenancy surrender has been negotiated	26
8.11	'Move on' Nomination agreements	27
8.12	Applicants lacking or sharing facilities	27
8.13	No fixed address	27
8.14	Applicants offered employment or apprenticeships within the sub region	27
8.15	Golden transfer tenants	28
8.16	Overcrowding	28
8.17	Medical grounds	29
8.18	Welfare grounds	30
8.19	Assured shorthold tenants	30
8.20	Owner occupiers	30
8.21	Tied accommodation	30
8.22	Rough sleepers	31
8.23	Qualifying agricultural workers	31
8.24	Armed forces	31
8.25	Mobile homes or caravans	32
<b>9.</b>	<b>Finding a home through choice based lettings</b>	<b>32</b>
9.1	Advertising properties	32
9.2	Expressing an interest in properties	33
9.3	Multiple properties	33
9.4	Selection process	34
9.5	Feedback	34
9.6	Accompanied viewings	34
9.7	Refusals	35
9.8	No interest in properties	35
<b>10</b>	<b>Offers of accommodation</b>	<b>35</b>
10.1	Choice of area	35
10.2	Offering properties to tenants who owe rent	36
10.3	Offers to homeless households	36
10.4	Type of tenancies offered	37
10.5	Bedroom size	37
10.6	Property eligibility table	38
10.7	Applicants requiring an extra room	39
10.8	Sheltered properties	39
10.9	Bungalows	39
10.10	Properties with adaptations	39
<b>11.</b>	<b>Local Letting Policies</b>	<b>40</b>
11.1	Legality	40

<b>12. Reviews</b>	41
12.1 Right to request a review	41
<b>Appendix 1 – Contact details for each Principal Partner</b>	43

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# **1. West Nottinghamshire Sub-Regional Partnership**

## **1.1 Introduction**

1.1.1 Ashfield District Council and Mansfield District Council have formed View Point, the Choice Based Lettings (CBL) Scheme to deliver greater choice to all those seeking housing and to enable people to make well-informed decisions about their housing options.

1.1.2 This Scheme is to be known as View Point. The Principal Partners are:

**Ashfield District Council who have transferred the management of their homes to Ashfield Homes Limited  
Mansfield District Council**

1.1.3 This Policy document sets out the priorities and procedures for accessing affordable housing under View Point Sub-Regional Choice Based Lettings Scheme.

1.1.4 Under View Point, homeseekers are placed in one of five broad Bands of housing need according to their circumstances. Vacant properties will be advertised in a variety of media, which may include a free sheet magazine, paper adverts and on the internet, as well as Property Shops where applicants are able to bid for properties. Adapted properties will be classified and advertised as suitable for applicants with matching mobility needs.

1.1.5 Although View Point will provide greater choice for applicants, the Scheme in itself will not increase the number of properties available. All available properties will be advertised and applicants will be encouraged to take an active part in the process by expressing their interest week by week. The system is more transparent and is expected to provide applicants with a more realistic view of their prospects of securing accommodation.

1.1.6 View Point is unlikely to satisfy the needs of all home seekers in finding affordable rented accommodation and so the Scheme aims to advertise alternative housing options such as private rented accommodation and mutual exchanges, as well as low cost home ownership and shared ownership properties.

1.1.7 The Scheme will operate through a shared CBL Information Technology (IT) system and one common allocations Policy across the sub-region. However, there may be local variations in order to make best use of social housing, in which case eligibility for properties will be clearly labelled in the advertisement.

- 1.1.8 Within each Local Authority area there are local Registered Social Landlords (RSLs), sometimes known as housing associations, who may advertise their available homes through the Scheme. Where nomination agreements exist with Local Authorities, RSLs will advertise these vacancies through View Point.
- 1.1.9 The Scheme is designed to be easy to use, and allows applicants to have an understanding of their housing situation, enabling them to make the best choice from the full range of housing options available to them.
- 1.10.1 All Principal Partners will ensure that housing advice and options information is available to everyone, free of charge. This will include information on how to apply for housing and where to get help to make an application, where the applicant cannot do so without assistance.

## **1.2 Governance**

- 1.2.1 The Scheme will be subject to a sub-regional agreement which will ensure that the Scheme is kept up to date and meets national best practice guidelines. It is managed by a sub-regional Project Group made up of the Housing Managers from the participating Local Authorities, RSLs and other stakeholders.

## **1.3 Review of the Scheme**

- 1.3.1 All Principal Partners will contribute to monitoring, developing, funding and making Policy decisions about the Scheme. The Project Group will meet quarterly to review and monitor the Scheme. It will also monitor the effectiveness of the allocation Policy, ensuring it meets the stated objectives and complies with legislative changes.

## **2. Statement of Choice**

- 2.1 The Principal Partners are fully committed to enabling applicants to play a more active role in choosing where they live, whilst continuing to house those in greatest need.
- 2.2 The Sub-Regional Scheme will enable all eligible applicants the freedom to apply for a percentage of available accommodation from all two Local Authorities in the sub-region.
- 2.3 In addition to giving applicants the choice of where to live they will also have access to information and advice on other housing options within the three districts. They will receive help in finding accommodation that best suits their housing needs.

## **Legal Framework**

### **3.1 Legal requirements**

3.1.1 The Principal Partners have formulated this Policy whilst taking into account the legal duties set out in Part VI of the Housing Act 1996, as amended by the Homelessness Act 2002.

3.1.2 The key points contained in Part VI of the Housing Act 1996, which impact on the Policy are:

- Allocating Local Authority properties to new tenants.
- Transfers that are requested by Local Authority tenants.
- Allocating Local Authority properties to current tenants of registered social landlords.
- Nominations that the Councils make to RSLs.

3.1.3 The Housing Act 1996, as amended by the Homelessness Act 2002, also sets out the housing circumstances of those applicants who must be given reasonable preference when being offered a property.

3.1.4 The law sets out five groups of applicants where reasonable preference must be considered:

- Applicants who are homeless (within the meaning of Part V11 (7) of the Housing Act 1996, as amended by the Homelessness Act 2002).
- Applicants who are owed a duty by any local housing authority under section 190(2), 193(2) or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by such authority under section 192(3) of the Housing Act 1996.
- Applicants occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions.
- Applicants who need to move on medical or welfare grounds (including grounds relating to a disability).
- Applicants who need to move to a particular locality in the district of the Local Authority, where failure to meet that need would cause hardship (to themselves or to others).

3.1.5 The Allocations Policy has been designed to ensure applicants who fall within the reasonable preference categories will be given due reasonable preference.

3.1.6 All applicants will have their housing needs assessed and be placed in a housing needs band according to their individual circumstances.

- 3.1.7 In developing the Policy regard has been given to the Allocation of Accommodation Code of Guidance for Local Housing Authorities 2008, Housing and Regeneration Act 2008 and Fair and Flexible (Draft Allocation Guidance) 2009.
- 3.1.8 The Policy does not apply to assignments or mutual exchanges. In each of these instances, neither the Council nor any of the other Landlords are required to identify a new tenant for the relevant property or properties.

## **3.2 Equality and Diversity**

- 3.2.1 Everyone has their own unique needs, skills, qualities and abilities. The Principal Partners believe that this diversity must be valued so that everyone can play a full and active part in life, free from fear and discrimination.
- 3.2.2 Strong communities will thrive and prosper if individuals and groups are treated fairly, with respect, and given access to rights and services. Our aim is to create an environment where this is possible and to put equality and diversity at the heart of everything we do.
- 3.2.3 Civil partnerships and co-habiting couples will be treated in the same way as married applicants.

