



BLABY DISTRICT COUNCIL
DRAFT ALLOCATIONS POLICY
APRIL 2009

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Introduction

Legal Background

Councils are required by law to have policies and procedures in place for the letting of properties. The Allocations Policy provides a framework for assessing housing need, priority and determining who will be nominated to Registered Social Landlords (RSL's) for housing.

A number of principles have guided the formation of this policy. Most important is the need to treat all applicants fairly and to ensure compliance with the legal requirements of the Housing Act 1996 (Part V1), as amended by the Homelessness Act 2002 in accordance with the Government's accompanying Code of Guidance issued in November 2002.

Amendments to the law have been designed to give applicants greater choice, to ensure that reasonable preference is given to applicants in the greatest need and to create an Allocation Scheme that can easily be understood by applicants. As such the main principles behind this policy are to:

- Comply with the Housing Act 1996, as amended by the Homelessness Act 2002, the Housing Act 2004 and the Code of Guidance on Allocations
- be transparent and easily understood by applicants, staff, elected Members and partner organisations
- help prevent homelessness and support the Council's homelessness strategy
- widen choice and be more accessible
- reflect local needs and encompass rural sensitivities
- make the most effective use of the housing stock
- respond to the circumstances of vulnerable individuals
- ensure equality of opportunity in accessing the Housing Register
- be easy to administer
- be fair and perceived as being fair, with increased customer satisfaction
- promote mobility
- be open and accountable
- help tackle low demand
- promote sustainable tenancies by ensuring adequate support is available for vulnerable people.

This Allocations Policy sets out details of who can join the Council's Housing Register and how priority will be decided between different applicants on that

register. To summarise: Subject to an applicant fulfilling the eligibility requirements set out later in this document:

- a banding system will be used to order the priority of applicants;
- each applicant will be assessed for housing need and placed in a band appropriate to the severity of their housing need;
- applicants with a local connection will be given priority over those without local connections in the same band;
- applicants will be considered for housing in date order within the band;
- all applicants aged 16 and over will be eligible to be considered for the Housing Register;
- the criteria for assessing housing need will be applied equally to all housing applicants;
- applicants, who are in the process of being assessed, will not be placed in a band until the application has been fully processed and all relevant documentary proofs have been received.

Equal Opportunities

Blaby District Council's allocations scheme promotes equal opportunities in the services it provides. Our aim is to implement and maintain services which ensure that no potential or current applicant is treated less favourably on the grounds of gender, marital status, race, nationality, ethnic or national origin, colour, disability, age or sexual orientation nor is disadvantaged by the application of a rule, condition, or requirement, which has a discriminatory effect which cannot be justified by law.

Our allocations scheme operates in accordance with the council's equal opportunities policy. A copy of the policy is available from the Council Offices, Desford Road, Narborough, Leicester. LE19 2EP.

Data Protection

Any information provided as part of the application process will be treated in the strictest confidence and in accordance with current data protection legislation. The Council's corporate statement on data protection will be printed in full within the housing application form.

Social Housing in Blaby

There are 15 Housing Associations who have properties in the District of Blaby. Each Housing Association will also operate its own Allocations Policy. When a property becomes vacant they will try to fill the vacancy from their own waiting list or ask the council to nominate someone from it's waiting list.

Blaby District Council has nomination agreements with all Housing Associations. In some cases we are able to nominate applicants for all properties that become

vacant, in others we are able to nominate applicants for either fifty or seventy five percent of vacancies that arise.

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1. The Housing Register

- 1.0.1 Blaby District Council maintains a register of applicants who are interested in being accommodated by the housing associations operating in the Blaby District.
- 1.0.2 Properties that become available to let will normally only be nominated to applicants on the housing register.

1.1 Joining the housing register

- 1.1.1 Any person over the age of 16 can apply to join the housing register. This applies whether they are currently living within the Blaby district or outside of the district. There are additional special provisions for 16 and 17 year olds, see section 3.
- 1.1.2 Every applicant must complete an application form. The information given on the form must be correct. Blaby District Council reserves the right to disqualify any applicant from joining the register.
- 1.1.3 Applicants will be asked to provide proof to support their application; for example, they may be asked to provide proof of income, benefits, access rights to children or levels of capital or any other information required to support an application.
- 1.1.4 Blaby District Council will make any other enquiries as they deem necessary in order to assess the application. This may involve contacting previous landlords, health or medical advisors, police, etc.

