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# Lettings Policy

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# Documentation Master Sheet

Amendments to this Document are Detailed Below

Version Number	Date Amended	Comments	Date Approved	Author	Approved By
01	09/02/15	Allocations Policy – Draft		IH/LH/AP	
02	22/02/15	Allocations Policy – Draft 2	11/03/2015	IH/LH/AP	Board
03	27/06/16	Allocations Policy – to be reviewed and updated as GCH's Lettings Policy Lettings Policy - Draft	06/07/16	JH	Board
04	03/11/16	Amendment to inc Direct Debit & pre-tenancy financial assessment	03/11/16	JH	ELT
05	06/09/18	Periodic Policy review & update with Tenant Panel	13/09/18	JH	Tenant Panel
06	02/10/18	Added section 'hard to let' criteria inc group viewing option	08/11/18	JH	Tenant Panel
07	06/09/19	Added DA risk consideration. Minor changes following review	28/10/19	JH	LN
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## OVERALL AIM

Our overall aim when allocating our homes is to help meet genuine housing need, to do so in a fair and transparent way, in accordance with English law and the regulatory requirements of the Homes England.

In doing so we will endeavour to help local authorities to meet their strategic housing objectives including helping the homeless and providing balanced and sustainable communities.

## INTRODUCTION

Gloucester City Homes (GCH) is committed to building successful communities and to letting properties fairly and transparently. The Lettings Policy promotes sustainable outcomes for the customer, the neighbourhood and GCH as a business. At the pre-tenancy stage we will ensure that applicants are able to meet the responsibilities within the tenancy agreement and demonstrate they are 'housing ready'. Where support is required we will work with individuals and third party agencies to promote access to housing with a focus on tenancy sustainment.

## LEGAL AND REGULATORY EXPECTATIONS

The requirement that social landlords publish a Lettings policy is regulatory rather than legal. It is set out in the revised tenancy standard which took effect from April 2012 and contains the following required outcomes:

“Registered providers shall let their homes in a fair, transparent and efficient way. They shall take into account the housing needs and aspirations of tenants and potential tenants. They shall demonstrate how their lettings:

- (a) make the best use of available housing
- (b) are compatible with the purpose of the housing
- (c) contribute to local authorities' strategic housing function and sustainable communities

There should be clear application, decision-making and appeals processes.”

In addition it also sets the following expectation that registered providers will identify within their policy:

“Registered providers' published policies shall include how they have made use of common housing registers, common allocations policies and local letting policies. Registered providers shall clearly set out, and be able to give reasons for, the criteria they use for excluding actual and potential tenants from consideration for allocations, mobility or mutual exchange schemes.”

“Registered providers shall minimise the time that properties are empty between each letting. When doing this, they shall take into account the circumstances of the tenants who have been offered the properties.”

“Registered providers shall record all lettings and sales as required by the Continuous Recording of Lettings (CORE) system.”

“Registered providers shall provide tenants wishing to move with access to clear and relevant advice about their housing options”.

“Registered providers shall issue tenancies or terms of occupation which are compatible with the purpose of the accommodation, the needs of the individual households, the sustainability of the community and the efficient use of their housing stock”

## SCOPE OF POLICY

GCH Lettings Policy arises from the Localism Act 2011 and in response to the requirement by the HCA to publish a policy statement on how we allocate and let our homes. This includes the Gloucestershire Homeseeker partnership arrangements and our participation in the county wide choice based lettings (CBL) scheme.

GCH's mission is to work with our residents to provide excellent services and decent homes in successful communities. In order to achieve this we will support balanced and mixed communities, occupying a range of tenure types and with diverse socio-economic backgrounds. We believe sustainability is achieved where economic activity is evident within a neighbourhood and our strategy reflects this value.

## PRIORITY AND ACCESS TO HOUSING

GCH grants the Council to make nominations into 75% of homes which are vacant and available for letting. In addition to this we reserve the right to allocate and let up to 25% of homes via an internal management move or direct let.

GCH do not manage and maintain an internal transfer register, but will provide customers with support and advise to register on the local CBL scheme. We acknowledge there will be occasions when existing customers will be given additional priority for a management move.