## **4. Aims & Objectives**

### **4.1 Key Aims & Objectives for the Allocations Policy**

- 4.1.1 The overall aim of the Policy is to ensure that all social housing within the Partnership area is allocated fairly and objectively to those with the greatest housing need, having regard to any legislative requirements, related case law, local strategies and Codes of Guidance issued by the relevant Government Department and the Homes and Communities Agency (HCA).
- 4.1.2 This Policy has been developed with a view to meeting the following principles and key objectives;
- Meet the legal requirements for the allocation of social housing as outlined in the Housing Act 1996.
  - To provide applicants with the ability to be able to make informed choices about where they want to live.
  - To improve local, regional and national mobility and to encourage balanced and sustainable communities.
  - To ensure that every application is dealt with fairly and consistently irrespective of race, disability, gender, sexual orientation, religion, belief and age.
  - To operate a choice based lettings system that is simple, easy to understand, transparent, open and fair.
  - To ensure all Principal Partners work within the same framework and objectives.

- To assist those customers who are vulnerable in accessing the Scheme.

## **5. The Housing Register**

### **5.1 Eligibility – Who can apply for Housing**

5.1.1 All Principal Partners will operate an open housing register which, subject to exclusion policies outlined below, and will be open to everyone over the age of 16 (subject to certain restrictions) who are eligible for social housing in the UK. Any applicants that are owed a duty to be re-housed as a result of being found homeless will be eligible for admittance to the register.

5.1.2 Applications cannot be accepted from households that include:

- People who are subject to immigration control within the meaning of the Asylum and Immigration Act 1996.
- People from outside the United Kingdom who fail the habitual residence test.
- People from outside the United Kingdom who are in breach of or whose residence does not comply with the European Union of Rights of Residence Directive and Statutory Instruments.

5.1.3 There will be no duty on any of the Principal Partners to offer accommodation to persons subject to any of the above sanctions, however advice on housing options across the sub-region will be provided.

### **5.2 Applying to join the register**

5.2.1 To apply to be on the housing register, applicants must fill in an application form available on-line, at a Principal Partner's office or by telephone and it will be completed on your behalf and in exceptional circumstances upon request.

### **5.3 Joint applications**

5.3.1 Joint applications will be accepted provided both applicants are eligible, aged 16 or over and intend to occupy the property together as their only or main home.

### **5.4 Multiple Applications**

5.4.1 Multiple applications to more than one Council will not be allowed.

### **5.5 Exclusion from the register**

5.5.1 Some applicants may not be eligible to join the register because they or a member of their household has been found guilty of serious

unacceptable behaviour that would make them unsuitable to be a tenant.

5.5.2 Such serious unacceptable behaviour is defined as “only that behaviour, by the applicant or member of his households, which would if the applicant were a secure tenant of the Local Authority, entitle it to a possession order on any ground in The Housing Act 1985, Part 1, Schedule 2, other than ground 8.”

5.5.3 The decision will be made at the time of application and take into account all available evidence from relevant organisations such as the applicants landlord, environmental health, Social Services or Police. The decision will be taken objectively and also take into account the overall circumstances of the applicant.

5.5.4 Should an excluded applicant consider that their circumstances have changed then they may make a fresh application and it will be up to them to show that their circumstances have changed and their behaviour has improved.

5.5.5 Upon receipt of their application and any supporting evidence, an applicant will be notified in writing, within ten working days if he or she is not eligible and of their right to request a review of the decision.

## **5.6 Applicants who will not be able to participate in choice based lettings**

5.6.1 The following is a list of applicants who may not be allowed to participate in choice based lettings for a temporary period;

- Applicants who are currently housed in a Principal Partner’s private rented Scheme and have more than two months left within the fixed term period of an assured shorthold tenancy. This is to ensure they do not incur costs for two tenancies and so will be prevented from taking part until the fixed term of their period ends, unless the landlord is willing to release them early from that tenancy or the applicant is able to pay the outstanding rent. This decision will be made on a district by district basis.
- Persons who are considered as unable to sustain a tenancy due to an insufficient support network will be prevented from participating and their application reviewed on a six monthly basis.
- Therefore applicants who are temporarily suspended from the Scheme, will be provided with written reasons for their suspension and informed of all possible conditions that need to be met before they are allowed to take part and also the date by which they may request a review of this decision.

## **5.7 Other Restrictions.**

5.7.1 In some circumstances we may put limits on the sort of property or area an applicant can apply for. We will do this if there are concerns about the risks the applicant may pose or which are posed to the applicant in a specific location or property type. This decision may be part of a multi-agency risk assessment.

## **5.8 Declaration**

5.8.1 When an applicant applies for housing, they must confirm that:

- The information they have provided is complete, true and accurate.
- They will notify the relevant Local Authority where their application is held of any change in circumstances.
- They understand that information will be shared with all the Principal Partners and all participating Housing Associations together with other relevant organisations in order to complete or verify information or to prevent fraud or protect public funds in other ways.
- They consent to the Principal Partners making enquiries of any relevant persons to confirm the information on the application form is correct or to add to the information given where this is necessary to complete an assessment of need or consider suitability for housing.
- They agree to provide any documentation required to establish their eligibility to register for housing, the size of their household and that any children are theirs or their partner's responsibility.

## **5.9 Social Housing Applicants from outside of sub-region**

5.9.1 Persons applying to the register, who currently live in Council or housing association accommodation outside the sub-region will be treated as direct applicants and **not** transfer applicants.

## **5.10 False Information**

5.10.1 Under The Housing Act 1996 and Homelessness Act 2002, it is a criminal offence for anyone to knowingly give false information or to withhold relevant information if reasonably required to give it, on any matter regarding the allocation of housing.

## **5.11 Re-registration**

5.11.1 To maintain an updated housing register View Point will operate an annual rolling review of the register.

5.11.2 Applicants may be removed from the register if they do not respond to a written request for information needed to assess the housing application review, within 21 days. In exceptional circumstances this timescale may be extended.

## **5.12 Cancelling Applications**

5.12.1 Applications may be cancelled in circumstances such as listed below, but this is not meant as an exhaustive list:

- A request to do so has been received from the customer (or their advocate) in writing.
- Where an applicant does not maintain their application through the re-registration process, or where they move and do not provide a contact address
- The customer has been re-housed by any of the Scheme's partners
- Notification has been received from an executor or personal representative that the customer is deceased and s/he was the sole applicant.
- It is discovered that the customer has given false or misleading information in their application.
- Evidence is obtained that confirms the applicant is no longer eligible.
- Information requested remains outstanding after reminders.

5.12.2 Applicants will be informed of the reason(s) why their application has been cancelled and informed of their right to request a review of the decision (see section on Reviews below).

Should an applicant whose application has been cancelled wish to re-join the register they will receive a new effective date, according to the rules in section 6.4.

## **5.13 Data Protection**

5.13.1 Applicants personal information will be held and used in accordance with the Data Protection Act 1998. The Principal Partners will not disclose such information to any unauthorised person or body but where appropriate will use such information in carrying out its various functions and services. The Principal Partners may also use this data in connection with the prevention or detection of fraud or other crime.

