



Allocations & Lettings Policy

POLICY STATEMENT

Allocations & Lettings Policy: this document explains how you apply for a CHP property, who gets what property and why

Chelmer Housing Partnership (CHP) allocates its properties through direct nominations from local authorities and through its own transfer list.

CHP agreed in January 2009 to advertise all vacant properties via Home Options Choice Based Lettings Scheme as part of the HEHOC sub regional group. It is anticipated that all CHP properties will be advertised via Home Options by July 2009.

Please contact us if you would like a copy of this document in large print, British Sign Language DVD, on CD or in another language:

আপনি যদি এই নথিটির একটি কপি বড় প্রিন্টে, ব্রিটিশ সাইন ল্যাঙ্গুয়েজ ডিভিডিভিতে বা অডিও (সিডি) ফরম্যাটে পেতে চান, অনুগ্রহ করে, আমাদের সাথে যোগাযোগ করুন। (Bengali)

Proszę się z nami skontaktować jeśli pragnęliby Państwo copię tego dokumentu dużym drukiem, na DVD w Brytyjskim Języku Migowym, w innym języku albo na płycie audio (CD). (Polish)

倘若您需要本檔 以大字體、英式手語 DVD、另外一種語言或音頻 (CD) 格式提供，請聯絡我們。 (Cantonese)

Lütfen bu belgenin büyük baskılı hali, İngilizce DVD veya farklı dillerde ya da ses (CD) ortamı gibi talepleriniz olması durumunda bizimle irtibata geçin. (Turkish)

1. POLICY AIMS

- 1.1 This policy aims to clearly set out guidelines on how CHP's properties are advertised or allocated and let.

2. STATUTORY, REGULATORY & CORPORATE RESPONSIBILITIES

- 2.1 As a social housing provider, CHP is required to comply with the Housing Corporation Regulatory Code & Guidance August 2005, which in particular states that housing associations must:

3.5 provide good-quality housing services for residents and prospective residents: by seeking to offer a choice of home, while giving reasonable preference to those in priority need; and by using lettings policies that are fair and reflect the diversity of their

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client groups.

3.6 work with local authorities to enable the latter to fulfil their duties: to the homeless and people in priority housing need; and by having in place lettings and sales policies are flexible, non-discriminatory and responsive to demand, while contributing to the need to be inclusive and the need to ensure sustainable communities.

- 2.2 The principles of this policy are central to our Corporate Plan Objective of offering greater choice.
- 2.3 We will observe the terms of the Housing Act 1985 sections 325/326 relating to statutory overcrowding and Part 1, Schedule 1 of the Housing Act 1996, which relates to the regulation of housing associations.
- 2.4 Local authorities (councils) have statutory obligations to assist people with housing needs and we work in partnership with them to achieve this. To this end, where we hold/manage properties, we have Nomination Agreements with the appropriate local authority.
- 2.5 Housing Health and Safety Rating System – Housing Act 2004 specifically relating to category 1 failures with the exception of overcrowding for which Housing Act 1985 sections 325/326 will refer. If Category 1 failure exists for household then applicant will be placed into priority band 2.

3. POLICY DETAILS

Who will Chelmer Housing Partnership house?

- 3.1 Chelmer Housing Partnership will consider applications from people through:
 - Nominations from local council's housing waiting list
 - Existing CHP tenants who wish to move to other accommodation
 - Other agencies where we have agreements
 - Direct waiting list for properties that are considered hard to let, these are properties that have had at least three refusals or no expressions of interest via CBC CBL and/ or CHP has no transfer applicants wanting to move to this property.
- 3.2 In each local authority where we have properties the council will have a designated percentage of nomination rights – that is, people identified as in need of accommodation on the council's housing register – and the remaining are determined by CHP's own waiting list of tenants, wishing to transfer to other CHP properties.
- 3.3 All of the Local Authority Partners nominations will go through their designated letting system. All local authorities are moving to a choice based letting system if they haven't already done so. These will be subject to CHPs allocation policy and approved allocation systems.
- 3.4 For those on CHP's own waiting list we will endeavour to use CBL as much as is possible, except in extenuating circumstances where we need to make the most efficient use of our stock. Such circumstances will include the use of targeted offers for some applicants, such as chain or management moves, management moves which require immediate action; where we have an agreement to provide accommodation with other

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agencies and temporary accommodation.

- 3.5 Applicants for CHP's waiting list will be placed into allocation bands determined on priority of housing need (see attachment 1). Priority within the bands will primarily be on the date of the application. You will be advised of the size of the property you are eligible for (see attachment 2) and provided with a CBL identity number.

