



# Wychavon District Council Choice Based Lettings Policy



## INTRODUCTION

Wychavon District Council no longer holds any housing stock, having carried out a transfer of its entire housing stock in October 1994. There are two LSVT Housing Associations, the Rooftop Housing Group (Evesham and Pershore Housing Association) and the Spa Housing Association Group (Spa Housing Association). In addition there are a number of other Registered Social Landlords operating in the Wychavon district.

The Wychavon Housing Consortium is the means adopted by the Council and a number of Registered Social Landlords (RSLs) to determine the allocation of housing stock through a jointly operated choice based lettings scheme. The following are members of the partnership, which operates under a partnership agreement:

Rooftop Housing Group  
Spa Housing Association Housing Group  
Bromford Housing Group  
West Mercia Housing Group  
Sanctuary Housing Group  
Housing 21  
English Churches Housing

The Choice Based Lettings scheme is intended to be the single register for housing for all the Wychavon District. The Register is the primary access route into social housing in Wychavon. The demand for housing exceeds supply and the register exists to enable all households who are in need of rehousing to be included on one list and to maximise their opportunities for re-housing. The scheme seeks to offer choice while giving reasonable preference to those in priority need. The register also acts as an index of the level and nature of housing need locally.

By joining the register those in housing need can be considered for vacancies which occur in properties owned or managed by any of the partners. The aim is to make the task of applying for housing as simple as possible requiring only one form to be completed for all social housing opportunities.

## AIMS AND OBJECTIVES

The agreed aims and objectives of the Housing Register are: -

- effective use of all housing stock
- partnership working to meet housing need in Wychavon
- the development of sustainable communities by allowing people to make positive choices about where they wish to live
- meet the objectives of Wychavon District Council's Housing Strategy
- commitment to anti-discriminatory practice and promotion of equality of opportunity in housing services.

The agreed objectives of the partnership are to: -

- operate an allocations system that offers realistic, informed choice for all applicants.
- to ensure that those who have the greatest need for housing have the greatest opportunity to secure it.
- To include less able applicants in the allocations process and ensure that they have choices offering equality of opportunity for all.
- to assist in achieving mobility for existing tenants
- to make best use of available housing resources
- to achieve sustainable communities and minimise the refusal of offers of accommodation by allowing people to choose where they live.
- to ensure that local people have priority in the allocation of housing in the district
- to contribute to mobility within social housing
- to enable the Authority to meet its statutory duties –including where duties are owed to homeless households under Part VII of the Housing Act 1996, as amended
- to promote independence
- to contribute towards tackling discrimination
- to share eligibility criteria
- use a common housing Registration form
- co-ordinate housing needs assessment with the assessment of need for care and support.
- to ensure simplicity and transparency with a system that is understood by all.

The partnership panel will meet regularly to consider policies and procedures for the operation of the register and to consider requests for the review of decisions relating to access to the register and eligibility for offers.

## **CHOICE BASED LETTINGS**

A Choice Based Lettings policy fits with the Council's promises as set out in the Annual Report 2005/6. The 3 main priorities are as follows: -

Priority 1: Aspire to be excellent

Priority 2: Healthy and safe communities with a good quality environment

Priority 3: Reaching out to everyone

### **Mission Statement**

The scheme aims to provide affordable housing opportunities to those wishing to live in the Wychavon District and who have housing needs which they are unable to meet.

The scheme, as far as is consistent with our legal and other obligations, offers those looking for housing the ability to choose those properties they are interested in.

The scheme ensures that there is an opportunity to help those with the greatest housing needs but also offers housing opportunities to existing tenants and others.

The scheme aims to be fair, simple to understand and transparent in its rules.

## STATEMENT OF CHOICE

Wychavon District Council and the partner RSLs involved in the Wychavon Home choice scheme are committed to offering the greatest choice possible in the allocation of housing in the district, whilst ensuring that such choice is compatible with ensuring that housing goes to those with the greatest need.

There will be certain situations where choice cannot be offered in the allocation of housing – such as where an RSL needs to make a management move.

With the exception of very limited circumstances, housing will only be allocated to applicants who bid for a specific property. All applicants have the opportunity to bid for properties having regard to household size, disability and eligibility. In the interests of good housing management, there may be occasions when a filter may be applied to a shortlist e.g. to address an under occupation opportunity.