## **5.14 Cross Boundary Moves**

5.14.1 Principal Partners will provide for cross boundary moves to make it easier for applicants living in one Partner authority's district to apply for and be allocated accommodation in the district of another Partner authority.

5.14.2 Principal Partners will advertise their properties to applicants who have a local connection with either of the two Local Authorities. Should at

any time inward migration exceed outward migration significantly then properties will be restricted to bidding by applicants with a local connection to a particular Local Authority. In such cases properties will be clearly advertised to show a local connection rule applies. Cross boundary moves will be monitored closely and reviewed quarterly by the sub-regional Project Group.

5.14.3 The arrangements for cross-boundary mobility will be operated in line with the statutory requirements of Part VI of The Housing Act 1996.

## **5.15 Councillors and Involvement in decision making**

5.15.1 Elected Council members cannot take part in the assessment and allocation process but this does not prevent them seeking or providing information on behalf of their constituents or being involved in future developments of the Policy.

## **6. Assessment of Housing Need**

### **6.1 Introduction**

6.1.1 All applications will be initially assessed and upon receipt of all the required information the applicant will be notified of which housing needs band they have been placed in normally within 10 working days,

### **6.2 Housing Need Bands**

6.2.1 An applicant only needs to apply once to the housing register but is able to bid on any properties throughout the sub-region, apart from where there are any restrictions, for example those owed a statutory homeless duty.

6.2.2 Applicants will be placed in one of five housing needs Bands (Bands 1-5), based upon their individual circumstances and the information they have provided.

6.2.3 Band 1 is that of persons with the most urgent housing need and band 5 that of persons who have no identified housing need.

6.2.4 All Principal Partners will operate the five band system and where an applicant is placed in one of the five housing needs bands it will apply to the whole of the Scheme.

### **6.3 Assessing Applications**

6.3.1 Once an application has been received it will be assessed and entered onto the Housing Register; the applicant will receive an acknowledgement letter. The letter will:

- Explain which band and the reason why the applicant has been placed in it following initial assessment. If they are subsequently assessed as

having a medical or welfare need they will be advised separately after the assessment has been made.

- Confirm the size (and if applicable the type) of property the applicant is eligible for.
- Provide them with their unique reference number
- Confirm the applicants' effective date.
- Include a reminder about informing Principal Partners of any change in circumstances.
- Give details of appeal and review procedures.
- Inform the applicant if they have been temporarily suspended (as in section 5.6) from bidding or have reduced preference and provide the reasons why.
- Give details of the Authorities where they have a local connection.

6.3.2 If there are any changes to the applicants circumstances they must notify the Principal Partner, as soon as those changes occur, by email, telephone, writing or in person so that their level of need can be reassessed.

#### **6.4 Deciding the effective date**

6.4.1 An applicants effective date will usually be the date on which the application is received, except in such circumstances where;

- They are moved into a higher band, when their effective date will then be the date their circumstances changed.
- They are given priority on medical or welfare grounds, when their effective date will be when they applied for this award
- They are accepted as homeless, when their effective date will be the date when they applied as homeless, unless they already qualify for Band 1 with an earlier date

#### **6.5 Local Connection to the sub region**

6.5.1 The Principal Partners recognise that the housing needs of local people have a priority over those that live outside of the sub-region.

6.5.2 Applicants will be counted as having a local connection to the sub-region area if they fit one or more of the following categories:

- They live or have lived in the sub-region area for a period of 6 months during the previous 12 months;

- They live or have lived in the sub-region area for 3 years during the previous 5 years;
  - They previously lived in the sub-region area and lived there for 5 years or longer;
  - They have close family connections with someone living in the sub-region area. A close family connection is defined as “a parent, child, grandparent, grandchild, sibling, legal guardian or any positive relationship, which provides the main source of support, providing that the relative has lived in that area for a period of, 6 months during the previous 12 months or 3 years during the previous 5 years;”
  - Their regular place of work is located within any of the Local Authority areas within the sub-region. Casual, temporary or contract work less than 12 months in duration does not qualify. Applicants will only be considered to have a local connection in these circumstances, if it is unreasonable to expect them to commute to their place of work from their existing home;
  - They are leaving HM Armed Forces and have a local connection through any of the above criteria;
  - Through Section 315 of the Housing and Regeneration Act 2008, persons serving in HM Armed Forces establish a local connection through residence or employment, in the same way as a civilian person;
  - Persons who have been placed in accommodation within the sub-region by a specialist housing provider (for example women’s refuges); or
  - Persons who have a connection to areas within the sub-region because of exceptional circumstance. This may include the need to access specific medical treatment or support.
- 6.5.3 The local connection rule will not apply to applicants who are assessed as having an urgent housing need due to an imminent risk of violence or to those who are part of a witness protection Scheme.

## **6.6 Local connection to a particular district**

- 6.6.1 To ensure local housing needs are met some properties advertised through the CBL Scheme may be advertised as available only to applicants with a local connection to an individual Local Authority area.
- 6.6.2 The criteria for local connection to an individual Local Authority area will be the same as the criteria for local connection to the sub-region but will relate to that Local Authority area only.

## **6.7 Applicants with no local connection**

6.7.1 The sub-region is a high demand area where demand for social housing is in excess of supply. For this reason applicants who live outside the sub-region with no local connection to it, cannot expect the same priority for housing as those with a local connection.

6.7.2 Applicants living outside the sub-region will be assessed in the same way as others to establish their band. If the applicant has no local connection to the sub-region the application will then be placed one band lower than the assessment, except an application assessed in band 5 will stay in band 5.

## **6.8 How local connection is determined**

7.8.1 For the purposes of determining local connection, living in the sub-region means living in permanent accommodation and will not include either:

- occupation of a mobile home, caravan or motor caravan which is not placed on a residential site; or
- occupation of a holiday letting which includes a permanent building, hotel or bed and breakfast accommodation for the purposes of a holiday.

## **6.9 Reduced Preference**

6.9.1 Section 167 (2A) of the Housing Act 1996 as amended by the Homelessness Act 2002 allows allocation Schemes to give reduced preference to the following groups of applicants:

- An applicant with “significant financial resources” where the applicant was financially able to secure alternative accommodation at market rent for themselves.
- Where the “behaviour of the applicant (or member of his household) affects their suitability to be a tenant.”

### **6.9.2 Significant Financial Resources**

6.9.3 Where an applicant applies to join the register and they are assessed as having reasonable preference, but also have sufficient resources to buy their own property, their priorities may be reduced due to the financial resources available to them.

6.9.4 The decision to reduce preference for this reason will be based on a financial assessment. This will take into account the applicant’s income, savings, capital and/or interest held (and which could be redeemed) in a current home or other property along with their ability to get a mortgage and the size and type of property needed.

## **6.10 Suitability to be a tenant**

6.10.1 Where an applicant has any rent arrears or owes money through wilful damage to property, to any Principal Partner, RSL, or other Local Authority and there is no effective repayment agreement in place they will be placed into band 4 to reflect the reduced preference, where they also have a housing need. In the absence of a housing need they will be placed into band 5.

6.10.2 A Principal Partner may also consider that applicants, who owe rent arrears to a private landlord (or money is owed due to wilful damage to property) from their own private rented Scheme, may be unsuitable to be tenants. In such circumstances they will be placed into Band 4 to reflect the reduced preference, where they have a housing need. In the absence of a housing need they will be placed into band 5.

