



LETTINGS POLICY

1. Introduction

This policy defines how Shropshire Town and Rural Housing allocates the homes it manages in line with the Shropshire Allocations Policy and the Homepoint Choice Based Lettings system (CBL).

2. Aims and Objectives

Our aim is to provide a flexible, efficient and effective lettings service, which makes best use of our stock and meets the needs of our customers, partners and community we serve. We will achieve this through:

- A clear and transparent lettings policy
- Providing a flexible, responsive lettings service to meet the housing needs of our existing and potential tenants.
- The selection of applicants will be fair and transparent and easily understood by applicants and existing tenants.

3. Process

3.1 Allocating Homes

All properties are advertised through the Homepoint Choice Based Lettings Scheme (CBL). Homes will be allocated to the person who has bid for that property through CBL and who has the highest priority housing need (as per the Shropshire Allocations Policy).

3.2 Best Use of Property

Due to the pressure on supply of social housing, there is a need to ensure that properties are used in the most efficient way. To make best use of the housing stock and to meet the needs of the tenants and community, Shropshire Town and Rural Housing will allocate in accordance with the below exceptions to the Shropshire Allocations Policy.

3.3 Bungalows

Bungalows are predominately for older people and as such the minimum age eligibility criteria is set at 60 and the property should be advertised on CBL as such. However, prior to letting consideration will be given as to whether this property should be specifically adapted for people with a disability.

Adapted bungalows should be let to those with a disability (as outlined below) wherever possible to make the best use of stock. If a suitable applicant cannot be identified then they will be let to older people over 60.

Unless a bungalow has been specifically adapted i.e. ramp, widened doors to accommodate a wheelchair then applicants who have a need for level access

accommodation but who are under 60 should be considered for ground floor flats.

3.4 Adapted properties

Properties which have been specially adapted for use by those with disabilities will, wherever possible, be re-cycled to a tenant or an existing member of their household with a disability or a support need to ensure best use of stock. Adverts via CBL schemes and nomination requests to local authorities will clearly stipulate that priority will be given to applicants with relevant disabilities. However, if after advertising via 2 rounds of external or internal CBL schemes or 2 rounds of nominations requests the property remains unlet, the property will be made available to other referral sources or applicants.

4. Hard to let Properties

Where a property remains unlet after two bidding rounds of either Local Authority or internal CBL schemes, alternative sources of referral may be sought in keeping with our aim of meeting the housing needs of our existing and potential tenants in partnership with local authorities and other statutory and voluntary agencies.

5. Other circumstances where allocation through CBL is not appropriate

There will be very rare occasions for Shropshire Town and Rural Homes tenants' where allocation through CBL is not suitable, and authorisation not to advertise the property via CBL needs to be made, these are:

5.1 Successions:

Please refer to Succession and Lodgers in Occupation Policy for the definitions and criteria. However, when there is a right to succeed the tenancy the property will not be advertised through CBL.

5.2 Direct Lets

Shropshire Town and Rural Housing may from time to time need to make a direct let of a property to an applicant in exceptional or urgent circumstances or who has very specific housing requirements or/and to make the best use of our stock. Criteria for making direct lets have been agreed by the Allocation Scheme Steering Group and are available for inspection. Properties identified for a direct let will be advertised through the CBL Scheme but will be identified as unavailable for bids. This is to ensure the use of direct lets remain transparent. However, the applicant will not be required to place a bid or be registered on the HomePoint CBL System. A Direct let can only be granted to existing tenants who have no rent arrears and no recent anti-social behavior complaints against them. There are exceptions to exclusion for rent arrears and they are:

- Existing tenants who need to move because of harassment hate crime, domestic violence or tenants who need to be decanted. In these circumstances a clause will be written into their new tenancy agreement creating a contractual obligation to clear the former tenancy arrears according to a repayment schedule. Should a statutory Home Loss payment be due, we reserve the right to offset the debt against the payment made.
- Under occupation, if the financial incentive removes or reduces the arrears and the move to a smaller property will help with financial problems and an agreement to clear arrears has been made or kept to.
- Where the arrears are entirely due to an outstanding housing benefit claim. The tenant must provide comprehensive evidence that they have; submitted their claim on time, provided all supporting documentation to the local authority, that they will be entitled to full housing benefit for the period in question, and that once the housing benefit is paid the arrears will be cleared in full.