1.2 Review of the housing register

- 1.2.1 Blaby District Council will undertake an annual review of the housing register. Applicants will be contacted and asked to confirm whether they want to remain on the register and whether their circumstances have changed.
- 1.2.2 The review will take the form of a letter. Applicants will be expected to respond to the letter within 28 days. Failure to respond will result in a follow up letter being sent advising the applicant that their registration will be cancelled within 14 days unless there is a response.
- 1.2.3 Failure to respond within the 14 days will normally result in the registration being cancelled.

2. Exclusions to the Housing Register

2.1 Applicants are not eligible to join the register if they, or a member of their household, are;

2.2 Subject to immigration controls under the Asylum and Immigration Act 1996, unless they

- Already hold a secure tenancy allocated to them by their local Council.
- Already hold an assured tenancy allocated to them by a housing association.
- Are in a class prescribed by regulations made by the Secretary of State, these classes include those with
 - Refugee status
 - Exceptional leave to remain in the UK
 - Indefinite leave to remain in the UK
 - Persons subject to immigration control who are nationals of a country that has ratified the European Convention on Social and Medical Assistance (ECSMA) or the European Social Charter

Any application identified as falling under the Asylum and Immigration Act 1996 will be assessed in accordance with the Act. Blaby District Council reserves the right to seek independent advice and assistance to resolve the issue of eligibility.

2.3 Guilty of unacceptable behaviour serious enough to make them unsuitable as a tenant

When making this decision we will consider:-

a) What action we, as a landlord, would have taken against the perpetrator of the unacceptable behaviour.

The behaviour must be serious enough that Blaby District Council would have been entitled to a possession order under schedule 2 of the Housing Act 1985. As an example, cases relating to noise problems, domestic violence, racial harassment, intimidation and drug dealing would probably lead to a possession order. Rent arrears often only lead to a suspended possession order.

b) Whether the behaviour is serious enough to make the applicant unsuitable as a tenant. As an example, accrual of rent arrears which have resulted from factors outside of the applicant's control, e.g. delays in housing benefit payments or liability for a partner's debts are not serious enough to make the applicant unsuitable as a tenant.

c) When the unacceptable behaviour took place. Consideration will be given to the length of time that has elapsed and whether there has been any change in circumstances.

2.4 In deciding whether an applicant should be excluded Blaby District Council will give consideration to all 3 of the above conditions. When making this

decision Blaby District Council will also consider whether it is reasonable to exclude the applicant. We will take into account all relevant factors such as health, dependants or other factors.

- 2.5 If an applicant who has been refused entry onto the housing register because of unacceptable behaviour and considers that their unacceptable behaviour should no longer be held against them they should complete a new registration form. The applicant will need to show that there has been a sufficient lapse of time, in the opinion of the authority, since the previous application was submitted or that his/her circumstances or behaviour have changed, this should be evidenced through a supporting agency or via the council's Anti-Social Behaviour Team.
- 2.6 If at any time Blaby District Council obtains evidence that an applicant already accepted onto the housing register is ineligible then the applicant will be advised that their application will be cancelled. Applicants will have the opportunity to use the appeals procedure if they are able to show this decision is incorrect. (see section 4.1 for details)

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3. Applicants Under the age of 18

- 3.1 Applicants aged 16 and 17 can apply to join the housing register.
- 3.2 Applicants under the age of 18 must provide details of a guarantor. The guarantor must be a responsible person such as a parent or other close member, or a representative from a support agency, such as Social Services.
- 3.3 Until details of the guarantor are received, the registration will normally be given no preference. As soon as the information has been received the application will be assessed in the normal way.
- 3.4 When an application is received from a lone parent under the age of 18 Blaby District Council will seek to carry out a joint assessment of needs and support with Social Services. The assessment will only be undertaken after the applicant has given their consent.

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4. Appeals Relating to Decisions about Joining the Housing Register

- 4.1 If a decision is made to exclude an applicant from the housing register they will be provided with a written notification of the decision. The notification will include clear grounds for the decision. The notification will also include how the applicant can request a review of the decision.
- 4.2 Applicants can request a review if they consider that their registration has been assessed incorrectly and/or has been placed in the wrong preference category.
- 4.3 In the same way, applicants who want to be considered for a property type that they are not eligible for can request a review of the decision.
- 4.4 Applicants wanting to request a review of the decision need to submit a written request within 21 days of the date on the notification letter.
- 4.5 The request for a review should be addressed to :-
- Quin Quinney
Housing and Community Services Manager
Blaby District Council
Desford Road
Narborough
Leicester
LE19 2EP
- 4.6 A Review Panel will normally carry out the review within 21 days. A written notification of the decision, including grounds for the decision, will be sent to the applicant.
- 4.7 All correspondence will be sent to the applicant's home address or a mailing address of their choice. If the applicant is of no fixed abode then the correspondence can be collected from the council offices. Correspondence will be kept at the council offices for a period of 28 days.