We have chosen to participate in the Gloucestershire Homeseeker Plus CBL Scheme which is run by the six Gloucestershire local housing authorities & West Oxfordshire in partnership with the majority of social housing landlords operating within the county.

Under normal circumstances we will allocate our homes through Gloucestershire Homeseeker Plus using their policies and processes. Please refer to [www.gloshomeseeker.co.uk](http://www.gloshomeseeker.co.uk) to see the relevant policies and for help applying for a home through Gloucestershire Homeseeker Plus.

However, in a limited number of circumstances we may choose to exercise our right to allocate our own homes outside the above scheme in accordance with paragraph 3.4 of the Gloucestershire Homeseeker Plus Policy 2018.

These circumstances include:

- Local letting Plans
- Direct Matches
- Management Moves

Our key considerations will be to help:

- Tackle anti-social behaviour,
- Create sustainable communities,
- Address affordability issues and reduce financial hardship,
- To promote mobility for individuals and households to support training and employment opportunities,
- Protect personal safety of applicants at serious risk of injury,
- Make best use of our homes,
- Facilitate refurbishment, regeneration or redevelopment of our homes, and
- Assist local authorities to meet their legal obligations.

## Local Letting Plans

In accordance with Paragraph 33 of the Gloucestershire Homeseeker Plus Policy 2018, Gloucester City Homes may invoke this clause to set up a Local Lettings Plan for new developments or existing areas where there are known problems such as anti-social behaviour or abandoned properties or where it results in a more effective use of existing homes in the area.

A local letting plan is an agreement between the local authority and a housing provider. It decides how properties will be allocated or marketed in certain defined geographical areas. Local lettings plans are commonly used to meet specific local issues within an area or to create a balanced and flourishing community as part of a new build development.

The Plan will take into account the needs of the current and new residents and the make-up of either: the new development and the surrounding area; or the existing block, street or cluster of streets to ensure a responsible letting is made.

Local lettings plans will be reviewed periodically with the local authority.

## Direct Matches - Gloucester City Council (GCC)

In accordance with paragraph 39 of the Gloucestershire Homeseeker Plus Policy 2018 a direct match is a property which is not made available through the Gloucestershire Homeseeker Plus Partnership .

They may include but are not necessarily confined to:

### **Homeless Allocations**

Those directly matched by the local authority and let to discharge statutory duties to Homeless applicants in certain circumstances.

### **Rent (Agriculture) Act moves**

Applications subject to the Rent (Agriculture) Act 1976 where an agricultural land owner requires vacant possession of a home which was let to an agricultural employee and is unable to offer their employee suitable alternative accommodation.

### **Extra Care**

Extra-care vacancies and any supported accommodation where there is an applicant with a Care package that needs a specific property.

From time to time we may set aside properties to participate in the provision of targeted housing support as part of a multi-agency approach

### **Specially Adapted Homes**

Where a property has been adapted and meets the specific needs of a client.

### **Internal GCH Moves (formerly referred to as Transfers)**

There will be occasions when GCH will consider an internal direct let without advertising the vacancy with Gloucestershire Homeseeker due to an emergency or exceptional circumstances. As GCH does not administer a transfer waiting list these cases are referred to under the catchall 'Management Move'. These cases will be considered by prioritising the effective date of when the Management Move report was approved. Customers would ordinarily be considered for one reasonable offer of alternative suitable accommodation on management grounds.

### **Management Moves**

This would be because there is an over-riding social, health or well-being reason to move the household for safety or welfare reasons, as recommended by the Police, partner organisations, or as agreed through multi-agency need and risk assessment panels. Given that these cases are often complex and could be deemed as 'high risk' requiring a priority response or immediate temporary accommodation, GCH would assist customers to present to the local authority. In this way customers on the basis of individual or household safety or well-being would be afforded statutory housing advice and options, which could include a homeless representation to enable further investigations and a support package to be put in place.

### **Successions or left in occupation moves**

Applicants who have succeeded to a tenancy or, in certain circumstances such as following the death of a family member, left in occupation but who need to move to alternative accommodation. This would include consideration of household members left in occupation following a relationship breakdown.

