

ALLOCATIONS POLICY

1 POLICY STATEMENT

- 1.1** The Association is an organisation established to provide village homes for those in need. It works closely with local Parish and District Councils to provide homes for local people. The Association's policy is to give priority to local people with a housing need who would not otherwise be able to afford to live in the village.
- 1.2** The Association operates under charitable rules. This requires us to give reasonable preference to vulnerable applicants and people on a low income or with minimal resources.
- 1.3** The Association will accept applicants under the age of 18 (minors) provided that a guarantor signs a licence agreement in respect of rent payments.
- 1.4** Where schemes are developed by the Association on land subject to a binding section 106 Planning Agreement or Nomination Agreement, occupancy will be restricted to people with a qualifying local connection who are in need. In assessing local connection, regard will be paid to the duration of residence within the parish, family associations, social ties and work connections. (local connection is explained in more detail in the Appendices below)
- 1.5** The local District Council is entitled to nominate applicants for each scheme, either from their own housing register or through a Choice Based Lettings Scheme – although any nomination must abide by the conditions of the Planning Agreement, if one exists, and the criteria of the Association's Allocation Policy.
- 1.6** In general at first handover on all new developments the nomination agreement will be for 100% of all initial allocations. Subsequent allocations will be at either 50% or 75%. These measures are a minimum not a maximum and will be determined by each Nomination Agreement or Local Lettings Plan.
- 1.7** A Local Lettings Plan is devised by the local planning authority to address local sensitivities in the allocations process in order to achieve balanced and sustainable communities. The Local Lettings Plan must be agreed with the local authority in writing before it begins to operate. Where a Local Lettings Plan is in operation the Association will work with local authority partners and parish councils to ensure that homes are allocated accordingly and to ensure that priority is given to local applicants. A Local Lettings Plan can operate within an existing local

authority allocations scheme and it will override the local authority housing need banding system and local connection criteria.

- 1.8** The Association will treat all housing applicants details in confidence as required by the Data Protection Act. With the applicants permission we will however provide specific details to our partners and regulatory bodies for recording and monitoring purposes. Local connection information will also be shared with Parish Council members for verification, again at the permission of applicants.
- 1.9** It is a criminal offence to provide false or fraudulent information when applying for a property. Any applicants caught doing so will have their application disqualified or may risk losing their home should evidence later come to light that they submitted false information during the application process. The Data Protection Act allows the Association to disclose and request information with third parties to investigate criminal activity..

2 APPLYING FOR A HOME

- 2.1** All persons wishing to apply for a vacancy with the Association will be advised to register with the appropriate local authority and that most vacancies are likely to be advertised through them using the preferred method.
- 2.2** The Association will hold one central mailing list or register of interest and those wishing to apply for housing will be asked to complete a register of interest form. The Association may contact applicants directly from this list with regard to suitable vacancies. The list will be updated every 12 months to ensure information held is current and accurate. If those on the register do not re-confirm their interest in writing when asked to do so, their names will be removed.
- 2.3** The Association will work within the agreed frameworks of the Local Lettings Plans and any Nomination Agreements, S106 Agreements or other 'local agreements' to allocate properties. In the majority of cases this will include taking nominations from the local authority and, where appropriate marketing the property locally. Some applicants may be excluded from applying for re-housing, the exclusions are listed under our Policy on Exclusions at section 4 below.
- 2.4** Existing tenants of the Association may apply for a transfer to a different area or property type. The priority given to requests for a transfer will be decided by a points system which includes time on the transfer register and where required (by a section 106 Agreement) applicants will need to meet the local connection criteria. Reasonable

preference will be given to tenants who wish to move to smaller size bedroom accommodation due to under-occupation. Transfer applicants must have a clear rent account unless there are urgent management reasons for the move. All transfer requests must be made on a transfer application form.

- 2.5** Existing tenants can also move to a different property by Mutual Exchange. The Association currently subscribes to a national mutual exchange scheme operated by Homeswapper, and will use other subsequent schemes. Homeswapper is a website based organisation and is free of charge for residents to use to help them find people to exchange properties with. Further details on Homeswapper and how to register can be found at the following website address:
www.homeswapper.co.uk.
- 2.6** Mutual exchanges may be subject to local connection criteria or other conditions that may result in the Association withholding consent to a mutual exchange.(these are listed at Appendix A)
- 2.7** The Association can provide, where appropriate, accommodation for its employees, former employees and their close relatives. Board members can also be considered for a tenancy as long as they meet the criteria of the policy. In all such cases allocations will only be made in accordance with the Association's Probity Policy and Procedures.
- 2.8** During the allocations procedure, the local Parish Councils may be asked for written confirmation on the stated local connection of the applicant.
- 2.9** A representative of the Association will interview applicants in their homes. The guidelines for the interview and the forms used are standardised to make sure that each application is treated consistently, objectively and fairly.
- 2.10** The Association may consult the Local Authority/Housing Associations and Parish Councils to identify when considering applicants from out of the area who are wishing to return to a village either to settle or to give/receive support.
- 2.11** Applicants will be assessed on the following criteria:
- a) Strong local connections as specified in the Section 106 Planning Agreement or Local Lettings Plan with the Parish in which the housing need has been established or the immediate surrounding Parishes. The next priority will be awarded to the adjoining Parish and then other parishes in the District.