5. Applicant Types

5.1 New applicants

- 5.1.1 Applicants who are NOT current assured tenants of one of the partner housing associations, residing within the district, are defined as new applicants.
- 5.1.2 Tenants of the partner housing associations living beyond the District boundary are defined as new applicants.

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6. Applicants with a Disability or a Mobility Need

- 6.1 If an applicant indicates on their registration form that they require ground floor accommodation, accommodation that has been specially adapted or they have a mobility or mental health disability, then they will be asked to complete a separate Medical Assessment Form.
- 6.2 The medical Assessment Form asks a series of questions about the applicants mobility and disability needs and asks them to self assess their needs by ticking one of the following descriptions:
- A My legs are unable to support my weight and I need to use a wheelchair when indoors and outdoors.
 - B I use a wheelchair but am able to walk to a limited extent. I cannot climb steps or stairs.
 - C I do not use a wheelchair but walk with difficulty. I cannot climb steps or stairs.
 - D I do not use a wheelchair; I walk with difficulty, but can manage one or two steps.
 - E I do not use a wheelchair but cannot manage more than one flight of stairs.
 - F I need a downstairs toilet. I need an additional room for treatment.
 - G I have a disability or a medical problem, such as kidney dialysis or epilepsy, requiring more suitable accommodation, which does not fall into any of the above categories.
- 6.3 The self-assessment will be verified by a member of the Housing Options Team, and if necessary, by another suitably qualified medical advisor, eg. Occupational Therapist.
- 6.4 Further assessments will be carried out for those applicants that indicate that they suffer from mental illness, learning difficulties or emotional distress.
- 6.5 Before allocating an application to a particular category, the Housing Options Team member must be satisfied that the re-housing choices of the applicant will improve the condition or the management of the condition and offers of accommodation will be limited to those that will have this therapeutic effect.

7. Household Eligibility

7.1 Once accepted on to the housing register, every applicant will be provided with a 'matrix of eligibility'. The matrix will identify the type of properties the applicant is eligible for. For example, a family with 1 child will be eligible for a 2 bedroom flat and 2 bedroom house. They will also be eligible for supported housing if their circumstances warrant the need for this type of accommodation.

7.2 The matrix of eligibility will be individual to each applicant. It will include eligibility to each of the partner landlords within the district of Blaby.

7.3 A complete matrix of eligibility for all household types is attached at appendix 1. The matrix takes account of the fact that Blaby District Council has a number of housing association partners, all of who have a slightly different allocations policy.

7.4 Household definitions - Guidance

7.4.1 The matrix does take account of single person households who have access to children but with whom the children do not reside on a permanent basis. Households falling into this category must be able to show that they do have access to children. There is no requirement that these children spend a minimum number of nights with the applicant so long as access is established.

7.4.2 Single person households with access to children can not normally be considered for properties larger than a 2 bedroom flat irrespective of the number of children they have access to.

7.4.3 Three Oaks Homes Housing Association defines an older person as someone who is 60 years of age or over. De Montfort Housing Association operates the same definition. Other partner landlords use the age threshold of 55.

7.4.4 With regards to an elderly couple, only one of the partners has to be above the age threshold limit. There is no minimum age for the partner.

7.4.5 Family with a disability refers to a household where at least one of the members has a medical or mobility need and they require an adapted property to help meet these needs.

7.4.6 A single parent household is entitled to the same size accommodation as a two parent household with the same number of children.

7.4.7 Households that include a pregnant woman are assessed as if the baby has already been born (i.e. the baby is counted as a person).

- 7.4.8 A child must spend a minimum 4 nights per week with the applicant in order for them to be classed a permanent resident. Exceptions will be considered, for example in circumstances where the child resides away from the applicant on a temporary basis but their permanent home is with the applicant.
- 7.5 In exceptional circumstances applicants who are ineligible for a certain property type or scheme can be considered as eligible. In making this decision Blaby District Council will consider the needs of each household and the needs of each landlord to make best use of their housing stock.