6.10.3 In considering whether an applicant is suitable to be a tenant, Principal Partners will normally consider the last 5 years housing history of the applicant, but retain the right to look beyond this timescale in exceptional circumstances.

6.10.4 Where an applicant (or members of their household) have:

- committed acts of anti-social behaviour;
- deliberately damaged a property and action has been taken against them;
- assaulted or harassed an employee of a Council or RSL,

they will be placed into band 4 unless there is no housing need when they will be placed into band 5.

6.10.5 This is not a blanket Policy and persons in exceptional circumstance may still be given additional preference if there is an urgent medical or welfare need or they are fleeing violence or have been assessed as being owed a statutory homeless duty.

## **6.11 Reduced Preference Reviews and Exceptions**

6.11.1 Applicants will be notified of any reduced preference given and they are entitled to ask for a review of this decision (see Section 12). The applicant will also be informed if there is any action they can take to improve their situation. Decisions will be reviewed on a six monthly basis, except in the case of applicants in arrears of rent where the debt is repaid in full, they will be entitled to request a review of the decision.

6.11.2 If applicants after reviewing the decision no longer have a reduced preference any offers of accommodation will be subject to regularly maintaining a repayment agreement.

## 6.12 Deliberately Worsening Circumstances

6.12.1 Where there is evidence that an applicant has deliberately worsened their circumstances in order to qualify for higher priority on the Scheme, no additional priority will be given. Applicants will retain any priority they held before worsening their circumstances. At the applicants request this decision may be reviewed after a period of at least 12 months.

## 7. Banding Scheme

7.1 All applications will be assessed on the individual circumstances and placed into a band based on the outcome of the assessment. All registered households are grouped together in 5 Bands according to the priority awarded. Band 1 has the highest priority and Band 5 the lowest. Applicants are prioritised in each Band according to the date they became registered in it, irrespective of their priority reason unless local lettings criteria apply.

The bands are outline below.

### Band 1

- **Statutorily homeless applicants as defined by Part VII of the Housing Act 1996 (Section 8.2).**
- **Applicants in properties subject to Emergency Prohibition Orders under the Housing Act 2004 within the sub-region, or Demolition Orders, with written confirmation from Council or Housing Associations.**
- **Applicants assessed as having a severe medical need (Section 8.17).**
- **Applicants assessed as having a severe welfare need, e.g. those suffering severe harassment or violence (Section 8.18).**
- **Nominations (Move on) from agreed agencies where applicants have been identified by the provider as, ready to move, and able to sustain a tenancy (section 8.11).**
- **Negotiated Surrender (applicants likely to be sent to prison or detained in hospital for more than 13 weeks, have not breached their tenancy agreement, their rent is up to date, have not been served with a notice seeking possession and offer to end their tenancy) ((Section 8.10)).**
- **Qualifying Agricultural workers within the sub-region (Section 8.23).**
- **Successions (Section 8.8).**
- **Relationship Breakdown (Section 8.9).**
- **Applicants in Band 2 with two or more needs.**

## **Band 2**

- **Applicants threatened with homelessness within 3 months who are likely to lose their accommodation through no fault of their own, for which there is no legal redress, who are assessed by one of the Principal Partners as likely to be in priority need and have exhausted all other prevention options (*Section 8.6*).**
- **Applicants assessed as having a moderate medical need. (*Section 8.17*).**
- **Applicants assessed as having a moderate welfare need. (*Section 8.18*).**
- **Social Housing tenants within the sub-region under occupying by 2 or more bedrooms or are willing to move to property designated for the elderly. (*Section 8.7*).**
- **Applicants whose household is overcrowded by 2 or more bedrooms (*Section 8.16*).**
- **Applicants who have been rough sleeping for 4 weeks or more. (*Section 8.22*).**
- **Applicants currently in Armed Forces accommodation, who will be discharged within 6 months, have a priority need and who have been based, lived or have family in a District within the sub-region. (*Section 8.24*).**
- **Applicants assessed as having a need to move to a particular locality within the sub region in order to take up an offer of employment or apprenticeship. (*Section 8.14*).**
- **Applicants assessed as meeting band 1 criteria but with no local connection to the sub-region.**
- **Applicants in Band 3 with 4 or more needs.**

### **Band 3**

- **Poor housing conditions - households living in insanitary or unsatisfactory housing conditions, for example they are sharing facilities with another household or the accommodation they occupy is lacking certain facilities. (Section 8.12).**
- **Applicants who have been assessed as homeless under Part VII of The Housing Act 1996, but have been found to be not in priority need or are intentionally homeless. (Section 8.5).**
- **Applicants who have No Fixed Address. (Section 8.13).**
- **Applicant assessed as having a low medical need. (Section 8.17).**
- **Applicant assessed as having a low welfare need. (Section 8.18).**
- **'Golden Transfer' tenants who have been tenants for 2 years, had a clear rent account for 12 months, no record of any other breaches of their tenancy, no anti-social behaviour record. (Section 8.15).**
- **Applicants whose households are overcrowded by 1 bedroom. (Section 8.16).**
- **Applicants served with valid Notice to Quit. (Section 8.19).**
- **Social Housing tenants within the sub-region under occupying by 1 bedroom. (Section 8.7).**
- **Applicants in Tied accommodation who have been provided with a legal notice asking them to leave their accommodation. (Section 8.21).**
- **Applicants assessed as meeting band 2 criteria but with no local connection to the sub-region.**

### **Band 4**

- **Applicants assessed as meeting band 3 criteria but with no local connection to the sub-region.**
- **Reduced preference (applicants with significant financial resources and are financially able to secure alternative accommodation at market rent or where the behaviour of the applicant ((or member of his household)) affects their suitability to be a tenant) ((Section 6.9-6.11)).**

## **Band 5**

### **Applicants with no housing need**

- **Applicants whose property requires repairs that are able to be done.**
- **Applicants who are in accommodation that meets their needs.**
- **Owner occupiers. (Section 8.20).**
- **Applicants in tied accommodation who are not required to leave.**
- **Those who reside in Caravans and boats. (Section 8.25).**
- **Those who are currently in prison. (Section 8.13).**

## **8. Housing Priority**

### **8.1 Deciding who has priority on the register**

8.1.1 Applicants will be placed in the relevant band defined by their specific circumstances. Reasonable preference, where appropriate, is awarded in accordance with legal responsibilities as defined in the Housing Act 1996

### **8.2 Homelessness**

8.2.1 Statutory homeless applicants are those who have been assessed under Part VII of The Housing Act 1996, as amended by The Homelessness Act 2002, and the Local Authority are satisfied the applicant is homeless, eligible for assistance and has a priority need, and did not become homeless intentionally.

8.2.2 Applicants who are owed a full housing duty under s193(2) of the Housing Act 1996 will have received a letter from the relevant Local Authority confirming that there is a duty to assist the applicant in obtaining housing.

8.2.3 Homeless applicants to whom a full duty is owed will be placed in band 1.

8.2.4 Assisted bidding will be offered to the most vulnerable applicants to enable them to receive an early offer, acknowledging their choice of area and accommodation.

8.2.5 If applicants with a statutory homeless duty have not bid for suitable properties or are bidding for unsuitable properties, the Principal Partners will review their application and reserve the right to bid for them on their behalf or provide them with a direct offer of accommodation depending on stock and property availability.

