



# Allocations Policy

Reference	OP018	Version	2
Issue date	July 2015	Review date	July 2018

## **1 Purpose**

- 1.1 This policy sets out our approach to allocating our homes, both to new applicants and to current tenants wishing to transfer within the housing stock. Most of our homes are let through Bucks Home Choice, the sub regional choice-based lettings scheme.
- 1.2 This policy does not apply to lettings to homeless nominations under the temporary accommodation (TA) scheme.

## **2 References**

- 2.1 The Homes and Communities Agency's Regulatory Code sets out its expectations of registered providers. The standards relate to providers being viable, properly governed and properly managed.
- 2.2 Bucks Home Choice Allocations Policy (May 2014).

## **3 Responsibilities**

- 3.1 The Head of Business is responsible for this policy.

## **4 Legal framework**

- 4.1 The main pieces of legislation are as follows:
  - a. Housing Act 1985 <http://www.legislation.gov.uk/ukpga/1985/68/contents>
  - b. Housing Act 1996 (as amended by the Homelessness Act 2002) & Housing Act 1988  
<http://www.legislation.gov.uk/ukpga/2002/7/contents>
  - c. Localism Act 2011  
<http://www.legislation.gov.uk/ukpga/2011/20/part/7/chapter/1/enacted>
  - d. Data Protection Act 1998  
<http://www.legislation.gov.uk/ukpga/1998/29/section/4>

## **5 Definitions**

- 5.1 *Bucks Home Choice*: the local choice-based lettings scheme through which the majority of properties owned by registered providers within the Wycombe, Aylesbury Vale, Chiltern and South Bucks District Council areas are allocated. Housing applicants and existing tenants with a housing need and wishing to move to alternative accommodation; register their details on this scheme. Applications are prioritised using a banding system and applicants express an interest in properties when they become available. Wycombe District Council (WDC) Housing Options Team verifies and shortlists applicants for properties and identifies successful prospective new tenants using the banding criteria outlined in the Bucks Home Choice Allocations policy.

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<b>ST</b>	<b>Secure Tenancy:</b> this was the name given to the tenancies issued to tenants of Wycombe District Council.
<b>AT</b>	<b>Assured Tenancy:</b> all tenants whose tenancies began on or after the date of transfer, 12 <sup>th</sup> December 2011, have this kind of tenancy.
<b>AT(P)</b>	<b>Assured Tenancy (Protected Rights):</b> all tenants whose tenancies predate the transfer have this kind of tenancy. It protects and preserves some of the rights contained in the Secure Tenancy.
<b>AST(S)</b>	<b>Assured (shorthold) ‘starter’ Tenancy:</b> all new first time tenants are issued with this tenancy which is normally for a 12 month period.
<b>AST</b>	<b>Assured (shorthold) Tenancy:</b> this shorter tenancy is issued to tenants being housed in schemes or estates where there are longer term plans i.e. refurbishment/sale and may also be used for any short term pilot schemes.
<b>FTT</b>	<b>Assured (shorthold) Fixed Term Tenancy:</b> all new tenants who have completed a starter tenancy whether with us or another landlord, will be granted this tenancy which will usually be for a period between 2 and 5 years. This tenancy will also be granted to tenants transferring through Bucks Home Choice who have been a social housing tenant since 1 <sup>st</sup> April 2012.

## **6 Policy statement**

- 6.1 When letting our homes we work in partnership with WDC to house those in greatest need of housing. Every local authority allocation scheme in England must ensure “reasonable preference” is given to certain categories of applicant as set out in sub-section 166A(3) of the Housing Act 1996. These provide guidelines to WDC in determining who is in greatest need.
- 6.2 Our homes are currently let through Bucks Home Choice (for eligibility criteria see Bucks Home Choice Allocations Policy [May 2014], p.8-13).
- 6.3 We are responsible for ensuring that our approach to lettings is transparent, fair, non-discriminatory and effectively controlled and monitored. We will take into account the needs of individuals as well as equality and diversity issues.
- 6.4 We will implement local lettings policies (LLP) when required, either for particular properties or in particular areas, in order to seek to achieve balanced and sustainable communities. These may arise as a result of specific issues in an area and following consultation with a community and

relevant stakeholders. All LLP's will be advertised on our website.