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8. Children of Different Ages and Sexes Sharing a Bedroom

8.1 The partner landlords within the district operate different policies in relation to households who have children of a different sex or a different age sharing a bedroom. The following explanations should clarify the differences.

8.2 Children of different sexes sharing a bedroom

8.2.1 Three Oaks Homes Housing Association - When the oldest child reaches the age of 10 they become eligible for a separate bedroom.

8.2.2 De Montfort Housing Society – When the oldest child reaches the age of 7 they become eligible for a separate bedroom.

8.2.3 East Midlands Housing Association – When the oldest child reaches the age of 10 they become eligible for a separate bedroom.

8.2.4 Leicester Housing Association – When the oldest child reaches the age of 9 they become eligible for a separate bedroom.

8.2.5 Each landlord reserves the right to use their discretion in cases. For example, where the age of the eldest child is only slightly under the age limit the organisation may refuse to consider the household for a property.

8.3 Children of the same sex but different age sharing a bedroom

8.3.1 Three Oaks Homes – Any household member over the age of 16 is eligible for a separate bedroom. Any children below that age are dealt with at the organisation's discretion

8.3.2. De Montfort Housing Society – No set policy on the matter, currently at organisation's discretion.

8.3.3 East Midlands Housing Association – Any household member over the age of 16 is eligible for a separate bedroom. Any children below that age are dealt with at the organisation's discretion

8.3.4 Leicester Housing Association – No set policy, currently at the organisation's discretion.

9. Assessing Housing Need

9.1 Blaby District Council, whilst offering choice must take into consideration the housing needs of each applicant or a member of their household (who reside with them on a permanent basis), to allow those applicants in greatest need to be given precedence.

9.2 Blaby District Council will carry out enquires and decide level of preference in consultation with individual landlords.

9.3 The housing needs of each application will be considered on an individual basis to establish eligibility to join the waiting list, if the applicant's circumstances should be given preference and the level of preference.

9.4 Applicants must notify Blaby District Council of any change in circumstances. A change in circumstances will not normally affect an application however occasionally it will be necessary to remove preference or to give an applicant priority.

9.5 Potential housing need category

9.5.1 Applications will be accepted but will normally be given no preference if the applicant

- does not reside within Blaby District and they do not have a local connection to the district. (see section 9.6.1)
- has the financial resources available to meet their housing costs. This would include households whose income or savings were over the current approved levels or with sufficient equity in their property to purchase suitable accommodation (see section 9.5.3).
- is the owner or joint owner of a residential property with no welfare or medical need. This may include home seekers with statutory property rights under the Family Law Act 1996
- is aged 16 or 17 and does not have a guarantor.
- is guilty of behaviour which affects their suitability to be a tenant. This would include rent arrears or housing related sundry debt to a social landlord or anti social behaviour. The behaviour is serious enough that enforcement action would normally have been taken but does not warrant exclusion from the housing register. This relates not only to the applicant but also other members of their household.
- is a transfer applicant who is only eligible for a move to the same size of property and who does not have a welfare, medical or other exceptional need to move. This is termed a 'like for like' transfer.
- is a joint tenant of a Housing Association property where the other party does not wish to move.

- only wishes to be considered for low cost home ownership schemes.

9.5.2 Applicants who have deliberately worsened their circumstances to gain an unfair advantage over other applicants on the housing register will normally remain in the potential category for a period of 12 months. The application will then be reassessed.

9.5.3 The approved level of income and savings will be reviewed annually. This information will be included on the Blaby District Council website and will be available on request.

9.6 Preference housing need category

9.6.1 Applicants will normally only be considered within the preference category if they are able to establish a local connection with the Blaby District. Applicants will need to prove one or more of the following:-

- They currently reside on a permanent basis within the district
- They have lived in the district for at least 6 months in the last 12 months, or for at least 3 out of the last 5 years.
- They, or a member of their household is employed on a permanent basis or a temporary contract running for a minimum of 12 months, within the district (confirmation would be required from the employer).
- They have parents, brothers, sisters, or adult children (those over 18 years) who have been living within the district for at least 5 years.
- Other special circumstances may exist, and all applications will be considered on their individual circumstances.
- *The following exceptions to the rule of establishing local connection will normally apply:*
 1. Time spent in service of the armed forces
 2. Time spent in any prison or secure unit
 3. Time spent in hospital
 4. Time spent in any institution such as refuge or rehabilitation.

