



## Allocations Policy

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Original author: Sue Wilson

*for you – for your community – not for profit*

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## **TWO RIVERS HOUSING**

### **Allocations Policy**

#### **1. Statement of Intent**

- 1.1 Two Rivers Housing (TRH) aims to ensure that its housing stock is used effectively and in accordance with its charitable objectives to meet the diverse housing needs of the areas where TRH has its stock.
- 1.2 TRH works in connection with the relevant Local Authority Choice Based Lettings Scheme (CBL) to re-house suitable applicants for its properties within its operating area. TRH does not operate its own housing list and any TRH tenants wishing to transfer to alternative accommodation therefore need to register with the relevant CBL system.
- 1.3 In certain circumstances or areas, TRH reserves the right to employ alternative allocations schemes; for example, in the case of low demand properties. However, TRH will ensure it does not neglect its primary responsibility to provide accommodation for households in housing need and those whom the local authority has a statutory duty to house under homelessness legislation.
- 1.4 TRH will assist the local authorities where it has housing stock to fulfil their duties (statutory and non-statutory) to secure accommodation for people in housing need and those needing to be re-housed because of demolition, redevelopment or refurbishment programmes.
- 1.5 TRH will promote and participate in mutual exchange and mobility schemes to help tenants wishing to transfer or move to other landlords inside and outside the district.
- 1.6 TRH aims to house people with specific needs in properties appropriate to their needs. It will work with Adult Services and other agencies in order to make suitable allocations to people with specific needs.
- 1.7 TRH will periodically work with local authorities to assess local housing needs and determine allocations.
- 1.8 TRH will seek to allocate all properties designated for people over the age of 60 years, and will consider persons under the age of 60 where they have a disability/vulnerability and require support or if a property is identified as low demand.

## 2. Applicant Selection

- 2.1 TRH currently uses the Homeseeker Plus (Gloucestershire) and Herefordshire Home Point CBL systems, which offer an informed choice for all applicants. The schemes are open and fair and take account of housing need and other conditions. They are widely publicised and freely available to all agencies advising the public on access to housing.
- 2.2 Homeseeker Plus and Herefordshire Home Point aim to ensure that less able households are involved in the process and are given choices offering equality of opportunity for all.
- 2.3 Should TRH wish to implement an alternative allocations scheme in a local authority area where it has stock in order, for example to address issues of low demand or difficult to let properties, it will develop this in conjunction with the appropriate local authority. This will ensure that the scheme does not frustrate the authority's wider housing strategy. Under such a scheme, properties may be let according to different criteria. In some instances, offers of accommodation may be made to applicants who are not in the greatest housing need. For more details please see section 4.
- 2.4 TRH will consider housing people in the following categories:
- Those who are registered on Homeseeker Plus and Herefordshire Home Point CBL systems. This will include new applicants and those applicants who are tenants of another registered provider (RP).
  - Applicants who are being rehoused either permanently or temporarily because of demolition, redevelopment or refurbishment programmes.
  - 16 – 18 year old applicants will be considered for housing with evidence of adult services support to act as guarantor for the rent and the applicant's behaviour before an offer is made.
  - Transfer applicants who are already tenants of TRH.
  - Those with a local connection, only where this has been agreed as part of a section 106 agreement or where TRH is working towards creating sustainable communities.
  - Those who have good reason for needing or wishing to move to the District, for example because they are fleeing domestic violence.
  - Those who apply directly to TRH. It may consider applicants for properties in areas where TRH is actively marketing properties because they are proving to be low demand. We would use the direct match facility through CBL for such applications.

Applicants that are not currently housed by TRH must be within one of the above categories as eligible to be housed by TRH.

- 2.5 TRH agrees to make available access to the CBL websites in its office and to assist and advise potential applicants as required.
- 2.6 TRH will only grant a joint tenancy in the following circumstances to:
- married couples;

- civil partners; and
- established co-habiting couples.

A certificate proving marriage or civil partnership may be required prior to a joint tenancy being approved. No other applications for joint tenancy will be granted (for example, intergenerational or sibling applications) and it will be the responsibility of the applicants to determine who will hold the tenancy.