The Senior Neighborhood Officer can authorise a Direct Let. The below are examples of when a direct let can be used:

5.3 Relationship Breakdown

In the case of relationship breakdown the option we would prefer to consider is an Assignment of tenancy ordered by the court i.e. a property adjustment order. The landlord is legally obliged to comply with the court order in respect of who is entitled to occupy the property. The benefit of this approach is that all the matters relating to the welfare of both parties will be considered by the Court before making a decision as to who should be assigned the tenancy. See the Policy on Joint Tenancies for further advice.

However, where there is no court order and one joint tenant serves a notice to quit on Landlord Services the Senior Neighborhoods Officer can make the decision to allow the family/ex-spouse to be granted a new tenancy via a Direct Let. Each case will be looked at individually.

5.4 Under occupiers who wish to downsize

The Housing Act 1985 s.10 sets out the definition of overcrowding. A standard number of bedrooms are calculated for each household in accordance with its age/gender/marital status composition and the relationship of the household members to one another. Under occupation can best be described as a property which has one or two bedrooms not in regular use as a bedroom. Reductions in housing benefit are made if a working age tenant is assessed as underoccupying their home.

Shropshire Towns & Rural Housing believes that tackling overcrowding and under occupation is a key factor in assisting to improve the life chances of potential and existing tenants. If a home is overcrowded, it can affect health

and educational attainment and impact negatively on life chances; targeting under occupiers remains an effective way of freeing up larger properties for overcrowded households

Where we identify under occupation we will encourage the tenant to move to a smaller property and offer financial and other incentives in line with the Under Occupation Policy.

To make best use our stock and prevent financial hardship Shropshire Town and Rural Housing can make a decision to do Direct Let for an existing tenant(s) who are under occupying a property.

5.5 Tenants Who Require Extensive Adaptations

A Direct Let can be an option when a property, normally a family home, needs to be adapted considerably to meet the needs of the tenant (s) and their current home is not considered suitable for adaptation or the adaptations are considered unreasonable. Please refer to the Enabling Tenants to Live Independently in their Homes Policy.

5.6 Domestic Abuse

Domestic abuse, serious assault and emergency decant. In most of these circumstances tenants will have high priority and can bid for the most suitable property through CBL.

However, when an emergency move is needed Shropshire Towns and Rural Housing will explore quick moves through the local authority's temporary accommodation or empty properties as a direct let. Please refer to the Domestic Abuse Policy.

5.7 Decants

Tenants who have to leave their homes to enable us to carry out required major repair, improvement or redevelopment work or because the property is to be demolished or sold.

5.8 When a Fixed Term Tenancy Ends

A Direct Let may be used to re-house tenants when a fixed term tenancy ends and the property is being under occupied or no longer meets their housing needs.

6. Local Letting Plans

6.1 In order to achieve balanced and sustainable communities, staff will work in partnership with Local Authorities to develop local lettings plans - particularly for new and mixed tenure developments. Staff may also work with residents from existing communities to develop local lettings plans.

6.2 Where local lettings plans are in operation these will take precedence over our lettings policy for that particular area or estate and we will publicise the detail of the lettings plans to residents of the areas and other customers on request.

7. Lettings to 16/17 year olds

Prospective tenants under the age of 18 will be offered an 'agreement for tenancy' to grant a tenancy to the minor following their eighteenth birthday. A guarantor over the age of 18 who is not a representative of the landlord will be required – usually a family member or a social services representative. See Minors Policy for further details.

8. Housing Sex Offenders

The former Housing Corporation regulations require that Registered Providers give reasonable assistance to Local Authorities in the re housing and rehabilitation of sex offenders. The Housing Act 1996 prevents Local Authorities and Registered Providers refusing an application for housing from a sex offender.

High Risk Offenders subject to a multi-agency public protection arrangement (MAPPA) have to 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. In addition the local authority will need to provide;

- a detailed risk assessment and details of a support and/or supervision package together with any monitoring arrangements;
- contact details of members of the inter agency risk management panel including the police, for easy access should a problem arise during the life of the tenancy.

This is a sensitive area and one that generates a lot of media attention and public concern. Shropshire Towns & Rural Housing will balance the housing rights of the offender with public concerns and the safety of the local community in considering such applications for housing

9. Owner Occupiers

If you own your own home, you may be considered for affordable housing if:

- Your current home is unsuitable in terms of size, location or cost and this is having, or threatens to have, a strong negative impact on the health and well-being of you and/or other members of your household

AND

- You cannot afford to remedy your circumstances through open market solutions
OR
- You and/or other household member/s require specialised accommodation available within the affordable housing sector and you would not be able to access this type of accommodation in the private sector following sale of your existing property/ies.