9.6.2 Preference will be given to applicants with a local connection and who fall into one of the following categories: -

9.6.3 1. Homeless households – this could include

- Homeless households who are deemed eligible for assistance but do not qualify for a full housing duty because they do not have a priority need, or they made themselves intentionally homeless.
- An applicant who is living in supported accommodation for the homeless and the Council has a formal move on agreement with the housing provider.

- An applicant who has been assessed as being threatened with homelessness in more than 28 days (but less than 56 days), is considered to be in priority need and has been through homeless prevention options with the Council and all other options have been exhausted.

9.6.4 2. Poor housing conditions – households living in insanitary, overcrowded or unsatisfactory housing conditions. This could include

- Households lacking adequate toilet, bathing or cooking facilities.
- Households with an inadequate number of bedrooms for the composition of the household.
- A property that although not unfit for habitation is in a serious state of disrepair and poses a high health and safety risk to the applicant. This could include properties where there is inadequate lighting, heating and ventilation or where there is ineffective drainage for waste and surface water. This will be assessed in partnership with the Environmental Health Department (EHD). The EHD will consider using the powers available to secure that the property is made fit.
- In exceptional circumstances other poor housing conditions will be considered. These will be considered where there is evidence that the housing conditions are having a detrimental effect upon the welfare or health of the household.

9.6.5 3. Medical needs – households with a medical, disability and mobility problem. This could include

- Verified high medical need where a move will improve or prevent the deterioration of a condition. This will apply when an applicants condition is currently directly affected by their accommodation and a move is needed to have a positive effect on their condition, or whereas as a result of their condition their current accommodation is not suitable to their needs. An investigation will be carried out.
- Level access accommodation is required and there is no prospect of adaptations to the applicant's current property within 12 months. Suitable proof will be required, i.e. confirmation from a local occupational therapist and landlord. The applicant may be referred to local agencies for assistance with adaptations.

9.6.6 4. Welfare need to move – this could include

- Applicants suffering from harassment or neighbour nuisance, such as verbal abuse or damage to the property. The problems will have been reported to the landlord and/or the Police for action but a satisfactory conclusion not found. The harassment is not at a level whereby the applicant has an emergency need to move.

- The need to be near relatives to give or receive support. This would only apply where NOT moving would cause emotional, physical or financial hardship to either party.
- The need to move closer to specialist educational or another organisation, agency or institution. This would only apply where NOT moving would cause emotional, physical or financial hardship to either party.
- Has found permanent employment in the district and needs to move closer to work, or will otherwise lose their employment. An investigation will be undertaken; this will involve contacting the applicant's new employer.

9.6.7 5. Short term accommodation – this would include

- Currently rent accommodation privately either on assured shorthold tenancies, or as a lodger or reside with family, relatives or friends
- Households accommodated for a limited period on non-secure tenancies or on licence agreements in hostels or other supported accommodation.
- Rough sleepers and those of no fixed abode who have not presented as homeless to Blaby District Council.
- Owner of residential property where a member of the household has a medical, social or economic reason to move. This would include applicants unable to maintain their current property but with insufficient equity to purchase suitable accommodation, elderly people living in isolation and/or requiring an element of care.
- Transfer applicants seeking different size accommodation
- Transfer applicants seeking a like for like transfer who have a medical, mobility or social need to move

9.7 Preference Plus Housing Need Category

9.7.1 An applicant who has been assessed as having two or more needs from sections 1 – 4 of the preference housing need category. The two needs must be from different sections.

Sections 1 – 4 includes the following

1. Homeless households
2. Poor housing conditions
3. Medical need to move
4. Welfare need to move

9.7.2 An applicant will not be placed in the preference plus category if the 2 or more needs are from the same section.

- 9.7.3 Applicants in the Preference Plus Housing Need category can remain in this category for up to 6 months. If no suitable properties become available during the period, or the applicant has not been successful in their search for accommodation their application will be reviewed. In exceptional circumstances applicants can be granted an extension to the 6 months. The length of the extension will be determined by the Housing Options Manager.
- 9.7.4 Applicants in the preference plus category retain the right to respond to properties of their choice. Applicants will be expected to consider all suitable properties. Failure to respond to suitable properties or refusal of an offer of suitable accommodation will be taken into account if the application is reviewed at the end of the 6 month period.