This enables those seeking housing in Wychavon to identify the level of priority they have within the allocation scheme and to develop an awareness of the availability of accommodation suitable to their needs within the district. Applicants can make an informed decision, balancing their need for accommodation with the availability of properties. It will also enable applicants to make an informed choice about whether they wish to seek alternative solutions to their housing needs.

Within this it must be recognised however that there is very high demand for affordable housing in Wychavon, and that this demand cannot be fully met from available resources. Consequently only those in the greatest housing need are likely to obtain housing through the scheme, which means that the degree of choice in housing will always be limited. Whilst keen to encourage and facilitate mobility within housing, Wychavon District Council will ensure that in determining priorities for housing, a higher degree of preference will be awarded to applicants who have a local connection within Wychavon.

Wychavon District Council is committed to extending choice of housing to those who are accepted as homeless under the statutory duties contained within Part VII of the Housing Act 1996, as far as is compatible with the effective use of Council resources and the provision of temporary accommodation. Households accepted as being owed the full housing duty under Part VII of the Housing Act 1996 will be given 2 weeks from notification of acceptance within which to bid for properties through Wychavon Home Choice. If at the end of 2 weeks households have not bid successfully for a property, administering staff will bid on their behalf for each suitable property that becomes available until a bid is successful. This will then constitute a nomination for the purposes of discharging the homeless duty (further details are given within the scheme).

## **HELP IN APPLYING TO TAKING PART IN THE SCHEME**

Staff from Wychavon Home Choice, Worcestershire Hub, Housing Associations, statutory organisations and voluntary bodies are able to provide help to applicants when joining and taking part in the Scheme.

In particular, help will be provided to anyone who may have difficulty participating for example due to physical disability, learning disability, illness, age, for whom English is not a first language, or any other reason that might make it harder for them to fully participate within the scheme.

Voluntary bodies who may be able to help applicants take part in the scheme include: -

Citizens Advice Bureau  
S.S.A.F.A  
Age Concern  
Welfare Rights Offices  
Homestart  
Surestart

In additional agencies such as: -

Social Services  
Floating Support Agencies  
Outreach Workers  
Refuge Staff

Will also be able to help with advice, information and advocacy.

Staff from the Local Authority will be able to work with anyone applicants wish to act on their behalf, subject to applicant's written consent.

## **INFORMATION ABOUT THE ALLOCATION SCHEME**

A summary of the allocation scheme can be obtained from Wychavon District Council and all partner landlords.

A copy of the full scheme will also be available on request.

Successful applicants will be registered onto the Scheme and allocated a registration number. Where appropriate, applicants will be given a priority based upon their housing need and placed in a 'banding' according to that need. If applicants' circumstances change, the banding will change accordingly.

Applicants to the scheme are entitled to request details from Wychavon Home Choice of information that has been used to make a decision on their Registration.

Properties will be advertised through Wychavon Home Choice giving details of the applicants who are eligible to apply. Applicants will then have a limited time period in which to 'bid' and register their interest in being considered for the vacancy.

Wychavon Home Choice will publish details of the successful bid for each property giving details of the registration number and priority banding of the applicant.

This will help applicants determine their prospects of success in obtaining housing.

## APPEALS

An applicant to Wychavon Home Choice has a right to make an appeal if unhappy with a decision made by Wychavon Home Choice. This includes a decision to exclude from registration with Wychavon Home Choice, or with the degree of priority awarded.

If an applicant wishes to appeal against a decision made by a partner RSL not to allocate a property to them when they have made a successful bid through Wychavon Home Choice, they will need to contact the RSL.

With regard to decisions made by Wychavon Home Choice, the applicant should appeal in writing and submit the appeal to Wychavon Home Choice. An applicant can appoint an advocate, and once appointed, Wychavon Home Choice will deal directly with the advocate.

There are two stages to the appeal process:

- ◆ Stage 1

The appeal must be made in writing within 21 calendar days of the written decision, stating the grounds for the appeal. A Senior Officer from the Wychavon Housing Services Team will consider the appeal, and a decision will normally be given within 28 calendar days. In complex cases it may not be possible to give a decision in 28 days and it may take longer. Where this is the case the applicant will be notified in writing prior to expiry of the 28-day period.