## Major Works or Regeneration

Properties required for existing tenants whose properties are subject to major works or regeneration requiring them to vacate their own properties (either on a temporary or permanent basis). Refer to Decant Policy.

## Making best use of housing stock

Where high demand accommodation such as 3 or 4 bed houses are under-occupied and a move to a smaller dwelling would free up a family home for consideration to families in housing need.

## Welfare Reform

Where customers are subject to financial distress due to Welfare Reform measures such as the removal of the spare room subsidy (referred to as the 'bedroom tax'), whereby a move to smaller accommodation would alleviate the affordability issues and financial hardship. GCH will also give consideration to individuals or households who are placed in financial hardship due to moving onto Universal Credit due to a change of circumstances.

We will not normally consider existing customers who have outstanding current or former tenancy rent arrears or owe sundry debts (such as court costs or recharges) to GCH or who are in breach of their conditions of tenancy, including the condition of property.

## ELIGIBILITY

GCH is a member of the Gloucestershire Homeseeker Plus Partnership and is a registered landlord with charitable objectives. We consider applicants in accordance with the principles of the Homeseeker Plus Partnership and the county wide Choice Based Lettings scheme. We let our homes to:

- Single people, couples and families who may experience difficulty renting in the private sector or owning their own home.
- Persons who are vulnerable or disabled.
- Individuals and families who require care and support in managing their tenancies due to lifestyle, health and well-being.
- Persons with indefinite leave to remain in the UK, with the appropriate immigration checks and verification completed by the local authority.
- Applicants under 18 years of age who are unable to hold an interest in land or a tenancy, will be considered for an equitable tenancy with a named trustee in place until they reach the age of 18. This will include a rent guarantor and the requisite support in place through a parent, guardian or Social Services.
- Older Persons over the age of 55 and with a need for sheltered accommodation and support from our Independent Living Service. For applicants under 55 with an assessed medical or mobility need we will consider whether Independent Living accommodation would be suitable on a case by case basis. This would include an Occupational Therapy Assessment and approval by the Independent Living Team Leader or Supported Housing Manager.

The letting of our homes according to household size will routinely reflect the criteria under the Homeseeker partnership criteria. GCH retains the discretion to consider under-occupation by exception; subject to ensuring affordability checks have been completed.

## TENANCY SUSTAINMENT & 'HOUSING READY'

GCH is committed to promoting tenancy sustainment and to supporting sustainable communities.

Tenancy sustainment refers to a customer's ability to successfully manage a tenancy independently or with tailored support. In terms of tenancy compliance an applicant would need to demonstrate a clear understanding of their responsibilities and rights as a tenant at the pre-tenancy stage. This would reasonably include aspects such as affordability and means of paying rent, an appreciation that nuisance and anti-social behaviour is not acceptable and a clear expectation regarding a satisfactory condition of property.

Our approach to ensuring tenancy sustainment will incorporate the following measures:

- All applicants to complete a satisfactory Pre-Tenancy Interview (PTI) with a member of GCH's Tenancy Services Team and a financial health check to reflect a risk based approach regarding affordability.
- Obtain a landlords reference for all applicants who are not existing GCH customers. All offers of accommodation will be subject to the provision of satisfactory references.
- Depending on the level of risk identified at the PTI to complete a financial health check assessment with a GCH Tenancy Sustainment Officer, to incorporate a full understanding of an applicant's income and expenditure. To consider affordability risk, money management, benefit optimisation, debt advice and verification.
- Complete a pre-tenancy affordability and financial assessment, which will enable GCH to;
  - Confirm a tenant is who they say they are, by verifying name, date of birth and address.
  - Understand more about the financial situation of an incoming tenant or a tenant that wishes to move property.
  - Identify if support programmes should be put in place and what the most effective support may be.
  - Understand any risk, such as the risk of non-payment of rent and service charges.