- b) Nominations meeting the above criteria made by the District Council's Housing Department.
- c) Compliance with the Association's charitable status. This is based on the applicant's financial resources and their ability to purchase housing on the open market.
- d) When allocating bungalows the Association gives reasonable preference to applicants over 55 years of age and/or with a physical disability. If at the point of allocation there are other applicants meeting this criteria, then the bungalow will be offered to the applicant with the greatest housing need.

2.12 To ensure that the decision is fairly and consistently made, the interviewing officer's recommendations will be scrutinised by the Housing Services Manager or, in the absence of the Housing Services Manager, the Company Secretary. Applicants will be informed by the Association within 7 days of the decision being made concerning the allocation of the property.

2.13 If the letting is considered sensitive, for example where there might be contrasting lifestyles, then the Housing Officer dealing with the allocation will consult with the Housing Services Manager. If two or more applicants are equally eligible for a vacancy and have the same level of housing need points then the applicant having been on the register for the longer time will be considered as the priority, unless the issue of sensitivity is considered to be paramount.

2.14 All offers of tenancies will be in writing and subject to the approval of the Housing Services Manager.

3 APPEALS

3.1 Applicants who are dissatisfied with the assessment of their application including rejected applications for re-housing have the right of appeal. Appeals should be in writing (wherever possible but not essential) and state clearly the reasons for the appeal. Allocations appeals will be dealt with in accordance with the Association's Complaints Policy and Procedure (a copy of which will be available on request).

4. POLICY ON EXCLUSIONS

4.1 Applicants should not be automatically excluded from housing if their circumstances fit into one of the categories listed below. Each case should be treated on its own merits and efforts made to resolve any possible ineligibility.

The list below relates to such circumstances and provides guidance on where exceptions can be made:

4.2 Financial circumstances

- a) Rent Arrears
Applicants for accommodation should not automatically be excluded from applying to LRHA if they have rent arrears. Where applicants demonstrate commitment to repay arrears and maintain an agreement for a reasonable period they are considered for re-housing. This period of time will not be less than 3 months

- b) Non-related housing debts
These are debts arising from arrears of non-housing payments such as council tax or hire purchase – these cases will be assessed individually and may exclude an applicant from being considered for housing

4.3 Anti-social behaviour

In some cases we may refuse an application for housing on grounds of anti-social behaviour. The application can be from our own waiting list, a local authority nomination or a person wishing to exchange from another Social Landlord into one of our properties. We do not operate a blanket policy on exclusions and each case will be treated on its own merits. Such decisions will be subject to the following conditions:

- a) Evidence
Ineligibility for housing on the grounds of anti-social behaviour should be based on evidence of the behaviour. Evidence might include the previous eviction of an applicant or a member of their intended household for ASB.

Previous tenancy enforcement action should not be taken into account if it occurred two or more years prior to the date of application and the tenancy has been conducted satisfactorily in the intervening period.

- b) Previous convictions
The Association will give reasonable assistance to Local Authorities in the re-housing and re-habilitation of ex-offenders

Previous convictions are not an automatic barrier to access especially for low risk offenders. High Risk Offenders subject to multi-agency public protection arrangements (MAPPA) have to

Leicestershire Rural Housing Association

Last review date September 2014
Next review date September 2017

register with the local police who will carry out a risk assessment. Local Authorities will then be able to confirm that they have investigated the risks associated with re housing the applicant, and demonstrate that the property and area is suitable before a nomination is made.

Refusing such an application should only be considered if there is evidence that the ex-offender may pose a risk to their household, neighbours and/or the wider community.

MUTUAL EXCHANGE AND TRANSFER POLICY

A tenant of the Association has the right to exchange their tenancy with a LRHA resident or a tenant of another housing association or local authority. Tenants who wish to move by a mutual exchange may only do so with the written consent of the Association.

The decision to approve the exchange will be made by the Housing Services Manager.

Mutual exchanges can only be refused on specific grounds, which are summarised as follows:

1. The property of either party to the exchange is subject to an immediate or postponed possession order.
2. The size of the accommodation offered to the incoming tenant is substantially larger than is reasonably required for their needs.
3. The accommodation is let to an employee of the Association, for the purpose of carrying out their work, or is not used for housing purposes.
4. The incoming tenant's occupation of the property conflicts with the Association's charitable objectives which requires us to give reasonable preference to vulnerable applicants and people on a low income or with minimal resources.
5. The applicant does not have the particular needs or disability for which the accommodation has been specially designed.
6. If an injunction, an anti-social behaviour order or a possession order granted on the grounds of nuisance is in force, or is pending against the tenant, or a person who resides with either party the Application for a mutual exchange will be refused.