- ◆ Stage 2

If the applicant is unhappy with the decision made by the Senior Officer they may request that a further review be carried out by Wychavon Home Choice partnership or their nominated representative. This request must be made in writing within 7 days of the written decision on the appeal with reasons why they consider the decision to be wrong. Again a decision will normally be given in 28 days, subject to extension where necessary.

If still unhappy with the outcome of the appeal, the applicant may make a complaint to the Local Government Ombudsman.

## FALSE STATEMENTS AND WITHHOLDING INFORMATION

This scheme falls within the provisions of Part VI of the Housing Act 1996. Section 171 of the Act states:

- (1) *A person commits an offence if, in connection with the exercise by a local housing authority of their functions under this Part –*
- (a) *he knowingly or recklessly makes a statement which is false in material particular, or*
  - (b) *he knowingly withholds information which the authority have reasonably required him to give in connection with the exercise of those functions.*

Wychavon Home Choice is the local housing authority's mechanism for discharging its functions under Part VI of the Act. Consequently where section 171 applies, Wychavon District Council will bring a prosecution.

Where false information is found to have been given, the applicant may also be excluded from registration with Wychavon Home Choice, and where false information has resulted in the applicant obtaining accommodation, the relevant RSL may bring possession proceedings for recovery of the property.

## REGISTRATION

Before anyone can apply for vacancies advertised through the scheme they must first join the Wychavon Home Choice Housing Register.

### WHO CAN REGISTER?

Anyone can join the Wychavon Home Choice Housing Register for housing unless they have a history of serious rent arrears or anti-social behaviour.

Registrations can be accepted from those over the age of 16 years. However, applicants who are aged under 18 years would normally need to be referred by a recognised social welfare or health agency. Applicants who are still below the age of 18 years at the time of receiving the offer of accommodation will be asked to provide a guarantor for the tenancy until their 18<sup>th</sup> birthday.

A Joint Protocol has been agreed with Social Services to facilitate the joint assessment of the needs of young vulnerable people.

Applicants for sheltered housing (grouped housing with warden assistance) must be aged 60 years or over or registered disabled, although age restrictions may vary between individual Housing Associations and schemes.

All applicants who are successful in bidding for sheltered housing will be assessed before allocation to ensure that the accommodation is suitable and appropriate for their needs

### Owner Occupiers

Owner occupiers are only accepted into the Gold and Silver bandings of the Register, if one of the following applies :-

- they are threatened with homelessness which following investigation is found to be through no fault of their own.
- They are in need of housing for medical reasons which is not available to buy and it is not possible to carry out the disabled adaptations required, to their home.
- Their house is in a serious state of disrepair and they do not have sufficient income or savings to maintain it or to buy alternative accommodation elsewhere.
- They are overcrowded and cannot afford to buy a larger home.

In all cases, independent advice confirming the extent of disrepair will be sought eg Environmental Health, Care and Repair, Property Standards Officers.

## **Armed Forces Service Occupants**

Registrations from those living in Armed Forces accommodation will not be registered in Gold or Silver bands more than 12 months before the date of discharge.

To be eligible to join Gold or Silver band applicants or their spouses must have originated from an address in the Wychavon District immediately prior to enlisting or have a local connection other than residence eg permanent employment or close family connection.

Close family connection is defined as having a parent, grandparent, brother, sister or children living in the Wychavon area who have had normal residence in the area for the last five years .

## **Applicants Who Are Statutorily Homeless**

Applicants who are homeless, or believe they are under the threat of losing their homes will also be assessed under separate arrangements by Wychavon District Council's Housing Services Department. It will be established if there is a duty to provide temporary accommodation until a permanent home can be found. Where such a duty is accepted, applicants will automatically be included on the Housing Register. Applicants who are found to be unintentionally homeless but not in priority need category will also automatically be included on the Housing Register.

## **Intentional Homelessness**

Applicants who have been found to be intentionally homeless can register, unless they, or a member of their household, has been guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant.

## **Applicants Needing Care and Support**

The Wychavon Home Choice Partnership will work closely with Health and Social Services to identify opportunities to rehouse those in need of housing with care packages and other means of support. Where such a package is not immediately available, the Wychavon Home Choice Partnership reserves the right not to offer accommodation until care or support arrangements are agreed and the client has signed up to the package.

## **Move On From Supported Housing**

Applicants who are currently living in supported housing are not normally eligible to bid for properties for at least 9 months from the date they moved into the supported accommodation.