People not eligible for accommodation

- 3.6 CHP reserves the right to refuse an application subject to providing reasonable justification for such refusal. Examples of reasons for refusal include:
- Cases where housing the applicant is not in the interest of good housing management (which includes tolerated trespassers);
 - Where unsatisfactory references are provided; or
 - Where there is insufficient evidence of a satisfactory package of care and support.
 - Where the tenant has not complied with tenancy conditions, which includes outstanding rent arrears;
 - Where the applicant has caused anti-social behaviour and successful legal action has been taken;
 - Where an applicant has not completed at least 12 months satisfactory probationary period (starter tenants).
 - Applicant expressed an interest in the wrong size property
 - Applicant details not verified by nomination authority
 - Household has accepted a move to another CHP property
 - Property has age restriction and the applicant is not of the correct age
 - Property is subject to local lettings plan which, if it is a local authority nomination, has previously been agreed with the relevant local authority and applicant does not meet criteria laid out in the plan
 - Applicant does not match CHP allocations policy
 - Sensitive Letting required
 - Fraudulent Applicant
 - Property would need to be suitably adapted to meet needs of applicant(s) to ensure housing needs are met in the long term.
 - Applicants circumstances have changed since original application
 - Property type not suitable
 - Not able to visit/contact to verify information

All rejected applicants will be informed in writing within 5 working days and be given information on how to appeal against the decision. First appeal will be to the Housing Options Manager. If the applicant is still unhappy about the decision of the Housing Options Manager then the Complaints Process can be followed by the applicant.

- 3.7 Where an applicant has outstanding debts such as rent arrears; recharged costs; whether to CHP or other landlords, CHP will consider housing where:
- the debt is under £500 and there is evidence of a formal commitment to repay and repayments having been maintained over the past six months;
 - there are extenuating social and welfare reasons for the build up of the debt;
 - There has been an error on behalf of the housing benefit authority.

With the agreement of the Director of Housing CHP waiting list applicants can be moved when it is in the best interests of housing management e.g. use of space saver money to clear debt and obtain larger family sized accommodation for transfer applicants.

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How Choice based lettings works

- 3.8 Our CBL system aims to make services more responsive, efficient and fair: CHP advertises the stock it has available to let and invites applicants to register an interest in any properties they would like to rent from us.
- 3.9 We will advertise vacant properties every two weeks in a recognised CBL scheme with partner local authorities. To ensure the best use of housing stock CHP will arrange multiple viewings with applicants where CBL scheme supports this option.
- 3.10 Advertisements will include details of;
- Location
 - Property type
 - Floor level (if flat)
 - Number of bedrooms
 - Any special features, for example adaptations
 - Any restrictions on applicants who are eligible – see attachment
- 3.11 To make a bid for a property you can use a number of methods, which include:
- Internet
 - Post
 - Test Message
 - Telephone
 -
- Full details are included in the scheme newsletter and website.

- 3.12 Applicants will be able to make three bids for properties for which they are eligible, per fortnightly advertising cycle

Offer of accommodation

- 3.13 At the end of each bidding cycle we will offer the three highest priority applicants within Bandings an accompanied viewing at the advertised property. The property will be let to the highest accepting applicant. A refusal of accommodation will not restrict you bidding for further properties.

Relationship breakdown

Our Relationship Breakdown policy identifies how we will deal with applications for housing by tenants who have suffered relationship breakdowns.

Overcrowding and under occupation

- 3.14 CHP will observe the terms of the Housing Act 1985 in relation to statutory overcrowding and permitted numbers in the allocation of property.
- 3.15 In order to make the best use of our stock we will operate an incentive scheme for tenants who are under occupying their homes or who occupy properties of types or in areas of high demand. Our definition of under occupation is any household that has at least one bedroom in excess of requirements.

Condition of property

- 3.16 Tenants who are subject to a Prohibition Order category 1 property defect under the

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Housing Act 2004 which cannot be remedied immediately will be given priority within the banding system. However, if the prohibition order relates solely to overcrowding according to the Housing Health and Safety Rating System then no additional priority will be awarded.

4. POLICY CONSULTATION, PROMOTION & EVALUATION

- 4.1 We will monitor both usage of, and satisfaction with, the service, to identify if there is a particular group which is less successful or less participative than others and why. The policy may be developed in response to these findings.
- 4.2 The policy will be produced in a number of formats to ensure that applicants who are potentially at a disadvantage - i.e. due to literacy difficulties, visual impairment, or for whom English is not a first language - are not disadvantaged.
- 4.3 This policy will be available from a variety of places including the internet, intranet, our offices, in local advice centres and other public areas such as libraries, council offices and voluntary organisations.
- 4.4 The delivery of this policy is the responsibility of the Director of Housing and the Operations Committee is responsible for its monitoring and subsequent development..
- 4.5 Pregnant women over 6 months. As soon as a woman has passed 6 months gestation (evidence from GP to be provided) that we will house applicants into 2 bedroom flat or house.
- 4.6 Visiting children - Due consideration will be given to transfer applicants that can prove they have joint custody of children for 4 days or more each week. Proof should be provided in the format of either court order or solicitor's letter. The Housing Options Manager will consider the application for a transfer and take into consideration the housing need of other applicants on the transfer list. For example if there are any applicants that have full custody of children living in similar circumstances these households will always take precedence over applicants who have joint custody of children."
- 4.7 If an applicant disagrees with CHP's decision on qualification for re-housing, priority awarded or reasonableness of an offer, they can make an appeal. The applicant should first contact the Allocations Co-ordinator to discuss the reasons for Association's decision. The applicant can also appeal to the Housing Options Manager in writing within 10 working days of the decision. A written response will be given within 10 working days of an appeal being received. If the applicant is unhappy with the decision of the Housing Options Manager then the Complaints procedure should be followed.

