

Accommodation



YES | YOUR EMPOWERING SERVICE

Tenant Allocation Policy

Introduction

This policy sets out Accommodation YES' approach to the allocation and letting of our supported housing accommodation and the options available to people who want to live in an Accommodation YES property.

Our Aims & Objectives

This policy will ensure that Accommodation YES will:

- (i) Co-operate fully with the strategic housing function of our partner local authorities (Maidstone Borough Council) in order to help them meet their identified local housing needs.
- (ii) Ensure that the way we allocate our homes is fair and equitable and does not discriminate against any person or group.
- (iii) Let our homes in an efficient and timely manner whilst also being sympathetic to the need of the applicant.
- (iv) Ensure that overcrowding of our properties is tackled proactively in order to minimise the destructive effects associated with this and ensure the most efficient use of our stock.

Regulatory Code and Legal Framework

The Homes & Communities Agency's Social Housing Regulatory Framework stipulates that "Registered providers shall let their homes in a fair, transparent and efficient way" which takes "into account the housing needs and aspirations of tenants and potential tenants."

Registered providers are required to demonstrate how they:

- (i) Make the best use of available housing;
- (ii) Are compatible with the purpose of the housing;
- (iii) Contribute to local authorities' strategic housing function and sustainable communities.

The framework also requires registered providers to demonstrate "a clear application, decision-making and appeals processes."

Service Promise

Accommodation YES' Service Promise sets out a number of promises that have been made to tenants in respect of the allocation and letting of Accommodation YES' properties.

These promises include to:

- (i) Let all our homes in a fair and transparent way.
- (ii) Aim to let our empty properties within four weeks.
- (iii) Let all our properties in newly decorated and refurbished condition
- (iv) Provide safe and supported accommodation

Eligibility - whom we'll let a home to

We'll check all household details before offering a home to assess:

- Eligibility
- Suitability for the home
- The accuracy of the details of the nominee

We won't allocate a home to you if you are not legally entitled to live in social housing. For example, if you are subject to immigration control. We can give you advice, but we will not usually allocate you a home if;

1. You have access to, or an interest in, any other home you could live in
2. You are in breach, or have breached your tenancy / residency agreement, or you have behaved unacceptably. For example, persistent failure to pay rent, serious, or persistent anti-social behaviour
3. You give false information
4. You are an employee (or relative) or a Board member, unless there is prior consent from our Strategic Executive Team
5. The home is unsuitable for your needs and could not be reasonably adapted to meet your needs
6. You have support needs, and there isn't sufficient support in place to help you keep to your tenancy conditions
7. A lettings plan is in place and you do not meet the criteria
8. The home is designated for specific tenants, such as older people or adults with mental health support needs, and you do not meet the criteria
9. The home is too big for you - you would under occupy the home.

If we allocate you a home and find out you've given false information we may withdraw the offer

Accommodation YES will verify the details of all applicants through necessary channels prior to making any offer of accommodation. Accommodation YES will also assess each nominated household in order to determine eligibility (based on the other criteria listed in this document) and suitability to the home they have been nominated to. If it is felt that the applicant would not be suitable to the property they have been nominated to, Accommodation YES will advise the local authority and reject the applicant if deemed necessary.

Exclusions

We adhere to Housing Corporations agency's (HCA) expectations of housing associations when assessing the eligibility of applicants for a housing association home are set out in "Circular 02/07 – Tenancy Management: Eligibility and evictions". This circular is issued as statutory housing management guidance under S.36 of the Housing Act 1996.

Rent Arrears

(i) Accommodation YES will not house applicants with arrears where these are of their own making and not due to late payment of Housing Benefit. However, rent arrears will not be an automatic barrier to access.

(ii) The housing manager may consider the applicant at a later date if the arrears are cleared. Discretion may also be exercised in high priority cases where the applicant is at risk.

Anti-Social Behaviour

(i) Accommodation YES will not normally exclude an applicant with previous convictions unless the applicant is deemed to pose a risk to their household, neighbours or wider community.

Where such an applicant is excluded we will provide reasons for our decision. Please refer to the Sex Offenders & Dangerous Offenders Policy and Procedure.

Outstanding Notices

(i) Accommodation YES will not house applicants with any outstanding tenancy Notice.

Evicted Tenants

(i) Accommodation YES reserves the right to not house any applicant who was previously evicted from either an Accommodation YES property or that of another registered provider of social housing or private landlord.

(ii) We will review the case of each applicant individually in order to establish whether the factors that led to the previous eviction remain an issue.

(iii) If it is deemed that such factors are still an issue we will refuse to house the applicant. If however it is decided that circumstances have changed and that the applicant is capable of sustaining a new tenancy we may choose to house the applicant.

