



# **Warwick District Council**

## **Homechoice Allocation Scheme**

**2008**

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## **1. INTRODUCTION**

This Policy outlines Warwick District Council's HomeChoice Allocation Scheme for determining priorities for letting Council and Registered Providers (RPs) homes and in some instances accommodation in the Private Rented Sector.

This Policy has been drafted to comply with the requirements of Part VI of the Housing Act 1996, as amended by the Homelessness Act 2002, along with the accompanying Allocation of Accommodation, Code of Guidance issued in November 2002 and the Allocation of Accommodation Choice Based Lettings Code of Guidance for Local Housing Authorities published in January 2007.

Allocations of Council owned and RP properties will be made using the guidelines set out in this Policy.

The demand for housing exceeds supply and the register exists to enable us to prioritise those households who are in greatest need and to maximise their opportunities for rehousing. The Register provides an index of the level and the nature of housing need locally.

The changes in the HomeChoice Allocation Scheme will not change the fact that only a minority of people wanting social housing will be able to access it because of the growing gap between supply and demand. A key element of the Scheme will focus on alerting applicants to other options to deal with their housing issues, or to secure a move.

## **2. STATEMENT OF CHOICE**

The Council is committed with its Partner RPs to offer the greatest choice possible in the letting of housing, whilst also ensuring that housing goes to those with the greatest need.

Applicants have the opportunity to bid for properties having regard to area, location, property type, household size, disability and eligibility.

The HomeChoice Allocation Scheme enables applicants seeking housing to identify their level of priority 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 such as privately rented or full or part ownership properties.

### **3. AIMS AND OBJECTIVES**

The aims and objectives of the Warwick District Council's HomeChoice Allocation Scheme are:

- To provide people with as much choice and control as possible over where they live.
- Ensure that all properties are let fairly, transparently and fulfil the Council's legal obligations.
- To help fulfil the Council's responsibilities to people in housing need.
- To contribute to creating mixed and sustainable communities, social inclusion and minimise refusals by allowing people to choose where they live.
- To make the best use of existing and new affordable housing.
- Ensure that, where discretion is used, the decision reflects policy and is consistent and transparent.
- Commit to delivering a high quality service and set clear performance standard targets.
- To promote equality of opportunity in accessing housing.
- To aid the prevention of homelessness.
- To increase the housing options available.
- To maximise the participation of all applicants, including vulnerable applicants, in the lettings process.
- To ensure the widest possible choice of homes is available to people on the Warwick District Council's Housing Register, e.g. Shared Ownership and Privately rented accommodation.

### **4. EQUALITY AND DIVERSITY**

Warwick District Council serves a diverse community and is committed to meeting the needs of that community in the provision of housing allocation and will:

- Ensure that customers are treated fairly and equally and will not use discriminatory practices when allocating housing.
- Monitor and analyse how effective the Allocations Scheme is at meeting the needs of District's diverse community and use the information obtained to develop future policies and services.
- Recognise that it is important that everyone who applies for rehousing understands the HomeChoice Allocations Scheme. The Council will produce an information leaflet and this will be made available in other formats, including large print, cassette tape, CD and other languages if required.

## 5. APPLYING FOR HOUSING

The Council operates a Common Housing Register which provides a unified approach to those wishing to be housed in the Warwick District.

The Housing Associations listed below all participate in Warwick District HomeChoice Allocation Scheme:

- Warwick District Council
- Ashram Housing Association
- Orbit Housing Group
- Jephson Housing Association
- Midland Heart
- Viridian Housing
- Bromford Housing Group
- RiversideECHG
- Housing 21
- Raglan Housing Association

By joining the Warwick District Housing Register those in housing need can be considered for vacancies which occur in properties owned or managed by the Local Authority or any of the Partner RPs. The aim is to make the task of applying for housing as simple as possible requiring only one form to be completed for all affordable housing opportunities:

- Any person over 16 can join the Housing Register. Applicants aged 16 and 17 years may not be offered a property until they are 18 or over, unless they:
  - Have been accepted as statutorily homeless.
  - Are subject of a Special Agency Referral

Tenancies to under 18's will only be granted in exceptional circumstances and may require a guarantor. Where ever possible appropriate supported accommodation for this age group will be sought.

- An applicant or joint applicant can have only one active application, or only be included in one application at any time.
- Anyone who wishes to apply to go on the Housing Register is required to complete an Application Form. This applies not only to new applicants seeking housing but existing tenants wishing to apply for a transfer. The forms are available from all partner organisations and can be downloaded from the Council's website at [www.warwickdc.gov.uk](http://www.warwickdc.gov.uk).
- The information given on the form must be correct and be accompanied by two types of ID that show the applicant's current address; two types of ID that show the name and current address of the joint applicant if applicable; two types of ID for every other person moving with the applicant, including each child.

## **5.1 Local Connection**

The Scheme will require the need to establish an applicant's Local Connection in meeting one of the following:-

- Has resided in the District through choice as their only or principal home for at least 6 months out of the last 12 months, or at least 3 years out of the last 5 years
- Employed in the District in permanent paid work, other than that of a casual nature
- Has a family connection in the District by virtue of a close family association, ie son, daughter, brother, sister, mother or father who are over 18 and have occupied accommodation in the Warwick District for at least the last 5 years as their only or principal home before the date of the application

All applicants with a local connection will be assessed as detailed in Section 6 according to their need and banded.

Applicants without a local connection but in housing need will be placed in Band 3.