9.8 Priority Housing Need category

- 9.8.1 Applicants who have been assessed as having an emergency need to move will be placed in the priority need category. Applicants can remain in this category for a period of up to 12 weeks. If no suitable properties have become available during the 12 week period, or the applicant has not been successful in their search for accommodation their application will be reviewed. In exceptional circumstances applicants can be granted a further 12 weeks in the priority need category.
- 9.8.2 Applicants in the priority need category retain the right to respond to properties of their choice. Applicants will be expected to consider all suitable properties. Failure to respond to suitable properties or refusal of an offer of suitable accommodation may result in priority not being renewed at the end of the 12 week period.
- 9.8.3 All priority applicants will receive advice on the size and type of property and the landlord(s) they may search with.
- 9.8.4 The registration date of applicants placed in the priority category will not be the date they joined the register it will be as follows
- Homeless households – their registration date will be the date they presented as homeless
 - All of priority households – their registration date will be the date a decision on priority was made.
- 9.8.5 Applicants in the priority category who are allocated a property will normally be issued with an assured tenancy.
- 9.8.6 Priority need to move will be recognised in the case of:-
- Homeless Households to whom the Council has a statutory duty to secure accommodation as described by Part VII Housing Act 1996 and amended by the Homelessness Act 2002.
 - Welfare need – circumstances could include (this is not an exhaustive list)

- Applicants who are subject to severe harassment, threats of violence or actual violence or threats of physical, emotional or sexual abuse.
- Applicants living in a property where the conditions are classified as unsafe or risk of imminent harm which can not be remedied within a reasonable time (not resulting from damage caused by the applicant).
- Applicants living in a property that is statutorily overcrowded
- Care leavers and other vulnerable applicants whose social or economic circumstances are such that they have difficulty in securing settled accommodation. The applicant will have been through their housing options with the Council and all other options will have been exhausted.
- Medical need – circumstances could include (this is not an exhaustive list)
 - An applicant with a progressive or chronic medical condition combined with other difficulties such as the need for adapted accommodation or the inability to be discharged from hospital to their current accommodation.
- Multiplicity of needs
 - Would include a number of factors which when assessed in isolation would not indicate an emergency need to move but when viewed as a whole would.
- Management need – circumstances could include (this is not an exhaustive list)
 - Tenants needing an emergency transfer because their current property is in need of urgent repair (includes demolition)
 - Applicants succeeding to a tenancy that is not suitable to their needs
 - Applicants who have no right in law to remain in their current RSL accommodation, i.e. they have no right of succession.
 - Tenants occupying a wheelchair adapted property they no longer need but which could be used by somebody else.
- Displaced agricultural workers who qualify for assistance under the Rent (Ag) Act 1976
- Transfer applicants who are under occupying their current property and are eligible for assistance under the Tenants Incentive Scheme.

10. Decants

The following policy only relates to Three Oaks Homes. Partner landlords may choose to operate this policy at district level.

- 10.1 Decants relate to tenants requiring a temporary move to allow major refurbishment to their current property.
- 10.2 A household requiring decant will complete a housing application, housing managers will identify a suitable temporary property for the household and will follow internal procedures for decant households.
- 10.3 Where a number of households require simultaneous decants (redevelopment of street or block), housing applications will be completed. Properties will be identified and used for decants only. The length of tenancy will be decided by Blaby District Council in conjunction with the landlord.

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11. Offers of Accommodation

- 11.1 Transfer of Blaby District Council properties to Three Oaks Homes took place in November 2008. Nominations are made from the Housing Register to Three Oaks Homes who apply this policy on behalf of Blaby District Council. Three Oaks Homes will notify BDC as soon as a void notice is received.
- 11.2 When an empty property is to be offered, a shortlist of applicants wanting to be considered for properties in the area and eligible for the type and size of property is generated from the Housing Register. As described above, applicants are allocated to categories with 'Priority Housing Need' being the highest priority and 'Potential Housing Need' the lowest. Within a category, applications will be considered by date of application, with the earliest date being considered first.
- 11.3 The Government's desire is to provide as much choice as possible to applicants on the Housing Register. Due to the limited amount of accommodation which becomes available it is necessary for the Council to ensure that offers are made of the size and type most appropriate to the applicant's needs and which make the most efficient use of the housing stock, whilst at the same time giving priority to those in the most need.
- 11.4 Applicants will be offered a choice of accommodation, wherever this is possible, given the overall demand for housing, and will be encouraged to express their preferences about the accommodation they would like to be offered. Applicants will be given as part of their information pack a chart which indicates where Three Oaks Homes currently owns properties and where allocations have been made within the previous 12 months.
- 11.5 For applicants who are owed a full housing duty under the homelessness legislation, Housing Act 1996 Part VII (amended by Homelessness Act 2002), only one offer of suitable accommodation will be made and they will need to have selected at least 15 of the 19 parish areas in the District as areas in which to be re-housed.
- 11.6 The matrix at the end of this document sets out the type of property offered to applicants according to their family composition.