## **Existing Housing Association Tenants**

All existing tenants of the Wychavon Home Choice Partnership living in the Wychavon District can register.

Wychavon Home Choice may request help from the applicant's current landlord in assessing whether a tenant qualifies for a priority banding.

Where the landlord is dissatisfied with the condition of the tenant's current home their Registration will be suspended until the property has been returned to good order.

If an applicant is a joint tenant of a Housing Association and wishes to give up their part of the tenancy to live elsewhere they will be registered in the lowest priority band until they have :

- agreed in writing to relinquish their interest in the tenancy, or
- the Registration is supported by the Housing Association landlord, or
- made a successful Registration as a homeless household in a priority need group.

## **Rent Arrears**

- Applicants with rent arrears or other forms of indebtedness to a former landlord will be allowed to register but will be informed that they will be ineligible to bid for advertised vacancies until all debts are cleared or kept to a satisfactory arrangement for an agreed period.
- Priority Card holders : where the applicant with former tenant arrears has an urgent need to find accommodation, a panel, selected by members of the Wychavon Home Choice partnership will decide whether to make an exception to this rule, based on the individual merits of the case.
- Statutorily Homeless applicants with rent arrears or other debts to a former landlord will be offered temporary accommodation. They will be issued with a 3 month priority card with their Section 184 decision letter. However, they will be ineligible to bid for advertised vacancies and therefore unable to use their card, until the debt is repaid in full or until they have consistently maintained a satisfactory agreement to repay their debt.

If after 3-4 months of maintaining the repayment agreement, the debt is still outstanding, Wychavon Home Choice will review the homeless household's case to assess whether they should become eligible at that stage for one reasonable offer of accommodation.

As part of the assessment, consideration will be given to the household's personal circumstances, the level of the debt, the applicant's history of arrears and any other factors that in Wychavon Home Choice opinion may be relevant.

- Existing Housing Association Tenants with rent arrears or other forms of indebtedness to any of the partners will be allowed to register. However, they will not be permitted to bid for advertised vacancies until they have cleared all debts.

Where the tenant with arrears has a high need to move the landlord will consider whether to make an exception to this rule based on the individual merits of the case.

If at the point of nomination a debt is discovered discretion will be used to allow the nominee to clear it before a decision to withdraw the nomination is made.

### **Anti-Social Behaviour/Harassment\Racial Harassment**

The Wychavon Home Choice Housing Register has been established under the terms of the Housing Act 1996, as amended.

Regulations made under the Acts permit authorities to decide that an applicant is to be treated as ineligible for an allocation of housing accommodation by them if they are satisfied that :-

- (a) he, or a member of his household, has been guilty of unacceptable behaviour serious enough to make him unsuitable to be a tenant of the authority or an RSL; and
- (b) in the circumstances at the time of his Registration is considered, he is unsuitable to be a tenant of the authority or an RSL by reason of that behaviour.

The only behaviour that may be regarded as unacceptable is :-

- (a) behaviour of the person concerned which would (if he were a secure or assured tenant of the authority or RSL) entitle the landlord to a possession order under Section 84 of the Housing Act 1985 (c68) on any ground mentioned in Part 1 of the Schedule 2 to that Act (other than ground 8); or
- (b) behaviour of a member of his household which would (if he were a person residing with a secure tenant) entitle the landlord to such a possession order.

Applicants with a history of violent or anti-social behaviour that was serious enough to make him unsuitable as a tenant for the reasons described above will be refused entry to the Wychavon Home Choice Housing Register.

The purpose of this rule is to refuse access to social housing to individuals or households who would be likely to commit offences against others in the neighbourhood or otherwise cause severe disruption within the local community. The rule may also be used to restrict access to those who have been violent (or threatened violence) towards staff of the partners.

The overriding objective of the Wychavon Home Choice Housing Partnership is to identify and rehouse those in greatest housing need. However, this objective must be balanced by considering the effect on existing tenants of allocations decisions. The allocation of housing to an applicant should not, in turn, create a need to rehouse other households in the immediate neighbourhood for example because of disruptive or criminal behaviour.

## **Criteria For Non-Admission To The Register**

The following criteria will be applied in determining whether an individual or household should be refused admission to, or be removed from, the register.