- 2.7 TRH reserves the right to refuse an application for a joint tenancy if there are reasonable grounds for doing so. These may include:
- One of the applicants applying for a joint tenancy has no recourse to public funds or no right to remain in the country.
  - Legal proceedings of any kind have been initiated against one of the applicants.
  - The person applying to become a joint tenant is already an assured tenant of another property.
  - One of the parties does not intend to live in the property.
- 2.8 It should be noted that as part of TRH's selection process, all applicants, including transferring TRH tenants, will be subject to a pre-tenancy assessment prior to an offer of accommodation being made.

### **3. Restrictions on Access to Housing**

- 3.1 Prior to granting a tenancy, all new applicants or transferring TRH tenants are required to pay a minimum of two weeks rent in advance prior to the tenancy sign up and receipt of the keys. In cases where an applicant has had a former debt with either TRH or another registered provider, four weeks rent in advance will be requested. In exceptional circumstances, the Assistant Director of Housing, or in their absence, the Corporate Director (Operations), may allow an applicant to sign for a tenancy without paying the rent in advance if it would mean the applicant, or a member of their household, would suffer significant detriment or hardship. Supporting evidence must be provided with these requests and each case will be considered on an individual basis.
- 3.2 TRH may exclude from selection and allocation those applicants:
- Who would overcrowd or under-occupy a property.
  - Whose conduct in previous accommodation was capable of causing nuisance or annoyance to any person. TRH will take into account such conduct that has taken place within the previous two-year period prior to the offer of accommodation.
  - Who have been convicted of criminal acts which have taken place within a RP or Local Authority property, or criminal acts aimed at any RP's or Local Authority property, staff, tenants or neighbours. TRH will request details from the Police through the Sharing Information protocol, to ascertain details of arrests, cautions or convictions and may refuse to re-house applicants who fail to disclose these. TRH will take into account such conduct that has taken place within the previous four-year period prior to the offer of accommodation.

- Who have committed criminal offences that would indicate that they are a danger to the community, in particular to children. In these cases, TRH will work with agencies supporting ex offenders, including Probation and Youth offending teams, to ensure the appropriateness of any property allocated.
- Who owe any debt from a previous tenancy with TRH unless there are exceptional circumstances. This may relate to unpaid rent, service charge, rechargeable repairs, rechargeable void costs, legal costs or other sundry debts. In the case of rent arrears, this will be included in the new tenancy agreement and, if the agreement is breached, the appropriate action will be taken to recover the debt.
- Who owes rent to another RP or Local Authority, unless there are exceptional circumstances. In such circumstances TRH may require that a support package to sustain the tenancy is in place and an agreement is made to re-pay the debt prior to an offer of accommodation being made. In the case of rent arrears, this will be included in the new tenancy agreement and, if the agreement is breached, the appropriate action will be taken to recover the debt.
- Who would not be able to manage a tenancy without support, where TRH has sought and failed to secure support from a relevant agency
- Who are subject to immigration control under the Asylum and Immigration Act 1996 and are ineligible for housing, unless specially permitted under regulations published by the Secretary of State.
- Who have failed or refused to provide information about their circumstances in order that their housing need can be assessed.
- Who have provided false and/or misleading information about their circumstances.

3.3 The exclusions outlined in 3.2 above apply to the applicant(s), partner, family members or anyone else who is included in the application for housing and/or intends to reside at the property.

3.4 Pre-tenancy Acceptable Behaviour Contracts may be utilised by TRH where an offer of housing is made to an applicant who may otherwise ordinarily be excluded.

3.5 In some cases, particularly where new developments or geographical locations require a more 'tailored' approach to lettings, a local 'allocations strategy' will be agreed with the relevant local authority. A specific example of where this will apply is in relation to schemes of 10 or more flats and/or apartments. In these situations, due regard will be taken of the location, size of the scheme and potential target client group. Therefore prior to the allocation of the properties a 'local allocations strategy' may be discussed with the local authority partner. Issues that will be considered may include age, employment status, and previous tenancy history.

#### **4. Best Use of Stock**

- 4.1 TRH may be approached directly by other agencies with a request to house individuals or households. Such requests would be directed to the relevant CBL scheme. In exceptional circumstances TRH may accept these applicants. One such instance would be if TRH has housing that is difficult to let. However, the applicant would still need to register for housing via the relevant CBL system; TRH would then use the direct match facility for such applications.
- 4.2 TRH will endeavour to reduce under-occupation when approached and will take into consideration accommodation available and the surrounding community.
- 4.3 TRH will where possible, use its low demand properties i.e. two-bedroom flats, for single applicants, couples without children and couples with children who will not fully occupy the property. In these cases, assessments will be carried out to ensure that the applicant is not placed in financial hardship.
- 4.4 As part of TRH's ongoing development activity, a new property type designated as a one bedroom 'flexi-apartment' has been produced in response to the emerging demographic projections which suggest that family units will be smaller, with more single people and couples in both the younger and older age ranges. It is also designed to anticipate the need to accommodate changing lifestyle needs such as home working or storage for equipment linked to disabilities or age. These properties are therefore designed to meet the needs of single people and couples, providing slightly more generous living space than our existing one-bedroom flats (see TRH bedroom size guidance for further information). The allocation criteria for a one-bedroom flexi-apartment is the same as for a one bedroom flat.