Homeowners

(i) Accommodation YES will not normally house applicants who own their own home (excluding mobile homes and caravans) although exceptions can be made depending on the circumstances of the individual or individuals involved.

(ii) Point (v) below lists those circumstances where Accommodation YES would consider housing someone with a legal interest in a property. This list is not exhaustive and we will exercise discretion in all cases.

(iii) It should be noted that in most instances the homeowner being nominated for social housing should be taking steps to remove their interest in the property (although as discussed below this is not mandatory in certain circumstances).

(iv) If appropriate, tenancy agreements should be tailored to individual circumstances such as where Accommodation YES is letting a property on condition that the homeowner sells their property.

(v) The circumstances where Accommodation YES will consider housing a homeowner include:

- Where a property has become unsuitable due to a disability on the part of the homeowner and the homeowner is unable to make the necessary changes to their property.
- Cases of domestic violence where it is not appropriate to contact the perpetrator to organise a sale or to remove a name from the deeds.
- Where the homeowner is unable to sustain their home due to a change in circumstances (including relationship breakdown, illness or loss of job) and is in the process of selling their home.
- Where the applicant is a joint homeowner who has been left unable to sustain their home due to the disappearance of their co-homeowner and who is unable to do anything because of an insistence by a mortgage lender of needing two signatures.

Vulnerable Applicants

- i. Accommodation YES will not house applicants who have been assessed as vulnerable without an appropriate support package.
- ii. Where our assessments have indicated the applicant is vulnerable, Accommodation YES will work with the local authority and other agencies to arrange an appropriate support package that will be available at the beginning of the new tenancy.
- iii. If despite every effort it has been impossible to arrange an appropriate support package and it is deemed that the applicant would be unable to meet the conditions of tenancy without this they may be excluded.
- iv. An applicant may also be declined if it is deemed that the level of support they would require would seriously undermine Accommodation YES' ability to support the other tenants in a scheme.
- v. Applicants for accommodation who, on the advice of Social Services or Local Authority, have a need for a fulltime carer are entitled to housing of a size and type to accommodate their needs and that of their carer.

Local Connections

(i) Accommodation YES does not have a residency policy and will not normally exclude an applicant should they not have a local connection.

(ii) However, due to the shortage of accommodation in some popular areas, applicants are expected to have reasons for wishing to live in a particular area, such as employment, schooling, the need to be near relatives who can offer support, or previous residence in the area.

(iii) Accommodation YES may also require a local connection where there is a local lettings policy in place

(iv) Any local lettings policy that Accommodation YES may operate will endeavour to ensure the competing demands of housing need and local authority nominations is weighted against promoting balanced and stable local communities in those areas the local lettings policy applies.

Applicants ineligible for social housing

(i) Accommodation YES will not house any applicant who is not legally eligible for social housing – for example, those applicants subject to immigration control by virtue of any regulation made by the Secretary of State.

Immigration Status

Any applicant for housing without permanent leave to remain will need to provide the documents to prove their immigration status before an offer of accommodation will be made.

Special Considerations

We provide supported housing for single people & couples without children.

Among these groups, special consideration is given to:

- (i) People with disabilities for which specially adapted properties can be provided.
- (ii) Certain other groups with specific needs who often require specialised housing e.g. sheltered housing for older people, hostels for the young single homeless.

Refusal of an Applicant

Accommodation YES may choose to refuse any applicant where it has been deemed they fail to meet the eligibility criteria or is in breach of one or more of the grounds for exclusion criteria

It should be noted that no applicant will be automatically excluded should they “fit” one of these defined categories. In all cases, the applicant’s housing need and circumstances will be judged on their own merit and on an individual, case-by-case basis. Should any factors that could lead to ineligibility exist; every attempt will be made to resolve these before the applicant’s case is rejected.

Should it be decided to refuse the nomination of an applicant, Accommodation YES will notify the nominating agent in writing, stating in detail the reasons for the refusal.

If it is discovered that an offer of accommodation has been given based on false information that offer may be withdrawn and the nominating agent notified in writing.

Appeals by Rejected Applicants

1. If an applicant disagrees with our decision to refuse their nomination they can make an appeal.
2. In the first instance the applicant should contact the housing manager who dealt with their application to discuss the reasons for our decision.
3. If the applicant is still unhappy, they can appeal in writing within 10 working days of the decision to the Director. However, this will not hold-up the allocations process for the property under dispute.
4. If having received a response they are still not satisfied, the applicant will be entitled to make a complaint through Accommodation YES’ formal Complaints Procedure. A written response will be given within 10 working days of the complaint being received.
5. If the applicant’s displeasure stems from a decision made by their local authority, they should be signposted directly to the local authority concerned.

Publicising the Policy

The Allocations Policy will be publicised internally and externally in a number of ways including:

Available at the office

Website

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