- Risk assessment and support plan/package provided for applicants with identified support needs. This would include the scope and purpose of the support, the accountable support worker, the named support organisation/provider, the duration of the plan and the review mechanisms.
- For all new GCH tenancies to be offered as a Starter Tenancy (Assured Short hold) for the first 12 months. Refer to Starter Tenancy Policy and Tenancy Policy for more information.
- Rent on time – Applicants will be expected to pay ‘rent on time’ with a payment in advance to reflect the customers preferred payment frequency (ie weekly, fortnightly, four weekly or monthly). For example for customers paying weekly this will equate to 1 weeks rent in full prior to tenancy sign up. Rent, support and service charges will be recoverable over a 52 week period.
- To support the organisations ‘Rent First’ model customers will be expected to enter into a Direct Debit arrangement at tenancy sign up as the preferred payment method unless they cannot do so. This also reflects our approach to mitigate the risk of welfare reform and the introduction of Universal Credit.

In determining whether an applicant is ‘housing ready’ the following factors will be considered:

- Whether the applicant has significant rent arrears and debt management issues which present significant affordability concerns.
- Whether the applicant has been convicted of using a previous property for illegal purposes.
- Whether the applicant has caused anti-social behaviour during from a previous tenancy with GCH or another provider.
- Whether the applicant has been unable to manage a tenancy and allowed the condition of property to deteriorate to an unacceptable level.
- Whether the applicant has been able to conduct a previous tenancy satisfactorily.
- Applicants who have identified support needs will be expected to demonstrate on-going engagement with the support provider.
- Whether a tenancy with GCH would place the individual/household in significant financial distress due to Welfare reforms such as the Local Housing Allowance (LHA) Cap, resulting in their inability to afford the rent and sustain their tenancy.

## EXCLUSIONS CRITERIA

On occasions an applicant or household may not be accepted for housing with GCH due to an assessment of risk regarding tenancy sustainment and a resulting determination that this may not currently be the ‘right property, right person, right place, right time or with the right support in place’. We may refuse an individual or household for housing due to one of the following reasons:

- The applicant has sufficient financial resources to resolve their own housing need and the means to purchase their own accommodation. GCH will adopt the local authority threshold for income and savings levels.
- The applicant is currently a home owner and they have no medical or support requirement to dispose of their proprietary interest and move into social/affordable housing. For applicants with a medical need and Occupational Therapy recommendation for social/affordable housing, they would need to demonstrate that their property was being marketed for sale and/or verification of the conveyancing.
- The applicant or a member of the household has been responsible for unacceptable anti-social behaviour resulting in a formal intervention by GCH, the police or another organisation. This may include an eviction, the commencement of possession proceedings, an injunction or a criminal conviction pertaining to the anti-social behaviour. This would take into account reports of ASB for a period of up to 3 years prior to seeking rehousing with GCH. The examples of significant ASB could include harassment, drug and alcohol misuse, noise nuisance, domestic abuse and intimidation or threats of violence. GCH will also take into consideration the potential impact and risks on neighbouring residents where the previous tenancy may have failed due to ASB and whereby a sensitive let is required.
- The applicant or member of the household has had a criminal conviction within the last five years that resulted in a custodial sentence of over 12 months and where there would be a risk due, to the nature of the offence. For instance applicants with an arson conviction would not be considered for at least 5 years and only then subject to approval by our Insurers
- The applicant is the subject of a MAPP (Multi-Agency Public Protection Arrangement) or is a high risk prolific offender who has not been subject to an appropriate multi agency referral and risk assessment.
- The applicant has been identified as a victim of domestic abuse or exploitation and through review at MARAC or by GDASS or the Police, risk factors have been identified in moving the individual or household into a property or neighbourhood. GCH will consider the option of rehousing as 'not the right property' or 'not the right neighbourhood' unless we have appropriate assurances and safeguards in place from partner agencies and the applicant feels safe. This would refer to any court orders with restrictions or prohibitions in place. (In these circumstances we will seek to work with the local authority to support the applicant to bid for alternative suitable accommodation).
- The applicant or members of the household has abused, physically threatened or used violence towards GCH staff, contractors or representatives.
- Condition of property concerns for an existing GCH customer which on inspection constitute a breach of tenancy. The grounds for refusal would include repairs beyond acceptable wear and tear, due to wilful damage, misuse

or neglect. In these circumstances the repairs would be the customers responsibility and any recharges would need to be addressed and paid in full. GCH will expect alterations to a property without the required Landlords consent to be removed, with original fixtures and fittings reinstated.