#### **5. Transferring TRH tenants**

- 5.1 TRH aims to facilitate tenant mobility, for its tenants. Detailed information about the procedure for applying for alternative accommodation is made available at TRH offices and on its website.
- 5.2 TRH will advise its tenants wishing to transfer to another landlord in the District to apply through the CBL process and facilitate access to the systems at its offices.
- 5.3 TRH participates in and promotes schemes designed to facilitate transfer nationally, such as the Homeswapper scheme. It will advise tenants on the opportunities for moving outside the area they live through such schemes.
- 5.4 TRH aims to transfer tenants according to published criteria that will give priority to households in housing need, subject to:
  - Suitable housing becoming available.
  - Its ability to match applicants and properties to make best use of the stock.

- External demands to house new tenants and applicants requiring re-housing because of demolition, redevelopment or refurbishment programmes.
- 5.5 Transfer applicants of TRH who have outstanding arrears or other debts with the Company will not be considered for housing. The exceptions to this are:
- If they are being transferred because of demolition, redevelopment or refurbishment programmes.
  - If they are affected by the Housing Benefit reduction due to the bedroom criteria. Where there are rent arrears, they will be included in the new tenancy agreement and if the agreement is breached, the appropriate action will be taken to recover the debt.
- 5.6 Tenants will need to ensure their properties are to a standard that is acceptable to TRH. If any damage is identified that is not due to normal wear and tear, the tenant will be re-charged.
- 5.7 TRH will also encourage tenants to consider mutual exchanges and will actively promote these in line with its Tenancy Policy.
- 5.8 TRH tenants transferring to another property will not be allowed to move from a single to joint tenancy as part of the allocation process unless they meet the criteria outlined in point 2.6 above. Further information on tenancy changes can be found in TRH's Tenancy Policy.

## **6. Management Moves**

- 6.1 TRH will only offer management moves in exceptional circumstances where such a move will facilitate the best use of its stock and/or if required for a tenant's safety or wellbeing. Examples include:
- Where TRH needs a tenant to vacate their home, for example to carry out major repair work.
  - Where a tenant needs to move because of serious violence, domestic violence or serious antisocial behaviour.
  - Where a tenant has serious social or medical problems requiring an urgent move.
  - Where TRH requires possession to facilitate a redevelopment scheme.
- 6.2 A management move will only be considered where there is supporting evidence from the Neighbourhood Housing Advisor and other agencies. The decision for whether a move is agreed or not is determined by the Neighbour Housing Team Leader. If a move is not granted then the tenant may lodge an appeal via TRH's normal complaints process.

## **7. Complaints or Appeals**

- 7.1 Both Homeseeker Plus and Herefordshire Home Point have appeals procedures which clearly state the basis upon which an appeal will be accepted.

- 7.2 If an applicant or tenant is not happy with a decision made by TRH in relation to a housing allocation they can, if they wish, appeal against the decision. They should notify TRH within 5 working days of receipt of the decision letter stating their reasons for an appeal. The tenant will be asked to attend an appeal hearing to present their case. The appeal panel will consist of three senior managers and the tenant will be advised of the outcome.
- 7.3 In addition, if someone is not happy with the service they have received from TRH, they have the right to register a formal complaint in line with TRH's Complaints and Compliments policy.

## **8. Equality and Diversity**

- 8.1 TRH is committed to the principle of equality of opportunity in the delivery of its services. TRH aims to ensure that all of its customers are dealt with fairly and equitably and, where possible, taking into account the diverse nature of cultures and backgrounds.
- 8.2 TRH will actively work towards promoting good relations, eliminating discrimination and addressing existing disadvantage in relation to different groups on the basis of race, colour, ethnic and national origin, nationality, gender, disability either mental or physical, religion, sexual orientation, marital status, HIV/AIDS, responsibility for dependants, trade union activity, and age.