8.2.6 The minimum timescale before the review can take place will be six weeks from the point that they are notified of being accepted as being owed a statutory homeless duty.

8.2.7 If applicants are expressing an interest in suitable properties but have been unsuccessful, they will continue to be able to participate in bidding for properties after their application has been reviewed.

### **8.3 Accepted homeless applicants who refuse an offer of accommodation**

8.3.1 A refusal of suitable accommodation after being offered a property will be considered as a suitable offer and will be regarded as discharging the Council's duty under s 206(1) of the Housing Act 1996.

### **8.4 Suitable accommodation**

8.4.1 For the purposes of suitable accommodation, an offer will be regarded as suitable where:

- The accommodation is affordable having regard to the financial resources available to the applicant and the cost of the accommodation as determined under Homelessness (Suitability of accommodation) Order 1996.
- The accommodation is of an appropriate size and type to meet the reasonable requirements of the household and satisfies the need for special features to meet any limiting illness or disability that exist within the household.
- Its location does not deny reasonable access to receive support due to vulnerability or disability or a specialist medical or health facility where a member of the household has a severe long-term limiting illness or permanent or substantial disability where their quality of life or health would otherwise be severely affected.
- Its location does not deny reasonable access to a specialist educational establishment for a member of the household who has particular special educational needs which would otherwise result in a severe deterioration in that person's well being.
- Its location is not in close proximity to a perpetrator who has threatened or caused violence or domestic violence to a household member whose life or safety would otherwise be threatened.
- Its location is not in close proximity to a perpetrator who has caused intimidation or harassment to a household (e.g. due to race, nationality, sexuality, gender, religion or belief, age or disability).
- Its location takes account of access to employment and educational requirements of the household in addition to family support networks; and established links to schools; doctors; social workers and other key services and support essential to the well being of the household.

## **8.5 Other Homeless households**

8.5.1 Other homeless applicants who are only owed a duty, under Part VII of the Housing Act 1996 as amended by the Homelessness Act 2002, to be provided with advice and assistance in attempts to secure that accommodation is available for their occupation (the duty towards households who are not in priority need or those who are intentionally homeless) are still entitled to reasonable preference and will be placed in band 3.

## **8.6 Prevention of homelessness**

8.6.1 Applicants threatened with homelessness who are likely to lose their accommodation through no fault of their own, for which there is no legal redress, who are assessed by one of the Principal Partners as likely to be in priority need and who are receiving housing advice from a Principal Partner to prevent homelessness (this would require a homelessness prevention referral from the particular Scheme Council's housing options department) will be placed in band 2.

## **8.7 Tenants under occupying social housing**

8.7.1 Where an existing Council or RSL tenant within the sub-region is under occupying their property and want to move to a smaller property the Scheme will offer them priority to assist them in doing so.

8.7.2 Applicants under occupying by 2 or more bedrooms will be placed into band 2, while applicants who are under occupying by one bedroom will be placed into band 3.

## **8.8 Rights of Succession**

8.8.1 This applies if the applicant qualifies to 'succeed' to a tenancy when the tenant dies, but the property is more extensive than they need, they may be asked to move to more suitable accommodation.

8.8.2 To succeed to a tenancy the applicant has to meet certain rules – usually must be related to the tenant, or be their partner, and have lived in the property for a certain time. The rules for this are in the tenancy conditions for the property.

8.8.3 Applicants qualifying to succeed a tenancy will be placed in Band 1.

8.8.4 When an applicant does not have a right to succeed to a tenancy but is left in occupation on the death of the tenant their landlord may consider whether the applicant:

- has been living with the tenant for a year before the tenants death, or;
- has been looking after the tenant for a substantial period of time ( for example 12 months or more), or;
- has accepted responsibility for the tenants dependants

8.8.5 In any of these circumstances each case will be individually assessed and after consideration may be placed in band 1.

8.8.6 Under the Choice Based Lettings Scheme applicants are able to express an interest for properties but if they have not expressed an interest within six months of their application their case will be reviewed and the Principal Partners may express an interest in suitable properties on their behalf. If three offers of a new home are refused the Principal Partners may review the applicants situation and take the appropriate action under the Housing Act 1985.

8.8.7 If the successor tenant does not need the property because of its size, or the adaptations or services in the property, they may be served a notice seeking possession under Schedule 2, Ground 16 of The Housing Act 1985.

## **8.9 Relationship Breakdown of secure tenancy**

8.9.1 Applicants who are joint tenants and suffer a relationship breakdown and their former partner moves out would be placed in band 1 if they qualify to move to a smaller property. This would be time limited to 6 months and then be subject to review if they have not expressed an interest during this time.

8.9.2 If the applicant qualifies to be offered their current property, it would not be part of the Choice Based Lettings Scheme.

## **8.10 Applicants where tenancy surrender has been negotiated**

8.10.1 Applicants who are in this category would be placed into band 1 if they offer to end their tenancy upon the following conditions being met;

- They were a tenant of a social landlord within the Sub-Region, when taken into custody or detained in hospital **and** any offence committed did not mean they had breached their tenancy agreement, or detained in hospital for a significant period of time; **and**
- They have or are likely to be sent to prison or detained for more than 13 weeks; and
- They have conducted their tenancy in a reasonable way; and
- Their rent is up to date; and
- They have not been served with a 'notice requiring possession'.

8.10.2 If the above criteria are met then written confirmation of the surrender will be provided.

## **8.11 'Move on' Nomination Agreements**

- 8.11.1 Applicants who are currently living in supported housing accommodation will be placed into band 1 upon referral from the agreed agencies where applicants have been identified by the provider as, ready to move, and able to sustain a tenancy. Each case will be considered individually and the referral should also include a move-on package of support.
- 8.11.2 Applicants who are currently living in supported housing and have been found 'not in priority need' or 'intentionally homeless' under the homeless legislation within the previous 12 months will not be considered for move-on priority.

## **8.12 Applicants sharing or lacking facilities**

- 8.12.1 Applicants who are currently occupying accommodation which is lacking in cooking, washing, toilet or heating facilities will be placed in band 3.
- 8.12.2 Applicants who are sharing cooking, washing, toilet or heating facilities with non-family members or adult children sharing with parents will be placed into band 3.
- 8.12.3 Applicants whose property is lacking facilities due to disrepair issues would require an assessment by the private sector housing or environmental health team before any priority is awarded.

## **8.13 No fixed address**

- 8.13.1 Where an applicant has no fixed address they will be placed into band 3, except for applicants currently in prison who will be placed in band 5.

## **8.14 Applicants offered employment or apprenticeships within the sub-region**

- 8.14.1 This applies to applicants or members of their household who have been offered employment or apprenticeships within the sub-region and have been assessed as having a specific need to move to the locality in order to take up the offer.
- 8.14.2 If an applicant indicates that they have such a need, their individual circumstances will be considered by the Welfare Assessment Panel (see section 8.18). In order to be considered, applicants will be required to provide written confirmation from their prospective employer along with any other relevant evidence in support of their assessment.
- 8.14.3 Applicants who are assessed as having a specific need to move on the above stated grounds will be placed in band 2.

8.14.4 Should the applicants lose their job or the offer of accommodation be withdrawn, then their application would be reviewed and they may lose this priority.