5. EQUALITIES CONSIDERATIONS

- 5.1 Equality and Diversity within Lettings will be monitored and quarterly reports be produced by Housing Options Manager to EMT to ensure that lettings are in line with demographics of the community.

6. LINKS

- 6.1
 - CHP Asset Management Strategy
 - CHP Rent Restructuring Policy

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CHP – ALLOCATIONS & LETTINGS POLICY

- CHP Equality & Diversity Strategy
- CHP Assignment & Mutual Exchange Policy
- Housing Corporation Good Practice Note 12
- Guidance within the Housing Corporation Tenancy Management: Eligibility and evictions circular and the CLG Allocation of Accommodation: Choice Based Lettings – Code of Guidance 2008

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Attachment 1 - Bandings

Band One

- Where the tenant, or a member of the tenant's household, has an immediately life-threatening or progressive condition which is seriously affected by their current housing.
- Tenants who are fleeing domestic violence or whom are subject to either violence or harassment which is racial, sexual, homophobic or hate crime.
- Tenants who are living in a 3 or 4 bedroom general purpose property and are under-occupying their current accommodation and are moving to a one-bed property
- Tenants who are living in a 4 bedroom general purposes property and are under-occupying their current accommodation and are moving to a 2 bedroom general purpose, designated or sheltered property.
- A household member has a contractual right to succeed, however, it has been identified that the property is larger than is needed and the applicant has been requested to move to more suitable accommodation (where the main tenant has died and there is no statutory or contractual right for the individual to inherit the tenancy)
- The tenant's current accommodation is due to be demolished, modernised, refurbished or needs major work which cannot reasonably be done whilst they are living in the property
- Households that are statutorily overcrowded in line with the 1985 Housing Act.
- Management Move agreed by Director of Housing example of this would be property un-inhabitable due to need for extensive repairs, victims of anti-social behaviour, prevent child or elder going into institutional care,

Band Two

- Tenants currently under-occupying current accommodation but still want 2 bedrooms
- Tenants who are under-occupying their current 2 bedroom general purpose house or designated elderly bungalow and are moving to a one-bedroom property.
- Where the current housing conditions are having a major adverse effect on the tenant, or a member of their household's, medical condition
- Tenant is living in a property subject to a Prohibition Order or which has a category 1 property defect under the Housing Act 2004 which cannot be remedied immediately; CHP will not give any additional priority to a household that has a Category 1 Prohibition Order which relates only to crowding and space standards.
- Tenants over 60 years of age, living in general needs accommodation and willing to move into sheltered accommodation

Band Three – household has to meet at least two of the following criteria to be in this band

- Tenant households which through no fault of their own are forced to live apart
- Where the current housing conditions are having a moderate or variable adverse effect on the tenant's, or a member of their household's, medical condition

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- Where agreement has been reached with Social Services e.g. fostering to provide permanent accommodation for the CHP tenant
- Tenants requiring a bigger property due to growth in family size

Band Three continued...

- Households that have two or more family members living in a property that has a moderate or variable adverse effect on the tenants, or a member of the household's medical condition

Band Four – households have to meet one of the following criteria

- Tenant households which through no fault of their own are forced to live apart
- Where the current housing conditions are having a moderate or variable adverse effect on the tenant's, or a member of their household's, medical condition
- Where agreement has been reached with Social Services e.g. fostering to provide permanent accommodation for the CHP tenant
- Tenants requiring a bigger property due to growth in family size
- Families living in flats requesting for a transfer to a house. Applicants who have lived in their flat for a period of not less than one year, have at least one child under the age of fifteen and are using the tenancy address as their sole or principal home.

Band Five

- Tenants wishing to move to similar sized property
- Tenants requiring accommodation due to a relationship breakdown
- Tenants who want to move because their current home does not meet religious or cultural requirements

Prioritisation within bandings

The date of your application will be the date awarded when placed into relevant banding. However, if you are subsequently re-assessed due to change of circumstances and applicants banding increases the date of the decision will be the new date of application.