## **9. Implementation, monitoring and review**

- 9.1 The Lettings Team Leader is responsible for ensuring that this policy is communicated and implemented.
- 9.2 It is the responsibility of all of TRH's employees to ensure that this policy and any procedures related to it are properly implemented.
- 9.3 TRH will provide training for staff dealing with allocations and related issues to enable them to fully understand this policy and the procedures relating to it in order that it is implemented by experienced and qualified staff.
- 9.4 The Lettings Team Leader is responsible for monitoring this policy, and ensuring regular reviews of this policy and that any procedures related to it together with staff training needs are completed, to ensure that TRH continues to operate in line with best practice.
- 9.5 There will be an automatic review of this policy whenever there is a change of policy from the government, the Homes & Communities Agency or change to legislation. In the absence of any other trigger, the policy will be reviewed at intervals of no more than three years.



Version	Date	Author	Change Description	Approved by	Date approved
4	April 2018	RS	Update on rent in advance.	SMT	24/04/2018
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## EQUALITY ANALYSIS FORM

**1. Name of policy, strategy or project:** Allocations Policy

**2. Name of person completing the analysis:** Rachel Smith

**3. Date:** February 2018

**4. Who has been consulted in developing the policy?**

No consultation carried as primarily legal or statutory obligations.

**5. Sources of information used in this analysis**

(E.g. demographic data, research from websites, results of consultations, results of equality monitoring data, complaints, customer feedback, etc)

Existing Choice Based Lettings Systems.  
Tenancy Agreement.  
Review and updating of existing Policies.

**6. Identify the effect or potential effect of this policy on each of the diversity groups (Equality Act 2010) by considering the following questions (the list is not exhaustive but an indication of the sort of questions those involved should think about):**

- Might some groups find it harder to access the service?
- Do some groups have particular needs that are not well met by the current policy?
- What evidence do you have for your judgement (e.g. monitoring data, information from consultation/research/feedback)?
- Have staff/residents raised concerns/complaints?
- Is there local or national research to suggest there could be a problem?

Responsible Officer: Lettings Team Leader  
Original Author: Sue Wilson

Date last reviewed: Feb 2018  
Next review date: Feb 2021

Protected group	Effect (+ive / -ive / neutral)	Comments / evidence
Age	Neutral	The Policy relates to all age groups and allocated through relevant Choice Based Lettings process.
Disability	Positive	Properties which have previously been adapted are advertised/allocated to applicants who demonstrate a need for the particular adaptation.
Gender reassignment	Neutral	The Policy is the same for all tenants irrespective of gender reassignment.
Marriage and Civil Partnership	Neutral	The Policy is the same for all tenants irrespective of marriage/civil partnership.
Pregnancy and Maternity	Neutral	The policy is the same for all tenants irrespective of pregnancy/maternity.
Race	Neutral	The policy is the same for all tenants irrespective of race.
Religion or Belief	Neutral	The policy is the same for all tenants irrespective of religion or belief.
Sex (Gender)	Neutral	The policy is the same for all tenants irrespective of sex (gender).
Poverty/ disadvantage/ location	Positive	Rent in Advance – we will allow someone to move in (subject to supporting evidence) without a payment in exceptional circumstances based on their individual case. In addition, in-house Welfare & Debt team are able to support applicants who may need financial assistance in moving.
	Negative	Rent in Advance – we will not allow someone to move in without a payment unless there are exceptional circumstances.
Sexual orientation	Neutral	The policy is the same for all tenants irrespective of sexual orientation.

**7. Does the policy in its current format promote equality of opportunity and foster good relations between people who share a protected characteristic and those who do not share it?**

The policy is aimed at providing information to people seeking housing, regardless of whether or not they share one or more of the protected characteristics.

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8. If positive effect has been identified in table 4 above, how can it be improved upon or maximised, either in this policy or others?

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**9. Recommendations and opportunities**

Are there changes you could reasonably introduce which would make this policy work better?

Is further research or consultation required?

**No**

**DETAIL THE ACTIONS PLANNED**

Consider target dates, resources implications, proportionality, risk, regular monitoring and reviewing and list what the positive outcome will be.

<b>Review</b> (date or timeframe)	February 2018
Name of person/s completing (and involved in completing) form	Rachel Smith
Date analysis completed	20 <sup>th</sup> February 2018
Name (and signature) of manager/board member approving	