## **8.15 'Golden Transfer' tenants**

8.15.1 Current social housing tenants who want to move to another property will be placed in band 3 upon the following conditions being met;

- they have been tenants with same landlord within the sub-region for 2 years or more; **and**
- they have no current rent arrears and have kept a clear rent account for 12 consecutive months, **and**
- they have no record of any other breaches of their tenancy and no anti-social behaviour record.

8.15.2 Should an applicant breach any of the conditions above, after being assessed as a 'golden' transfer tenant, then their application will be reviewed and they will be banded according to their new circumstances.

## **8.16 Overcrowding**

8.16.1 Applicants will be placed in band 2 if they are overcrowded by two or more bedrooms. Applicants will be placed in band 3 if they are overcrowded by one bedroom.

8.16.2 Overcrowding priority will not be given if someone moved into the applicants' household making them overcrowded, or if the applicant moved into accommodation knowing that by doing so they would become overcrowded.

8.16.3 Where an applicant is pregnant and they are entitled to a larger property they will not be given overcrowded priority until they receive their maternity certificate (MATB1).

8.16.4 Overcrowding priority will only be awarded if the applicant is the main carer for children and the property is the children's main residence.

8.16.5 The Scheme will use our 'bedroom standard' to assess the number of bedrooms you need. The Principal Partners assume that a separate bedroom is needed for:

- the applicant and their partner (if any);
- each child, except that:
  - two children of the same sex with age gap of less than 8 years; or
  - two children of the opposite sex under the age of 7 are expected to share a bedroom; or
  - any person who, in the Principal Partners medical advisor's opinion, should sleep in a separate bedroom.

## 8.17 Medical Grounds

8.17.1 In these circumstances evidence would be required to support the case. Priority may be awarded on medical grounds if information received indicates a move will benefit the health of the applicant or a member of their household. In these circumstances evidence would be required to support the case.

8.17.2 When determining the level of medical need an applicant has Principal Partners will consider whether the provision of adaptations will assist with improving their housing circumstances.

8.17.3 Medical priority will be awarded at 3 different levels as shown below:

### **Severe**

Where applicants are unable to continue to occupy their current accommodation due to a high medical need or disability. The effect the applicants housing has on the medical condition, will also determine which band they are placed in. (see table 8.17.4)

### **Moderate**

Applicants with a moderate medical need who have been assessed as requiring suitable alternative accommodation because their medical condition and/or disability is having a detrimental affect on their ability to live in that particular accommodation ( independently at home). The effect the medical condition has on the applicants housing, will also determine which band they are placed in. (see table 8.17.4)

### **Low**

Applicants who have been assessed as having a low medical need or a disability where a move to suitable alternative accommodation would improve their health. The effect the applicants housing has on the medical condition, will also determine which band they are placed in. (see table 8.17.4)

8.17.4 The table below is used to act as a guide to priority:

<b>Effect on housing</b>	<b>Medical problem</b>		
	Severe	Moderate	Low
Severe	Band 1	Band 2	Band 2
Moderate	Band 2	Band 2	Band 3
Low	Band 3	Band 3	Band 3

## **8.18 Welfare Grounds**

- 8.18.1 The welfare assessment will be carried out by the assessment panel of Senior Housing Officers from each Principal Partner. Each case will be assessed on its merits to determine whether welfare priority should be awarded. The Welfare Assessment Panel will look at whether the situation is serious and enduring, whether it is directly affected by the applicant's present housing and whether, the situation would improve if rehoused.
- 8.18.2 If, upon assessment it is decided an applicant has a severe welfare issue then they will be placed into band 1, if they are assessed as having a moderate welfare issue they will be placed into band 2 and those with a low welfare issue assessment will be placed into band 3.
- 8.18.3 Homeless applicants will not be looked at under welfare grounds or medical grounds and should any welfare hardship be apparent whilst in temporary accommodation the Principal Partner will look to provide alternative temporary accommodation.

## **8.19 Assured Shorthold Tenants**

- 8.19.1 Assured shorthold tenants who have received a legal 'Notice of Seeking Possession' from their landlord will be placed in band 3 if there is less than two months before the notice expires.

## **8.20 Owner Occupiers**

- 8.20.1 Owner occupiers who are adequately housed or have the resources to obtain suitable accommodation would normally not attract any preference under the Scheme. They would be placed into band 5. However the applicant's household needs relating to vulnerability due to age or disability will be taken into account and assessed accordingly.
- 8.20.2 Owner occupiers may be considered for medical or welfare award and be moved into a higher band if they are over 60 and have been assessed as being unable to meet their housing needs from their own resources.
- 8.20.3 Consideration will also be given to those owner occupiers who have a disability and need an adapted property, having been assessed as being unable to meet their housing needs from their own resources.

## **8.21 Tied Accommodation**

- 8.21.1 Applicants are considered to be in 'tied' accommodation if the occupation of their home is essential for the performance of their duties as an employee. This includes applicants who are accommodated by HM Forces.

8.21.2 Applicants in 'tied' accommodation will be placed in band 5 unless they have received a legal notice requiring them to leave their accommodation when they will be moved or placed in band 3, except those in HM Forces accommodation (see section 8.24).

## **8.22 Rough Sleepers**

8.22.1 Rough sleepers who have previously received and followed Housing Options advice and can be verified as sleeping rough within the sub-region for more than 4 weeks will be placed in Band 2. Verification should be by:

- A direct access hostel; or
- An agency for rough sleepers; or
- Assessment by the Housing Options Service; or
- Day-centre or non-mobile soup kitchen.

## **8.23 Qualifying Agricultural workers (protection under the Rent Agricultural Act 1976)**

8.23.1 Certain categories of agricultural workers who are provided with accommodation as a condition of their employment, may be protected against eviction even if their employment comes to an end.

8.23.2 The worker can only be asked to leave their accommodation if an Agricultural Dwelling House Advisory Committee (ADHAC) decides that the accommodation will be required by a successor or that the property is no longer in the interest of efficient agriculture.

8.23.3 If ADHAC decides that a worker must leave their accommodation, the local housing authority must use their best endeavours to offer housing to the worker.

8.23.4 An authority would not be properly carrying out its duty if it were to refuse to offer suitable accommodation to the worker because they did not have enough priority on the register.

8.23.5 In such cases the applicant will be placed in band 1.

## **8.24 Armed Forces**

8.24.1 Applicants currently in the Armed Forces and who have less than six months until they are discharged having normally served a minimum of 4 years at the point of discharge, will be placed in band 2 if they are likely to have a priority need and have a local connection to the sub-region. (see section 6.5)

8.24.2 If an applicant is not successful in bidding for properties prior to being discharged, they will then be required to be assessed under homelessness provisions in Part VII of The Housing Act 1996, for assistance.

8.24.3 Applicants who have been dishonourably discharged from HM Armed Forces will not be considered for this category and their circumstances will be assessed in the same way as that of civilian applicants.

## **8.25 Mobile Homes or Caravan**

8.25.1 Applicants living in a caravan, mobile home or houseboat will be placed in band 5 if there is no other housing need. Should the accommodation be lacking facilities they will be placed into band 3.

## **9. Finding a Home through Choice Based Lettings**

### **9.1 Advertising Properties**

9.1.1 All participating landlords within the Scheme will advertise their properties as widely as possible.

9.1.2 There may be times when it is not possible for properties to be advertised under choice based lettings, and in such cases properties will be offered through a 'direct let' process, for example where it is;

- required to assist an urgent need to deal with an emergency to facilitate a decant;
- required to fulfil duties under s188 or s193 of the Housing Act 1996;
- an "extra care" properties; or
- needed for someone to be moved immediately on grounds of safety.