Tagged properties

Where adapted or age related properties are advertised these will be ring-fenced for applicants that meet the criteria of the property to ensure appropriate letting.

Cases outside CBL

CHP will make direct offers to some categories of applicants outside of CBL system to ensure the best use of the housing stock.

- The household needs to be transferred for the effective management of stock e.g. chain move, or re-designation of current accommodation
- Where a family is experiencing problems of a nature which CHP is unable as part of its role as a landlord to resolve, but which could be resolved by a move to other accommodation, provision will be made for a 'management move' to a similar type and size of property

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- Nominations may on occasion be accepted from appropriate agencies for applicants who fall within Chelmer Housing Partnership's selection criteria.

Attachment 2

Guidelines for Accommodation Size and Type – for all applications made to CHP for re-housing.

| Family Composition | Property Type | Comments |
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| 1 adult over 50/60/or applicant with disability | Studio flat or 1 bedroom flat or bungalow – Designated Elderly or Sheltered Unit | Prospective tenants must be: i) Over 60 years or in receipt of Disability benefits to be offered sheltered accommodation; |
| 2 adults (co-habiting couple) 2 adults with medical needs for separate bedrooms | 1 bedroom flat or bungalow 2 bedroom flat or bungalow | ii) Over 50 years or in receipt of Disability benefits to be offered non-sheltered elderly designated bungalows or flats. Note: Assessment will be made to ensure applicants are suitable for older person properties. |
| 1 adult | Studio flat or 1 bedroom flat | General purpose accommodation |
| 2 + adults | 1 or 2 bedroom flat or bungalow | Each additional adult (over 18 years) may have a bedroom if not a part of a co-habiting couple General purpose accommodation |
| 2 adults with medical needs for separate bedrooms | 2 bedroom flat, house or bungalow | Each additional adult (over 18 years) may have a bedroom if not part of a co-habiting couple General purpose accommodation |
| 1 adult + 1 child | 2 bedroom flat house or bungalow | Priority will be given to providing families with children 15 years and under with access to a separate garden wherever possible General purpose accommodation |
| 1 adult + 1 child 2 adults (co-habiting couple) + 1 child | 2 bedroom flat, bungalow or house | General purpose accommodation |
| 1 adult + 2 children or 2 adults (co-habiting couple) + 2 children | 2 or 3 bedroom flat, house or bungalow | 2 children of the opposite sex may share a bedroom until one reaches the age of 6 years after which priority will be given for separate bedrooms. General purpose accommodation |
| 1 adult + 3 children Or 2 adults (co-habiting couple) + 3 | 3 or 4 bedroom flat or house | General purpose accommodation |

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| children | | |
| Larger households with children | 3 or 4 bedroom house | Limited number available General purpose accommodation |

Chelmer Housing Partnership recognises the limited amount of housing available to families requiring 4 bedroom properties. Because of this it will be possible for a household that require 4 bedrooms to over-occupy the accommodation as long as statutory overcrowding does not exist.

Attachment 3

Definition of a True Void (voids less priority transfers)

True voids are:

- i. Voids within new build or newly rehabilitated schemes;
- ii. Voids created through tenants moving to other landlords where no reciprocal arrangements exist;
- iii. Voids created through tenant transfers to other social landlords;
- iv. Voids created by the death of a tenant, where there is no statutory right to succession, or a contractual right to second succession;
- v. Voids created by tenants buying their own property in the private sector;
- vi. Voids created as a result of abandonment of a property or by eviction of the tenant;
- vii. Non – priority transfers where CHP will transfer households if it needs to do so.

Definition of a Priority Transfer

Voids resulting from priority transfers will **not** be classified as true voids. A priority transfer is defined as:

- i. Applicants under occupying their present accommodation and moving to smaller accommodation;
- ii. Households, which are within the statutory definition of overcrowded;
- iii. Households including someone with a medical condition that is aggravated by their present housing situation;
- iv. Where appropriate families living in flats may also be considered for a transfer to a house. To be considered for a house applicants must have lived in the flat for a period of not less than one year, have at least one child under the age of fifteen and are using the tenancy address as their sole or principal home. The number of properties apportioned to such families will be assessed regularly and will depend on housing circumstance in the area. Wherever possible, choice of available accommodation will be provided to applicants who will indicate their

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preferred option. Applicants will be initially selected according to the date of their transfer application;

- v. Where a family is experiencing problems of a nature which Chelmer Housing Partnership is unable to resolve, but which could be resolved by a move to other accommodation then provision will be made for a “management transfer” in accordance with authority delegated to the Head of Residential Services. Any such move will be to a similar type and size of property;
- vi. Cases of domestic violence, racial, sexual or homophobic harassment are considered a priority transfer.
- vii. Chelmer Housing Partnership will also transfer households if it needs to do so.
- viii. A ‘management’ transfer.

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