- The applicant's previous landlord's reference highlights condition of property concerns or significant damage to a current or previous home as a result of misuse, wilful damage, vandalism or neglect.
- The Tenancy sustainment checks highlight that the applicants circumstances would be adversely affected by offering rehousing, for example putting the individual or family in financial distress or considering an applicant with support needs without the requisite support package in place.
- There are affordability concerns whereby the assessment shows a high level of existing rent arrears with another landlord or debt which is not being serviced or paid through a structured repayment plan. (Applicants with arrears of under £250 with an arrangement in place, which has been maintained for a period of circa 6 months will be considered for rehousing. This would be verified through landlords referencing.
- There are affordability concerns, whereby the income and expenditure assessment shows the applicant would be unable to make weekly rent payments or meet the associated costs of running a home.
- The requirement to clear in full current arrears, former tenant arrears and sundry debts such as recharges and court costs owed to GCH, to allow the applicant to be considered for rehousing has not been met. This incorporates all GCH housing stock including general needs, independent living and the homeless/dispersed portfolio. All debts owed to GCH, which include those previously written off or incorporated within an insolvency order will be reinstated and considered for the purposes of any request to be rehoused with GCH. A discretionary move would only be considered in exceptional circumstances with the approval of the Tenancy Services/ASB Manager and Income Services Manager. Any arrears would be written into the tenancy agreement.
- Applicants who have been evicted from GCH housing, for rent arrears or ASB, will automatically be excluded for a period of two years, and subject to review thereafter on the basis of risk. At the review GCH will expect all monies to have been paid including recharges, arrears and court costs, with clarification that the ASB issues have been fully addressed and the identified behaviour moderated. These applicants will be referred to the local authority for housing options and advice.
- There is evidence of former tenant debt with another registered provider or private sector landlord where an arrangement has not been put in place to clear the arrears. (Applicants with arrears of under £250 with an arrangement in place, which has been maintained for a period of circa 6 months may be considered for rehousing at GCH's discretion).

- Applicants who are identified with support needs in order to sustain their tenancy but who are unwilling to engage with statutory or voluntary support providers. (We will review the refusal and consideration for rehousing on receipt of formal confirmation from the third party support provider that the applicant has routinely engaged for a period of circa at least 2 months).
- Applicants who have an identified medical need for adaptations and for which the Occupational Therapist recommends the property in question is not suitable due to technical, spatial or construction constraints or due to value for money considerations given the level of investment required.
- Where the applicant has made false statement or knowingly withheld information during the pre-tenancy sustainment interview or made a fraudulent application for housing.

Applicants who are refused housing will be informed of the decision in writing, with a clear explanation of the reason for the refusal and the period of the exclusion. Applicants will also be advised what actions and changes they need to put in place in order that they can be considered for housing with GCH in the future. Customers who are not satisfied with the refusal decision will be given advice regarding the appeals process (see section below).

Applicants will be overlooked and bypassed on the Homeseeker Plus system where they fail to respond within 48 hours to communication from GCH in the form of emails, SMS messages, voice mail messages or correspondence, seeking contact to discuss potential rehousing. This would include requests to provide information to verify their identification, to confirm their personal circumstances or to complete the affordability checks. Unless there are clear and reasonable grounds as to why an individual is unable to respond or provide the required information we will move on to the next applicant after 48 hours. For applicants who fail to attend agreed appointments for viewings or pre-tenancy interviews, without prior notification, we will move onto the next applicant with immediate effect. When a property is ready for letting we will advise the customer and would anticipate contact within 24 hours, before moving onto the next applicant. The non-engagement will not be considered as a formal refusal by GCH, but rather as an indication that the customer does not wish to be considered for the respective vacant property.

## **HARD TO LET PROPERTIES**

Given the high demand for social housing, there is generally sufficient interest in GCH properties to ensure they're let in a timely manner through choice based lettings to customers in accordance with the 'Housing Ready' principles. In this way our approach considers tenancy sustainment, community cohesion and minimising void rent loss.