9.1.3 Where a direct let is made the property will not be advertised under the Scheme but we shall report that it has been used as a direct let in order to ensure the Scheme is fully transparent.

9.1.4 Where properties are withdrawn from the bidding cycle, the landlord of that property will notify any applicants that may have already expressed an interest in the property, that the property has been withdrawn.

9.1.5 View Point aims to maximise the number of RSL properties that are advertised through the Scheme.

9.1.6 Properties within the Scheme will be advertised using the following methods:

- Internet.
- Local Council offices.
- Property newsletter sent to RSLs and partner agencies who have requested it.
- Applicants considered vulnerable or those with carers – in band 1 or 2 - may be sent the property newsletter.

9.1.7 There will be as much information describing the property as is possible at the time of going to advert and while this may vary from property to property; the advert will include details of;

- Location;
- Type (flat, bungalow etc);
- Size;
- Rent payable;
- Whether it has a garden;
- Type of heating;
- Eligibility criteria;
- If pets are allowed;
- Service charges;
- Age criteria;
- Local connection criteria.

## **9.2 Expressing an interest in advertised properties**

9.2.1 If applicants meet the labelling criteria of an advert they may apply for an available property at any time within the bidding cycle which will run from midnight Wednesday to midnight the following Tuesday.

9.2.2 Applicants will be able to express an interest in two eligible properties per bidding cycle.

9.2.3 The bidding cycle and number of bids available to each applicant will be monitored and reviewed and if necessary may be subject to change upon consultation with applicants.

9.2.4 Those applicants who feel they are unable to participate in bidding will be offered assistance to use the Scheme upon request.

9.2.5 Those applicants who have an identified support need will be offered assistance to use the Scheme.

## **9.3 Multiple Properties**

9.3.1 Where there are several available properties within a new development, they may be advertised within one advert, rather than a number of single adverts. In such circumstances, the advert will clearly state the number of properties available as well as the general property description.

9.3.2 Where multiple properties are advertised, applicants expressing an interest will be doing so against all properties that they are eligible for within that advert. However, this will only count as one of the two expressions of interest per cycle that applicants are allowed.

## **9.4 Selection Process**

- 9.4.1 Once the bidding cycle has ended a shortlist of those applicants expressing an interest in properties will be produced from those meeting the labelling criteria.
- 9.4.2 Priority will be decided by those who are highest in the band and have the earliest effective date.
- 9.4.2 Verification checks will be made prior to a full offer of accommodation being made.
- 9.4.3 Applicants may not be offered a viewing of a property if they are found to have;
- made false declarations;
  - a change in their circumstance; or
  - an issue identified that makes them unsuitable to be a tenant.

In such circumstances the applicant will be informed of the reasons why.

- 9.4.4 Any false information provided by the applicant may result in legal action being taken against them which may have severe consequences for the applicant, such as a substantial fine or imprisonment. This would also include applicants who have been rehoused and are later found to have secured the property through deception or fraud.

## **9.5 Feedback**

- 9.5.1 In order to assist applicants in making informed decisions about their housing options, feedback will be available after each advertising cycle and will include:
- Property size and type;
  - Location;
  - Number of applicants that bid on each property;
  - Band of successful applicant; and
  - Effective date of successful applicant.

- 9.5.2 The feedback will cover properties let through the Scheme and those where a direct let was made and the property was not advertised.

## **9.6 Accompanied viewings**

- 9.6.1 Once the advertising cycle has finished and the most eligible applicants have been identified, they will be contacted by the appropriate landlord to view the property as quickly as possible.

- 9.6.2 All social landlords within the Scheme will strive to provide accompanied viewings for applicants. Should this not be possible applicants will be notified and alternative arrangements will be provided.
- 9.6.3 Each landlord will decide whether to allow for multiple applicant viewings or individual appointments. Applicants who are highest in the shortlist after viewings will be offered the tenancy.
- 9.6.4 Where feasible, tenancy sign-ups may be done the same day as viewings at the properties. Applicants will be contacted prior to the appointment and will be notified if this option is available.
- 9.6.5 Applicants will be given a reasonable amount of time to consider an offer of accommodation and this would normally be 24 hours to decide whether to accept the offer, unless there are exceptional circumstances.

## **9.7 Refusals**

- 9.7.1 Where a property is refused by an applicant, the next highest person on the shortlist will be considered.
- 9.7.2 Applicants may be requested to complete a viewing feedback form, upon refusal of a property.
- 9.7.3 If an applicant refuses 3 offers of accommodation they will be contacted and an assessment review will take place. Upon review the applicant may then be required to contact a Principal Partner prior to making any further expressions of interest. Applicants who are owed a full homeless duty and refuse a suitable offer of accommodation are subject to the penalties outlined in section 8.3.1.
- 9.7.4 Once a tenancy agreement has been signed, the applicant legally becomes the tenant and it is not possible to refuse the property at this stage, unless they give four weeks written notice.

## **9.8 No interest in properties**

- 9.8.1 If there are no expressions of interest in properties within the bidding cycle, they will be re-advertised in the next cycle and the criteria for selection may be reviewed.

## **10. Offers of accommodation**

### **10.1 Choice of area**

- 10.1.1 Applicants are able to bid on properties in any area of the Scheme, but are also able to state their preference for where they would like to live within the sub-region.

- 10.1.2 Any properties that are restricted to people bidding with local connection to a village or local area will also be clearly shown in the advertising labelling.
- 10.1.3 Due to homelessness legislation, applicants who are owed a full or statutory duty under The Housing Act 1996, Part VII will be limited to bidding for properties in the area where they have been accepted as homeless. However, in cases where an applicant has been accepted as homeless due to violence, such a restriction will be assessed and may be removed to allow bidding on all available properties.
- 10.1.4 Applicants who have been assessed as needing to move on from supported accommodation will also be restricted to bidding in their own Local Authority, unless it can be shown that there will be sufficient ongoing support in place, as well as agreement from Supporting People, and the Local Authority and there is good reason for a move outside of their own Local Authority.
- 10.1.5 Applicants who have been given a medical or welfare award to give or receive support will be restricted to bidding for properties to the locality where continuous support is given or received.

## **10.2 Offering properties to tenants who owe rent**

- 10.2.1 Tenants on the housing register will not normally be offered a new tenancy until the arrears are cleared in full, unless there is a full homeless duty under the Housing Act 1996 or there is an urgent need to move due to violence or harassment.

## **10.3 Offers to homeless households**

- 10.3.1 Homeless households to whom the Council has a statutory duty to secure accommodation (within the meaning of Part VII of the Housing Act 1996 as amended by the Homelessness Act 2002) – in priority need and who are not homeless intentionally - will be able to take part in the Scheme, but may be restricted to bidding for properties within their own Local Authority area, except in exceptional circumstances.
- 10.3.2 Where statutory homeless applicants are not bidding for properties the Principal Partners reserve the right to bid for them on their behalf or provide them with a direct offer - as outlined in section 8.2.5.

## 10.4 Type of Tenancies offered

10.4.1 Applicants will normally be offered either introductory or secure tenancies for Council properties. If the property belongs to a RSL they will be offered an assured or starter tenancy.