1. There must be reliable evidence from known (not anonymous) sources of the violent or anti-social behaviour.
2. The behaviour need not have led to possession, prosecution or other enforcement action by a statutory agency, provided there is reasonable probability that had the applicant been a tenant, possession would have been granted because of that unacceptable behaviour.
3. In normal circumstances the behaviour concerned should have occurred recently (ie within the last two years). In cases of a more serious nature, for example, those involving criminal prosecution, a longer time-scale may be appropriate.
4. There must be reasonable grounds for believing that the behaviour could continue or be repeated. For example, the applicant may have issued threats or there might be a history of repeat offending.
5. The behaviour in question, if repeated, must represent a real (and not just a perceived) threat to the safety and peace of mind of those already living in the neighbourhood. Alternatively exclusion would also be justified under this rule if there was a threat of violence or abuse against members of the staff of the Local Authority or Housing Association if the applicant was accepted onto the Housing Register.

Applicants will have the right of appeal against such a decision.

The Wychavon Home Choice Partnership is committed to anti-discriminatory practice and promoting equal opportunity of housing services and will not tolerate any form of harassment, including racially motivated harassment.

The Wychavon Home Choice Partnership considers harassment, including racially motivated harassment to be serious anti-social behaviour and applicants with a history of harassment against others may therefore be excluded from the Register if there is sufficient evidence that this behaviour is likely to continue.

Wychavon's Housing Services Department have entered into a liaison protocol with the National Probation Services (Worcestershire) to facilitate the sharing of information in relation to the housing of high risk offenders (eg sex offenders). High risk offenders are able to apply to the Wychavon Home Choice Register and to make bids for properties. However, before an offer of accommodation is made to a high risk offender, full consultation and a risk assessment will be undertaken with the relevant support agencies. Wychavon Home Choice reserves the right not to offer a property to a high risk offender where they consider, on the basis of the information that is available to them, that the offer is likely to result in harm to either the victim or the offender themselves.

Where an applicant is refused registration because of their behaviour, or that of a member of their household, they will be notified that they have a right to seek a review of this decision.

### **People From Overseas**

Some people travelling to the United Kingdom are not entitled to housing by the Local Authority on the basis of their immigration status as detailed in Section 160A of the Housing Act 1996 as amended. Where an Registration form indicates that this may be an issue, Wychavon Home Choice will investigate to determine whether the applicant is eligible.

## **HOW THE SCHEME OPERATES**

In order to apply for a home in the Wychavon District, an applicant needs to register with Wychavon Home Choice. To register they must fill out an Registration form requiring relevant information about themselves and any household members.

The Registration will be registered by Wychavon Home Choice and the applicant may be banded if appropriate.

Where there is a change in circumstances, the applicant must notify Wychavon Home Choice immediately. Wychavon Home Choice may carry out an annual review of those registered with the scheme to ensure that details are current. Those who fail to respond to the review will have their registration removed.

All properties managed by the partner RSLs that become available for letting will be advertised through Wychavon Home Choice. The bidding cycle will start on a Tuesday and end on the following Monday at midnight. Those who are registered through Wychavon Home Choice can then bid for properties that are advertised, and Wychavon Home Choice will determine who of those bidding has the highest priority, using the guidance laid out below. The successful applicant will then be put forward to the RSL, and the RSL will carry out the necessary checks to confirm that the circumstances at the time of registration still apply and verify all the applicant's details. Wychavon Home Choice does not, however, allocate the property. The relevant RSL will determine whether to allocate the property to the nominated applicant.

When a property is allocated by the RSL, notification will be given in the Wychavon Hub and on the Wychavon Home Choice website identifying the priority band of the successful applicant and registration date.

### **Information Required For Registration**

Wychavon Home Choice in consultation with partners, will determine what information will be required from applicants in order to register. The registration form will only request information that is relevant, but may request general information to assist with assessing housing needs within Wychavon at a strategic level.

## **Determining Priority Amongst Applicants**

If eligible to register, applicants will be given an registration number that will be unique to them. Some applicants will be awarded a priority based upon housing need. The level of priority given to an applicant will place them in one of the following bands :-

Priority  
Gold Band  
Silver Band  
Bronze Band  
Non-priority.

Applicants with no connection to the Wychavon District will be placed in a non-priority band.

Where more than one bid is received for a particular property, priority will be based on the length of time they have been waiting on the Register.