Before agreeing to an exchange or internal transfer the Association will:

- a) Consider the basic criteria set out in the allocations policy, and any other special factors relating to the exchange/transfer request, these will include local connection requirements which for ease of reference are set out below and validation of a satisfactory landlord's reference in relation to the incoming tenant.
- b) Only approve an exchange on the basis that both the outgoing and incoming tenant do not have substantial rent arrears and the size and condition of the property is appropriate for the incoming tenant. Each case will be considered on its merits where rent arrears exist.

Local Connection

Local connection is defined as:

1. Current resident of the Parish who has lived in the Parish for the minimum period required by the appropriate section 106 Agreement.
2. Past resident of the Parish having lived there for the minimum period required by the appropriate section 106 Agreement.
3. Close relatives currently resident in the Parish. Close relatives are defined as parent, children, brothers or sisters, grandparents, grandchildren or as defined in the appropriate section 106 Agreement.
4. Currently working in the Parish. However, if employment is the only criteria, one of the above factors must also apply, unless employment is threatened due to lack of accommodation.

Even if a local connection is established, allocations will not be considered if it jeopardises the Association's charitable status.

POINTS SYSTEM

A points system is used in order to make the allocation of housing as objective and fair as possible. The system makes it possible to evaluate an applicants' housing need and therefore to identify applicants with the **most need** of a property

Where a development is affected by a section 106 agreement an application for housing will only be accepted once a **local connection** has been established with the relevant parish (local connection is explained in more detail after the points table).

The Associations policy is to give priority to **local people in housing need**. Local connection will be determined by the relevant section 106 agreement or Local Lettings Policy.

If you are homeless or under immediate threat of being homeless.	
Accepted as homeless by Local Authority This will apply if you are homeless and the local district council have accepted their responsibility to re house you.	225
If you have been served with a Court Summons or Possession Order for eviction by your Landlord.	120
If you have been served with a valid Notice to Quit or Notice Requiring Possession (documentary evidence will be required).	80
Asked to leave by family or friends (evidence required).	200
Living in violent / dangerous situation (documentary evidence from the police or medical professional will be required).	200
Living with harassment or threat of violence. These points apply if you are living in a situation where there is the threat of violence or are being harassed or abused.	200
Leaving the Armed Forces.	200
Environmental Health Notice (uninhabitable property or statutory overcrowding).	200
Leaving prison or other institution.	200
If you have difficulties with your present accommodation	
Living with less serious violence/harassment.	100
If you need to leave because your long term relationship is breaking down.	100
If you are over 18 and wanting to live independently of your family.	50
If you are a private tenant and have an assured shorthold tenancy – sometimes called a six month tenancy.	60

Leicestershire Rural Housing Association

Last review date September 2014

Next review date September 2017

If you are a private tenant claiming housing benefit and not all your rent is covered by housing benefit.	20
If you are a private tenant/homeowner struggling to maintain rent/mortgage repayments (proof required).	20
Your family circumstances	
If your family is forced to live apart that is if parents and children are split up.	120
If a couple is living apart when they have previously lived together.	100
If you are a couple wanting to set up home together for the first time.	80
If you are pregnant.	30
If you have dependent children under 16 living with you.	40
If you have access rights to children not living with you.	25
Living in overcrowded accommodation	
If you and your partner are living together as a couple and do not have your own room.	80
For each single person over 16 without their own room.	80
If children of different sexes over five are sharing a room.	80
If you are living temporarily with friends or relatives.	80
If you are causing a house to be overcrowded.	80
If you do not have a bedroom.	80
The condition of your present home	
If you do not have or share the following facilities:	missing shared
Inside WC.	30 10
Kitchen.	30 10
Bathroom or shower.	30 10
Hot water supply.	30 10
Adequate means of heating.	30 10
Property is damp.	20
Property is in serious disrepair (EHO report required).	40
Property is in moderate disrepair.	20
The property has persistent vermin (EHO report required).	20
Your health is at risk by living in your present accommodation – we will need to see evidence in support of this such as a letter from your GP.	
Slight risk.	20
Medium risk.	60
High/Chronic risk.	100
If you have mobility problems and have to use stairs.	50

Leicestershire Rural Housing Association

Last review date September 2014

Next review date September 2017

If moving into our house is part of an after care package.	120
If you have children and are living in an upstairs flats.	20
If you are transferring from another housing association or council property or within our own stock.	
If you have a spare bedroom and are requesting a smaller property.	110
Extra points for each additional empty bedroom in your present home.	20
If you have been left in property on death of original tenant.	100
If your move would lead to an improved use of our housing.	100
Time on List – we will award 10% of your total points on each anniversary date of your housing application.	

Local Connection

Local connection is defined as:

1. Current resident of the Parish who has lived in the Parish for the minimum period required by the appropriate section 106 Agreement.
2. Past resident of the Parish having lived there for the minimum period required by the appropriate section 106 Agreement.
3. Close relatives currently resident in the Parish. Close relatives are defined as parent, children, brothers or sisters, grandparents, grandchildren or as defined in the appropriate section 106 Agreement.
4. Currently working in the Parish. However, if employment is the only criteria, one of the above factors must also apply, unless employment is threatened due to lack of accommodation.

Even if a local connection is established, allocations will not be considered if it jeopardises the Association's charitable status.