Owner occupiers will be banded according to their housing need. Owner occupiers who are deemed not to be in housing need can be accepted into Bronze Band. As an owner occupier you can bid for properties upon exchange of contract for the sale of their current property.

Shropshire Towns & Rural Housing reserve the right to withhold an offer of accommodation to a homeowner who has not exchanged contracts or who has or will have more than £60,000 capital from the sale of the property.

10. Housing Debt

Applicants with housing debt such as rent arrears, recharges and mortgage arrears will be accepted onto the Housing Register subject to the Shropshire Allocations Exclusion Criteria and Housing Debt Criteria. However, Shropshire Towns & Rural Housing reserves the right to decline a bid subject to the below:

- The property is subject to the conditions of a Local Lettings Plan where having no Housing Debt is an eligibility requirement.
- Where there is no arrangement to clear the debt and sustained payments have not been made at the agreed amount.

Where Housing Debt has accrued due to the impact of reductions in housing benefit due to underoccupation and a move to a smaller property would relieve the financial hardship then an offer of accommodation may be made subject to the following:

- The tenant is making regular payments to show commitment to the repayment plan (note that with agreement this may not cover full rent as a short term arrangement prior to moving).
- The tenant will be subject to a full income and expenditure exercise where a repayment plan will be agreed with the tenant;
- Any debt owed at the previous property will be treated and pursued via the Former Tenant arrears process;
- The property meets the standard required as per the property inspection.

Verification of housing debt will be carried out at point of offer, please refer to Pre-Tenancy Checks.

11. Anti-Social Behavior

Shropshire Towns & Rural Housing may refuse bids from an applicant or a member of their household who has been guilty of behaviour serious enough to make him or her unsuitable to be a tenant (in circumstances where the applicant has made attempts to improve their behavior Shropshire Towns & Rural Housing may make an offer).

For the purpose of this lettings policy, unacceptable behaviour is regarded as behavior of the applicant, member of their household and/or their lodgers or visitors has resulted in a possession order or an ASBO. Or, where a solicitor has confirmed that there would be sufficient grounds to be reasonably confident that a possession order or ASBO could be secured.

Possession orders or/and ASBOs may be disregarded to allow a bid if there has been no further evidence of anti-social behaviour.

12. Pre-tenancy Checks

Shropshire Towns & Rural Housing reserves the right to complete checks on all applicants before making an offer on a property. A Verification Checklist (Appendix 1) will be completed along with the following checks:

- Rent references obtained from the last two landlords, one must be the current one along with a system generated rent statement where applicable.
- Police background checks where there is a history of criminal activity.
- Police background checks where a Local Lettings Plan is in place.
- Pre-tenancy interviews.
- Income and expenditure checks to ascertain affordability, especially in cases where there is a history of housing debt or under occupation is to occur.
- Credit checks (via credit checking agencies) to check for bankruptcy, evidence that a mortgage has been paid off and to assist when determining affordability.

13. Existing Tenants

An offer of accommodation will be made to existing tenants subject to their property being in an acceptable condition to transfer. This will be assessed by a home visit before the offer is made. If there is damage to the property then the damage has to be made good and property brought up to a suitable standard before a further offer of accommodation will be made unless there are very exceptional circumstances (such as domestic violence).

All other eligibility criteria applies as per the Shropshire Allocations Policy.

14. Equality and Diversity

Shropshire Towns and Rural Housing will treat all customers and staff with

fairness and respect. We value diversity and work to promote equality and tackle unlawful discrimination.

We are committed to supporting customers and staff access information in a way that suits individual needs. Please get in touch with your local office to discuss this.

15. Review

This policy will be reviewed in line with changes in legislation and in line with the Shropshire Allocations Policy.

LETTINGS POLICY		
STATUS	VERSION 1	
APPROVED BY:		
	ST&RH BOARD	18th July 2013
DATE DUE FOR REVIEW	MARCH 2014	
OUTCOME OF REVIEW		
SERVICE RELATIONSHIPS:	All of ST&RH, Shropshire HomePoint, Housing Options, HCA	
LINKED POLICIES	Shropshire Allocations Policy, Local Lettings Policy, Enabling Tenants to Live Independently in their Homes Policy, Under Occupation Policy, Succession and Lodgers Left in Occupation, Domestic Abuse Policy, Tenancy Policy, Minors Policy, Mutual Exchange Policy	
POLICY OWNER:	Senior Neighbourhoods Officer (South)	
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KEY PERFORMANCE AREAS:	Allocations and voids	