- for general needs applicants – the date of original registration
- for transfer applicants – start date of current tenancy.

If more than one registration at the top of the shortlist shares the same registration/tenancy start date, the allocation will be at the discretion of the landlord.

For Housing Association tenants who are applying for a transfer from an Assured Shorthold Tenancy or Licence Agreement, the date of their original registration to the register will be taken rather than the start date of their tenancy.

### **PRIORITY CARD SYSTEM**

Applicants with an urgent housing need will be awarded a priority card in order to help them resolve their immediate housing crisis as quickly as possible. For certain groups this will be for a time limited period.

#### **1. Priority – awarded for 3 months**

##### **Statutorily Homeless with a duty to re-house**

Where Wychavon Housing Services Section has accepted a duty under Part VII of the Housing Act 1996 (as amended by the Homelessness Act 2002) to provide accommodation for an applicant who:

- ◆ Is eligible for assistance
- ◆ Is homeless
- ◆ Has a priority need for housing
- ◆ Is not intentionally homeless
- ◆ Has a local connection.

If statutorily homeless applicants have not obtained accommodation using the priority status within two weeks of being awarded the priority, Officers from Housing Services at Wychavon District Council will make bids on behalf of the applicant for any suitable properties that become available. When a successful bid is made for a property the applicant will be notified of this and, subject to rights of review under Part VII of the Housing Act 1996, this will constitute an offer of housing under Part VI as a discharge of the Council's homelessness duty. Should the applicant be rejected by the RSL under their own allocations criteria, the homelessness duty will not be discharged and they will remain eligible for a further offer. If a suitable offer is refused the homelessness duty will be discharged and the applicant will cease to have priority status.

Under this heading, priority status is awarded by the Housing Services Section of Wychavon District Council.

## **2. GOLD BAND – awarded for 6 months**

### **2.1 Homeless within Wychavon without statutory responsibility to re-house**

This status is only awarded by Wychavon Housing Services Section, and is awarded where an applicant is deemed to be eligible for assistance, but does not qualify for the full housing duty and is normally resident in Wychavon. The usual rules relating to those or members of their household who have been guilty of behaviour that affects their suitability as a tenant will apply. This also excludes applicants who Wychavon Housing Services Section have found to be intentionally

### **2.2 Properties Subject To Notices Of Emergency Remedial Action, Demolition or Clearance Orders, or Notice Prohibits Occupation**

If an applicant indicates that their current home is in disrepair the Private Sector Enforcement Officers may inspect the property in accordance with the Housing Act 2004. The extent of disrepair will be reported together with the likely repair period.

In all cases the Private Sector Housing Team will consider using its powers to remedy hazards.

### **2.3 Verified high medical need/disability, that is directly affected by the current housing situation within Wychavon and would be immediately improved by moving**

The applicant or other member of the household suffers from a severe medical/disability condition that is substantially exacerbated by the living circumstances and which would only be alleviated by a move to suitable accommodation, rather than the provision of aids and adaptations.

In the opinion of the Medical Examiner, the home circumstances taken together contribute substantially to the difficulties experienced by someone with a medical/disability condition, or the carer, and the Medical Examiner believes that the difficulties would be lessened by a move to more suitable accommodation.

The applicant or other member of the household suffers from a progressive illness and the prognosis would lead to problems with their accommodation even though it is acceptable at present.

The applicant is dependent on a named voluntary carer who does not live with them for regular care and whose care would benefit from being nearer to the carer.

Where substantial adaptations are required at significant cost and it would be more appropriate to secure alternative accommodation which may only require minor adaptations.

**2.4 A tenant of an RSL partner is under-occupying by one or more bedrooms and wishes to move to a smaller property thereby releasing family sized housing**

Checks will be made by Wychavon Home Choice with the partner(s) concerned to verify the details of the registration. Rent arrears and property condition will also be taken into account. It is important that the best possible use is made of existing housing stock and priority will be given where a move to a smaller property will release much needed family housing.

**2.5 You currently live in the Wychavon District and following investigation it is proven that you have been given a notice to quit or a repossession order through no fault of your own.**

**3. SILVER BAND – valid for 12 months**

**3.1 People living in Wychavon suffering from harassment and domestic violence who need to move**

All registrations citing harassment and domestic violence are taken seriously. The admission of anyone onto the register who cites harassment as the main reason for making the registration will lead to full investigation of all the circumstances surrounding the registration and each case will be assessed separately.