There are however variations and on occasions for certain property archetypes such as smaller bed sit accommodation, they can present as 'hard to let'.

In order to avoid long relet times GCH will consider alternative approaches to optimise letting in the following circumstances, which we consider as our 'hard to let' criteria.

- A property is ready for letting with a void time exceeding 3 weeks.
- A property has been subject to more than 3 refusals.
- Considering applicants below 4<sup>th</sup> place on the shortlisting (under Homeseeker Plus).
- Where there has been less than 3 bids on the shortlisting (under Homeseeker Plus).
- Where vacancies have had to go through more than one bidding cycle on Homeseeker Plus.
- Where there have been previous examples of a similar property of the same size, type and location that has proved difficult to let.

### **Flexible approach for dealing with Hard to Let Properties**

In order to mitigate the difficult to let factors GCH will consider the following options;

- Consider a group viewing.
- Consider a management move.
- Request the Local Authority to provide a Direct Match.
  
- Advertise outside of Homeseeker Plus using GCH website & social media for 'Homes Immediately Available' to attract direct applicants.
- Advertise using Homeswapper and other social/affordable housing scheme promoting geographical mobility.
- Advertise using Right Move or other website based options.
- Conversion of property for the use of homeless move on accommodation.

We will only consider the use of Group Viewings where we get down to the 5<sup>th</sup> applicant on the CBL shortlisting or where we meet one of the other HTL criteria. Applicants on the shortlisting will be invited to attend a group viewing by SMS text messaging or email and this will not be considered as a formal offer.

Where more than one person/household expresses an interest in the property at the Group Viewing stage we will refer to where they were placed on the Homeseeker Plus shortlist. The applicant highest placed will be invited for a pre-tenancy interview and landlords references will be taken up. Only when the pre-tenancy diligence checks have been completed will a formal offer be made. For applicants who are in a lower position on a shortlist at a group viewing their attendance will not constitute a formal offer of rehousing with GCH.

The consideration of a group viewing provides flexibility and avoids delays in the relet turnaround. This could be due to properties being held empty due to lack of demand, non-engagement from applicants, multiple refusals or bypassing applicants due to not meeting specified Local Lettings Plan requirements.

## **FLEXIBILITY**

The Lettings Policy allows for the flexibility to decide on the type of tenancy to be offered and this is covered in greater detail on our Tenancy Policy, including the option to offer lifetime tenancies. The use of this flexibility will ensure that for those who need it, they will receive help and support with the aim of building strong and cohesive communities.

GCH operates an 'any day lettings' approach whereby the tenancy start date coincides with the tenancy sign up date, rather than a default weekly tenancy commencement on a Monday.

Existing tenants will remain protected if they transfer, exchange or are decanted to alternative accommodation. Protection does not include rent levels that are charged, which would be at a social or affordable rent.

## **FINDING ALTERNATIVE ACCOMMODATION**

Housing options advice is available from our Housing Officers within our Tenancy Services Team.

## **RESPONSIBILITY**

The Assistant Director of Housing is responsible for the effective implementation of this policy. The Assistant Director is also responsible for ensuring that all staff involved in the processing and selection of applicants for accommodation are adequately trained and also has delegated authority to approve management transfers.

## **CONSULTATION**

GCH will consult regularly with local authorities and other relevant agencies in order to continually develop good practice in this policy area. GCH will attend any forums existing now or in the future to encourage joined up working with Local Authorities or any other agency either voluntary or statutory

## **APPEALS**

Any applicant who is not satisfied with our refusal decision can lodge an appeal in writing within one week of the decision and request a review. The appeal will be considered by a Manager not involved in making the original decision. Vacant properties will not be held empty pending the outcome of the appeal process.

If the review is not upheld and the applicant remains dissatisfied a second stage appeal against decisions made under this policy will be dealt with under GCHs Customer Complaints Policy.

Appeals against decisions made through Gloucestershire Homeseeker will be in accordance with Gloucestershire Homeseeker's own review and appeals process referred to in the Gloucestershire Homeseeker Plus Policy.



## REVIEW

This policy will normally be reviewed every three years to ensure that it remains fit for purpose, reflects associated legislative changes and incorporates best practice.