- 6.5 Under the nominations agreement that we have with WDC, 25% of our empty homes can be used by us for example for either direct lettings in line with our Priority Moves Policy or identified in the Bucks Home Choice advert.
- 6.6 We may choose to use additional methods to advertise our empty homes outside of Bucks Home Choice, although Bucks Home Choice is currently our primary method of advertising.
- 6.7 Although we are committed to providing high quality affordable rented housing to as many people as possible, in certain circumstances we may exclude nominees from being housed. Applicants or tenants who have been excluded in this way have the right to appeal the decision. We reserve the right to exclude nominees in the following circumstances:-
- a. They have previously used a property for illegal purposes and having been evicted for this i.e. sublet, serious criminal activity like cannabis farm;
  - b. They owe rent or other charges or debts to us or another landlord;
  - c. They have been evicted for rent arrears on a previous tenancy, either with a registered provider or private landlord, within the last five years;
  - d. They caused or are causing nuisance and/or annoyance to neighbours or visitors;
  - e. They committed criminal offences in or near the home and are posing a threat to neighbours or the community;
  - f. They have been violent towards a partner or members of the household or their visitors.
  - g. They have demonstrated unacceptable behavior including being verbally or physically abusive towards a member of staff, contractor or anyone acting on the landlords behalf;
  - h. They have allowed the condition of their home and any associated areas i.e. garage, shed, garden, patio etc to deteriorate through neglect or damage;
  - i. They have (or have attempted to) obtain a tenancy by deception, for example, by giving false or misleading information;
  - j. They have paid money to illegally obtain a tenancy;
  - k. They do not qualify for social housing e.g. applicants from abroad who have no recourse to public funds;
  - l. They own or have a legal interest in another property (see 6.13);
  - m. They have lost accommodation provided in connection with employment

due to their conduct.

n. They are unlikely to sustain a tenancy with us, as determined via our financial assessment and/or needs and risk assessment.

o. They would pose a safeguarding risk to other tenants or their visitors.

This will be done on a case by case basis according to the seriousness of the action. For example, we will take into account the timescales, the impact and any other circumstances.

6.8 The bedroom size criteria will be in line with housing benefit regulations and Bucks Home Choice. This allows one bedroom for:

- a. Every adult couple
- b. Any other adult aged 16 or over
- c. Any two children of the same sex aged under 16
- d. Any two children regardless of sex aged under 10
- e. Any other child aged under 16
- f. A non-resident carer (where the claimant and/or their partner have a disability and need overnight care)

6.9 A bedsit or studio flat may be offered to a single adult but a pregnant woman will not be allocated a home without a separate bedroom.

6.10 All applicants must be aged 16 years or over and any that are 16 or 17 years of age may be required to have a guarantor if allocated a property.

6.11 We require applicants to undergo an affordability assessment alongside a 'needs and risk' assessment. Where an applicant is unlikely to be able to maintain the tenancy we may withdraw the offer of accommodation, unless we are satisfied that a suitable support plan is in place to mitigate the risk.

6.12 In certain circumstances, we reserve the right to withdraw an advert or offer of accommodation. These circumstances may include but not be limited to:-

- a. Where an error has been made in the advertising criteria.
- b. When it has been established that the home needs extensive works, which may include adaptations required for a particular applicant.
- c. Where it is identified that the home is unsuitable for the tenant and/or a member of their household.
- d. When the home has been advertised, but the existing tenant has withdrawn their notice.
- e. When the home has been advertised but withdrawn for a direct let for an urgent case.

6.13 Although owner occupiers are not normally accepted, they may be

considered for sheltered housing if they are assessed as suitable and certain conditions are met. These will be tailored to the individual's circumstances but could include a requirement for their home to be sold within a specified period.

6.14 If an offer is withdrawn the applicant will have a right of appeal. Any appeal must be made to the Investment Manager or another manager of a similar level within 24 hours of the decision and will be heard within 3 working days.

6.15 All information relating to allocations will be managed in accordance with the provisions of the Data Protection Act.

## **7 Equality and Diversity**

7.1 We are committed to equality and diversity when delivering our services. We aim to ensure that all of our customers are dealt with fairly and equitably and where possible we take into account the diverse nature of their needs, cultures and backgrounds.

## **8 Related documents**

This policy should be read in conjunction with the following:

- Priority Moves Policy
- Tenancy Changes Policy
- Tenancy Policy
- Inclusion & Well-being Strategy
- Anti-Social Behavior Policy
- Feedback Policy
- Allocations Procedures

## **9 Expected legislative/environmental changes**

We are expecting changes in housing benefit, Universal Credit and other welfare benefits which will have an impact on this policy. We will therefore review the policy as such changes occur.