Wychavon Home Choice will investigate all claims of harassment and if investigation involves the local Police, crime reference numbers will be sought. Where the harassment is of a racist nature advice will be sought.

Where the applicant is a tenant of an RSL there will be liaison with the RSL. It may be appropriate for the RSL to move the tenant within their own housing stock and in doing so exercise their duty of care to their tenant.

### **3.2 Overcrowding**

If an applicant lives in the Wychavon District and indicates that their home is overcrowded, Officers from the Housing Services Team will visit to investigate the degree of overcrowding.

Premises will be viewed to be overcrowded where there are more persons normally resident, than there are bed spaces and where persons of mixed sexes (other than a parent or partner) need to occupy a bedroom.

### **3.4 Social Need**

If an applicant living in Wychavon has social need arising from exceptional circumstances, any priority will be agreed at a meeting of the Wychavon Home Choice partnership.

### **3.5 You live in Wychavon and have a child under 10 and live in a flat that is not on the ground floor.**

## **4. BRONZE BAND**

**This to include all applicants (lead applicant or partner) who live, work or have a local connection in the Wychavon District and are not registered in any other band.**

## **5. No Priority**

**This is to include all applicants who do not live, work or have a local connection in the Wychavon District**

Local connection is defined in Part VII of the Housing Act 1996 as:

- ◆ Those who are normally resident in the area. Local Government Association guidelines define this as having resided in the area for six of the last twelve months, or three of the last five years, where residence has been out of choice;
- ◆ Those who are employed in the area– the Local Government Association guidelines define this as employment other than of a casual nature;
- ◆ Those who have family connections – the Local Government Association guidelines define this as immediate family members who have themselves lived in the area for five years;

### **Preference within bands**

Properties will be advertised as they become available and anyone registered with Wychavon Home Choice will be entitled to bid for properties, unless there is a restriction placed upon those entitled to bid. For example some properties may be restricted under agreements pursuant to Section 106 of the Town and Country

Planning Act 1990 (as amended) imposing conditions on who is able to bid, or RSLs may adopt specific lettings criteria in relation to particular developments or areas in order to address identified problems. Partner RSLs will also be entitled to advertise properties as available only for existing RSL tenants in order to facilitate transfers.

- If more than one person bids for a property, it will go to an applicant with priority status
- if no priority applicant bids it will go to a Gold applicant
- if no Gold applicant bids it will go to a Silver applicant
- if no Silver applicant bids it will go to a Bronze applicant
- if no Bronze applicant bids it will go to an applicant with no priority status.
- A bid for a property will not be considered if the applicant's household does not meet the size, age or disability requirements for that property.

If more than one person from the same band bids for a property, it will go to the person who has the longest waiting time.

The Wychavon Home Choice partnership have agreed that 50% of net voids, after management moves and transfers, will be allocated to priority banding applicants.

Priority Bands will be reviewed on a regular basis.

### **Waiting time**

Waiting time will normally be calculated as the period from the registration date set by Wychavon Home Choice when an applicant is registered, and the date on which bids for a property are considered. If joint applicants separate the change in circumstances must be notified to Wychavon Home Choice and there will be no loss of waiting time for either applicant should they both still wish to seek rehousing.

### **Assessing multiple- need**

In circumstances where an applicant would qualify for a band under more than one heading the preference scheme needs to be able to distinguish this and give a greater chance of achieving a property to the applicant with the greater level of housing need.

This will be achieved through the granting of additional notional waiting time. When an applicant is registered with Wychavon Home Choice, two dates are recorded, the Registration Date, and the List Date. The list date is the date from which their waiting time is calculated, normally the two dates are the same.

- Where an applicant has been awarded a gold banding based upon one indicator of housing need, their list date will be the date on which they are registered. If an applicant has more than one gold housing need, they will be awarded a further six months waiting time for each category.
- For applicants in silver banding, each additional silver category will attract a further three months waiting time.

- Where an applicant is assessed as falling in gold band, but also has needs that would qualify for silver band, an extra three months will be added to their waiting time for each silver band indicator of need.

## **ELIGIBILITY FOR TYPES OF DWELLING**

Landlords will have the right to refuse registrations, which are unsuitable, for health and safety reasons.