12. RSL Nominations

- 12.1 In general, vacancies with Registered Social Landlords will be treated as though they were equivalent to Three Oaks Homes properties. The current Nominations Agreement will be adhered to and shortlists will be drawn up in the usual way and the details of the applicant selected sent to the relevant RSL.
- 12.2 Currently, some RSL's have additional requirements for applicants to meet before they can be considered, and nominations will be made that reflect these additional requirements, where they can be identified. However, Three Oaks Homes aims to have as little distinction as possible between the allocation arrangements.
- 12.3 Where a number of vacancies exist or the RSL identifies a difficult to let property, a multiple nomination situation will prevail. All applicants will be informed they are being nominated along with other suitable applicants.
- 12.4 Occasionally RSL's will approach Blaby District Council with a property outside of the district which they are unable to let. Multiple nominations would be used to register the interest of all applicants prior to the nomination being made. Nominations will be considered to be one of the applicant's available offers until the RSL has approved the application and an offer is made.
- 12.5 If a nominee deliberately acts in such a way or deliberately withholds information and the RSL would have approved the nomination and made an offer, this will be regarded as a refusal.

13. Joint Tenants

- 13.1 The partner landlords within the district encourage joint tenancies.
- 13.2 If one applicant of a household was ineligible to join the register (i.e. would be excluded as per section 2), then a joint tenancy cannot be granted.
- 13.3 The partner landlords will consider offering a joint tenancy to household members who have long term commitments to the home, for example when adults share accommodation as partners (including same sex partners), friends or unpaid live-in carers.
- 13.4 When a joint tenant serves notice to quit the partner landlords can, at their discretion, grant the remaining joint tenant a tenancy in their sole name. In exercising their discretion the landlords will consider whether this is making best use of their stock.

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14. Agricultural Workers and the Rent (Agriculture) Act 1976

- 14.1 Under the Rent (Agriculture) Act 1976 Blaby District Council has a duty towards agricultural workers who are required to leave their tied accommodation. Blaby District Council will use their best endeavours to provide accommodation for displaced agricultural workers.
- 14.2 When considering an application from a displaced agricultural worker Blaby District Council will need to be satisfied that:-
- the property from which the worker is displaced is needed to accommodate another agricultural worker.
 - the farmer cannot provide suitable alternative accommodation for the displaced worker
 - to rehouse the vacating worker would be in the interests of efficient agriculture.

All 3 conditions need to be satisfied.

- 14.3 In reaching a decision Blaby District Council will seek the advice of the Agricultural Dwelling-House Advisory Committee (ADHAC). The ADHAC will advise whether or not the applicant should be asked to vacate the tied accommodation and make recommendations as to the urgency of their rehousing.
- 14.4 If Blaby District Council is satisfied that the case is substantiated the displaced worker will be included in the 'Priority Need' band.
- 14.5 If the case has not been substantiated then Blaby District Council will assess the application in the standard way. See section 9 for further information.

15. Choice Based Lettings

15.1 As part of expanding choice for applicants we will introduce Choice based Lettings at Blaby District Council during 2010.

- All empty properties will be advertised during a fortnightly cycle
- Applicants will express an interest in properties they are eligible for
- When the advertising cycle is complete shortlists are created from those who have expressed an interest and sorted into priority order as defined in the Allocation Scheme.
- The applicant (normally at top of the list) is selected and a provisional offer made
- Unsuccessful applicants can find out why they were unsuccessful.