10.4.2 Applicants who are under 18 years of age will not normally be offered accommodation, except in circumstances where there is a statutory homeless duty; they are care leavers or are moving on from supported accommodation.

10.4.3 Where a property is offered to an applicant who is under 18 years of age it will be under an equitable tenancy. The tenancy agreement forms part of this contract which allows the minor to enter into possession of the property and gives the landlord redress in the courts.

## 10.5 Bedroom Size

10.5.1 To decide whether the existing home is big enough, Principal Partners will use the space standards set out below:

Floor Area	No. of persons
Less than 6.5 sq mtr	Not considered suitable for more than 1 child
Between 6.5 – 10.21 sq mtr	Not considered suitable for more than 2 children
Less than 8.36 sq mtr	Not considered suitable for more than 1 non dependant adult

## 10.6 Property Eligibility Table

10.6.1 The size and type of property we normally offer you will depend on the size of your household. This table is to be used as a general guide only.

	Elderly Bed-sit	General Needs Bed-sit	1 Bedroom Flat	1 Bedroom Bungalow	1 Bedroom House	2 Bedroom Flat	2 Bedroom Bungalow	2 Bedroom House	3 Bedroom Flat	3 Bedroom Bungalow	3 Bedroom House	4 Bedroom House	5 Bedroom House
1 Adult under 60 years		x	x		x								
1 Adult over 60 years	x		x	x	x								
Cohabiting Couple under 60 years			x		x								
Cohabiting Couple over 60 years			x	x	x								
2 non-cohabiting adults both under 60						x							
2 non-cohabiting adults one over 60 years						x	x						
Applicants who have shared residency or staying access of a dependent child or children						x							
1 adult (or cohabiting couple) with 1 dependant child or expecting 1 <sup>st</sup> child						x		x					
1 Adult (or cohabiting couple) with 2 dependant children of the same sex, where age gap is less than 8 years						x		x	x		x		
1 adult (or cohabiting couple) with 2 dependant children of opposite sex where both children are under 7 years						x		x	x		x		
1 adult (or cohabiting couple) with 2 dependant children of opposite sex where one child is aged 7 years or more									x		x		
1 adult (or cohabiting couple) with 2 dependant children of the same sex where there is an age gap of 8 years or more									x		x		
1 adult (or cohabiting couple) with 2 dependant children and the applicant or partner is pregnant									x		x	x	
1 adult (or cohabiting couple) with 3 dependant children									x		x	x	
1 adult (or cohabiting couple) with 4 dependant children (all same sex or 2 boys and 2 girls)											x	x	
1 adult (or cohabiting couple) with 4 children (3 of 1 sex, and 1 of the other) or up to 6 children											x	x	x
1 adult (or cohabiting couple) with 6 or more children													x

## **10.7 Applicants requiring extra room**

- 10.7.1 If an applicant has a medical or social need for an extra bedroom or they need an extra bedroom for a carer their individual circumstances will be considered and they will be required to provide supporting evidence. The Principal Partners will assess the circumstances along with the evidence obtained before making a decision.

## **10.8 Sheltered Properties**

- 10.8.1 Landlords within the Scheme have different age restrictions for sheltered housing. The minimum age for Scheme landlords to consider an applicant for sheltered housing, will be clearly stated when each property is advertised. Applicants' suitability for sheltered properties would be dependant upon an assessment of need and they will be informed if they are considered suitable for such properties.

## **10.9 Bungalows**

- 10.9.1 Bungalows will normally be advertised for people over 60 years of age or people with disabilities. Due to the differing demand and stock levels across the sub-region it will be clearly stated in the advertisement if there is any age restriction for such properties.
- 10.9.2 People with disabilities will need to have been assessed as requiring that type of property and a report provided from an Occupational Therapist before an offer can be made.

## **10.10 Properties with adaptations**

- 10.10.1 Adapted properties will clearly be labelled on the adverts and in the first instance preference for expressing an interest in them will be given to those applicants assessed as requiring the adaptation that the property has.

## **11. Local Letting Policies**

### **11.1 Legality**

11.1.1 View Point - through S167(2E) of the Housing Act 1996 - is provided with a statutory basis for allocating property to people of a particular description who do not fall into the reasonable preference categories. This type of allocation is done to provide for the interests of building strong and sustainable communities to achieve a wide variety of Policy objectives, such as:

- Dealing with concentrations of deprivation or creating more mixed communities by allocating properties to applicants who are in or have been provided with an offer of employment.
- Attracting key workers into the district.
- Prioritising people with a local connection to specific areas in s.106 (Housing Act 1996) exception sites.
- Dealing with areas that pose a significant management problems, which put other tenants at significant risk and other actions have failed to deal with the issue.
- Dealing with applicants who have committed serious offences.

11.1.2 Any local lettings Policy will be published and take into account local factors such as, the size and composition of the waiting list, the stock profile and the number and size/type of vacancies which are available overall. In existing developments there will need to be clear evidence to justify the variation away from normal Policy and would be subject to a time limited review of not more than 2 years.

11.1.3 Housing Associations may have agreements that a proportion of their own properties will be allocated to their own tenants and in such a case these properties will be advertised accordingly.

11.1.4 View Point will aim to offer properties within a new development to applicants with mixed households and needs levels in order to create a sustainable community.

## **12. Reviews**

### **12.1 Right to request a review**

12.1.1 Applicants have the right to request a review of decisions made about their application for housing, including decisions to exclude them from the housing register, the level of priority awarded or the way in which their application has been dealt with.

12.1.2 Requests for reviews should be made in writing to a Principal Partner's main offices within 21 days of the date of the decision. The review is legally required to be concluded within 56 days.

12.1.3 If an applicant is unhappy with the way their housing application has been dealt with each Local Authority or housing association has their own formal complaints procedure and the applicant should request a copy of this from them

12.1.4 If having exhausted the review or complaints procedure and the applicant is not satisfied with the process or outcome they are able to send a written complaint to the Local Government Ombudsman or Housing Ombudsman Service.

12.1.5 The Local Government Ombudsman can be contacted at:

Local Government Ombudsman  
10<sup>th</sup> Floor  
Millbank Tower  
Millbank  
London, SW1P 4QP  
**Tel:** 020 7217 4620  
**Email:** [www.lgo.org.uk](http://www.lgo.org.uk)

12.1.6 The Housing Ombudsman Service can be contact at

The Housing Ombudsman Service  
81 Aldwych  
London, WC2B 4HN  
**Tel:** 020 7421 3800  
**Email:** [www.ihos.org.uk](http://www.ihos.org.uk)

## Appendix 1

### Contact details for each Principal Partner

Ashfield District Council  
Urban Road  
Kirkby-in-Ashfield  
Nottinghamshire  
NG17 8DA  
Telephone: 01623 450000  
Website: [www.ashfield-dc.gov.uk](http://www.ashfield-dc.gov.uk)

Ashfield Homes Limited  
Broadway  
Brook Street  
Sutton in Ashfield  
Nottinghamshire  
NG17 1AL  
Telephone: 01623 608889  
Website: [www.ashfieldhomes.co.uk](http://www.ashfieldhomes.co.uk)

Mansfield District Council  
Civic Centre  
Chesterfield Road South  
Mansfield  
Nottinghamshire  
NG19 7BH  
Telephone: 01623 463463  
Website: [www.mansfield.gov.uk](http://www.mansfield.gov.uk)

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