## **DELIBERATELY WORSENING CIRCUMSTANCES**

Where there is evidence that an applicant has deliberately worsened their circumstances in order to qualify for higher priority on the Housing Register, no additional priority will be given. Applicants will retain any priority they held before worsening circumstances.

Examples of where someone may have deliberately worsened their circumstances would include:-

- Selling a property that is affordable and suitable for the applicant's need in order to qualify for Gold and Silver Bands of the Housing Register. In this event the customer would remain in Bronze Band.
- Moving from an assured tenancy to insecure, overcrowded accommodation with family or friends in order to qualify for a priority card.

For an applicant to have deliberately worsened their circumstances there must be evidence that it would have been reasonable for the applicant to have remained in their original accommodation.

## **MULTIPLE BIDDING**

Applicants will be able to bid for a maximum of two vacancies during any given advertising period. If an applicant appears at the top of more than one shortlist in a bidding cycle, it will be assumed that they wish to be considered for the property that attracted the highest number of bids.

## **CANCELLATION OF REGISTRATIONS**

If applicants have not made a bid within two years of applying to join the Scheme their registration will be cancelled and they will have to make a new registration.

## **EXCLUDED DWELLINGS**

Supported accommodation will be excluded from advertisement within the scheme and Wychavon Home Choice partnership will maintain a separate register of applicants who need this type of accommodation.

## **REFUSALS OF OFFERS**

### Priority Card

#### Statutory Homeless

Should a statutory homeless applicant successfully bid for a property but subsequently refuse the offer made, Wychavon District Council will discharge their duty under the terms of homelessness legislation, to provide them with accommodation, providing the offer was reasonable.

Applicants will then be placed in a band based upon their housing need.

#### Priority Banding

Applicants with renewable priority cards do have the right to refuse offers of accommodation.

However, on a 12 monthly review the Housing Advisor will check to ensure that the applicant does have a genuine need to be rehoused urgently.

#### Waiting Time Applicants

There will be no penalty for refusing an offer of accommodation which has been made solely because of the applicant's length of time on the Housing Register or length of tenancy ie no priority banding..

## **RIGHT TO REFUSE A BID**

Where there is reasonable evidence that an applicant might endanger the health and safety or well being of neighbouring residents or staff because they have a history of violent or abusive behaviour, the Wychavon Home Choice Partnership will reserve the right not to offer them accommodation in a particular location.

The Wychavon Home Choice Partnership also reserves the right not to offer accommodation where there is reasonable evidence that it is unsuitable for the applicant for health and safety reasons.

For example, where the applicant has mobility problems/needs that cannot be met without making considerable adaptations being made to the property.

Where there is reasonable evidence that an applicant has provided false information in their registration for housing, the Wychavon Home Choice Partnership reserves the right not to offer accommodation.

For existing Housing Association tenants a bid will be refused if at the time of pre-void inspection, the property fails to meet the inspection standard to terminate a tenancy.

## **PROPERTY LABELLING**

Each partner landlord will define the labelling on each property that is advertised.

### **MONITORING OF LABELLING**

Wychavon District Council will be responsible for monitoring the outcomes of lettings through the Wychavon Home Choice partnership to ensure consistency and fairness throughout the lettings process.

Labelling is intended to be sufficiently flexible to allow RSLs to work within their own allocation policies.

### **RESERVING VACANCIES FROM CHOICE BASED LETTINGS SYSTEM**

A vacancy will be reserved from the Scheme if it is needed for management reasons by a Wychavon Home Choice partnership member.

## **EQUAL OPPORTUNITIES STATEMENT**

Wychavon District Council and its partner Associations are committed to promoting equality of opportunity in housing services.

We aim to deliver quality services without prejudice and discrimination to meet the needs of all the community, regardless of age, cultural or ethnic background, disability, gender, marital status, religious or political persuasion or sexual orientation.

The Wychavon Home Choice Partnership members will adhere to the Commission For Racial Equality's 'Code of Practice In Rented Housing'.

The Partnership will offer a translation service to anyone who needs to access housing services.

Wychavon District Council has adopted a corporate policy and action plan aimed at eliminating racial discrimination and valuing cultural diversity. Further policies and action plans are being developed to address the needs of other disadvantaged and under represented groups.

Effective monitoring of homelessness, the register and lettings outcomes will be routinely undertaken and the evaluation of this fed back into policy and service developments.