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16. Rural Lettings Schemes

- 16.1 The Council is keen to take account of factors which would contribute to sustaining rural communities whilst ensuring that the Council continues to give due weight to the reasonable preference categories required by legislation.
- 16.2 To enable this, the Council will set a target for the proportion of lettings in villages to be let to applicants with a local connection with the village where the letting occurs.
- 16.3 Where applicants have a strong connection with a particular village, the Council will ask them to detail this on their application. This will enable them to be actively considered for any housing development, which takes place in areas where they hold such a connection, and to be considered under any established local letting policy.
- 16.4.1 Local connection with a specific village will be defined as:-
- living in the village for at least the previous five years; or
 - having permanent employment in the village; or
 - having at least ten years previous residence in the village if not currently residing there; or
 - applicants over 55 or with a disability requiring support on medical grounds from relatives currently living in that village;
 - having close relatives living in the village for a period of at least five years. Close relatives are defined as parents, children, siblings, grandparents or grandchildren (including step relatives).
- 16.5 The above does not apply to rural exception sites where properties are let to local people only in accordance with the relevant planning agreement and in consultation with the specific Parish Council and Registered Social Landlord. These schemes fall outside the Council's Allocation Scheme and every endeavour is made to nominate those with a local connection.

17. Additional Criteria for Exception Site Properties

- 17.1 When affordable housing is built on rural exception sites, or planning obligations are attached to other affordable housing developments, there may be restrictions on the occupancy of these homes. These restrictions are intended to ensure that applicants with a strong local connection have first priority for nomination to the properties. This means that they must meet the normal eligibility criteria for joining the Housing Register as well as having a strong local connection with the village where the homes with restrictions apply. The same criteria will be used to define local connection as for Rural Lettings Schemes.
- 17.2 If there are insufficient applicants meeting these criteria, applicants meeting the local connection criteria for the immediately neighbouring villages will be considered. In this case, applicants whose local connection is closer to the new properties may be given precedence over those who are more distant.
- 17.3 If there are insufficient applicants meeting these criteria, applicants may be considered whose local connection is with any village in the District.

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18. Local Lettings Plan

- 18.1 Housing Associations may, in exceptional circumstances, agree local lettings policies with the Council. Such policies should be for a defined period and for a defined and valid reason. All applicants who wish to be nominated for homes in the estate or area concerned must be advised of the local lettings policy.
- 18.2 Local letting plans may be used to address hard to let homes, to address social problems or to promote balanced and sustainable communities. Local lettings policies should only be applied after consultation with relevant stakeholders (for example, parish or town councils, the police, social services and other relevant statutory and voluntary agencies and local residents in the area of the proposed local lettings policy). There must be evidence that a local lettings policy is needed, that its use is supported by the local community and that it is likely to address the problems identified. Local lettings policies should be reviewed regularly and should be relinquished as soon as the reason for them no longer applies.

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19. Complaints Procedure, Service Issue

- 19.1 If an applicant wishes to register a complaint about the service provided by Blaby District Council, or if they feel they have been treated unfairly by one of the landlords within the partnership then the applicant should be encouraged to register their dissatisfaction through the complaints procedure
- 19.2 The applicant should advise the Officer, (with whom they have been dealing), of the nature of their complaint. The complaint can be made in person or in writing. The Officer will then acknowledge and record the complaint. All complaints will be investigated and wherever possible, a full response will be sent to the applicant within seven working days from receipt.
- 19.3 If the complaint relates to the service offered by the Officer they have been dealing with, then the applicant should bring their complaint to the attention of the Housing Options Manager who will conduct all enquiries relating to the complaint in a fair and sensitive way.
- 19.4 If the complainant is then not satisfied with the response received he/she may write to Ms Quin Quinney. Housing and Community Services Manager, Blaby District Council, Desford Road, Narborough, Leicester. LE19 2EP, setting out the following details:-
- name, address and telephone number
 - the nature of the complaint
 - the date the complaint was first made and to whom
 - the reason for dissatisfaction with the response received
 - how they would like to see matters put right
 - copies of correspondence (if any) relating to the complaint
 - any additional relevant information to that already received
- 19.5 Where possible the Officer will aim to instigate enquiries and respond to the complaint within 28 working days.
- 19.6 All correspondence will be sent to the complainant's home address or a mailing address of their choice. If the complainant is of no fixed abode then the correspondence can be collected from the council offices. Correspondence will be kept at the Council Offices for a period of 28 days.
- 19.7 If the complainant remains dissatisfied with the service they may request a review of their complaint by the Chief Executive which will follow the procedure set out in Blaby District Council's Official Complaints Procedure.
- 19.8 Details of Blaby District Council's Official Complaints Procedure can be obtained from Blaby District Council, Desford Road, Narborough, Leicester. LE19 2EP or by telephoning 0116 275 0555.