If an applicant's local connection changes, their application will be amended accordingly.

## **5.2 Financial Resources**

Home Owners will be accepted onto the Housing Register and placed in Band 4. Owner Occupiers will only receive additional consideration should they be deemed to have a reasonable preference under Section 167(2) Housing Act 1996 and have demonstrated that they have no financial means of assisting themselves.

Home Owners who are adequately housed or whose housing needs can be met through the sale or adaptation will be advised of their options and provided with advice and assistance.

Applicants who have an income and or capital that will enable them to access private accommodation will be encouraged and supported to take this option and may be given lesser preference in the scheme.

## **5.3 Introductory Tenancies**

Introductory Tenants are allowed to join the Housing Register although are not eligible to bid for properties until the twelve month starter period has elapsed; unless the tenancy has already been terminated or is in the process of being terminated owing to unsatisfactory conduct or extended for a further period not exceeding six months.

If the tenancy has been terminated or is in the process of being terminated owing to unsatisfactory conduct the applicant will not be eligible to join the Housing Register, please see Eligibility 5.4 and their application will therefore be cancelled

## 5.4 Eligibility

Section 166 (3) of the Housing Act 1996 as amended by the Homelessness Act 2002, states that local housing authorities need to consider all applications made in accordance with the authority's Allocation Scheme. However, an allocation of housing accommodation cannot be made to a person who is statutorily excluded or deemed to be ineligible as defined in Section 160A. Therefore, all persons will be eligible to join the Housing Register, unless one of the following applies:

- Applicant is under 16 years of age;
- Applicants or members of their household who have been guilty of unacceptable behaviour serious enough to make them unsuitable to be a Council or RSL tenant will be treated as ineligible for an offer of accommodation and therefore will be excluded from the Housing Register.
- Unacceptable behaviour is defined as behaviour that had the applicant been a tenant the Council or RP would have been entitled to a Possession Order under Section 84 of the Housing Act 1985 in relation to any of the Grounds in Part I of Schedule 2, other than Ground 8. Unacceptable behaviour includes behaviour such as: -
  - Non payment of rent.
  - Breaking or not performing an obligation of a tenancy.
  - Conduct likely to cause a nuisance or annoyance to others.
  - Domestic violence.
  - Using a dwelling or allowing it to be used for immoral or illegal purposes.
  - Committing a serious arrestable offence in or in the vicinity of a dwelling.
  - Deliberate damage to home.
  - Knowingly or recklessly giving false statements in relation to a housing application.
  - Harassment.
- This decision will be based on the circumstances at the time of the application and the Council will consider all relevant circumstances in reaching its decision, for example, the health of the applicant, any dependants and reports from other agencies such as the Police and Environmental Services.
- An applicant who has, in the past, been deemed ineligible due to unacceptable behaviour may make a fresh application if he or she considers their behaviour should no longer be held against them due to changed circumstances. Applicants will be deemed ineligible for a period of 2 years unless he or she can show that his or her circumstances or behaviour has changed.
- Some classes of people travelling or living in 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 application form indicates that this may be an issue, checks will be made to confirm the eligibility status of an applicant.

## **5.5 Cancelled Applications**

An application will be cancelled in the following circumstances if the applicant:

- Accepts a tenancy with the Council or an RP.
- Becomes a joint tenant with an existing tenant of the Council or RP.
- Is assigned a tenancy.
- Is granted a new secure tenancy on the death of a successor or when no-one is eligible to succeed to a tenancy.
- Buys a property through the Help to Buy Scheme.
- If an Introductory Tenancy has been terminated or is in the process of being terminated owing to unsatisfactory conduct.
- Requests a cancellation.
- Does not respond to a review letter or other correspondence.
- Moves and does not tell the Council the new address.
- Status changes within the Asylum and Immigration Act currently in force
- Has supplied false or incomplete information connected with their registration.

Before removing a person from the Register, the Council will give him or her 21 days notice of this action. Where an applicant is removed from the Housing Register other than at his or her request, the Council will inform them in writing of its decision, the reason for it and the right to request a review.

## **5.6 Debts with Local Authority or Registered Providers (RPs)**

Applicants can apply to go on the Housing Register if they owe monies to the Local Authority or any RP; however they may not be offered a property if they have rent arrears or any other housing related debt. Allocations will be at the discretion of the Council or RP. Debts may include:

- Rent Arrears
- Former Tenancy Arrears
- Housing Benefit Overpayment
- Council Tax
- Court Costs
- Repair Re-charge
- Supporting Charge
- Supporting Charge Overpayment

## **5.7 Deliberately Worsening Circumstances**

If the Council considers that an applicant has acted unreasonably to make their housing circumstances deliberately worse than their previous accommodation without good reason or with the aim of qualifying for a higher banding, no additional priority will be awarded. Applicants will retain the Banding and priority they held before worsening their circumstances.

The applicant can request a review of this decision after 12 months. If on appeal the restriction is removed the application will be placed in the band that reflects their current circumstances.

## **5.8 Change of Circumstances**

Changes of Circumstances should be notified to the Housing Advice Team as soon as possible, using the Change of Circumstances form. The form should be fully completed and be used for the following:

- Any confirmed pregnancy.
- Any member of the family or any other person on the application who has left the accommodation.
- Any changes of name.
- Any additions to the family (Proof of residence and ID will be required).
- Any change in income or savings.
- Changes in status of accommodation (e.g. Notice to Quit).

If an applicant has changed address a new application form should be completed. Providing that there is no break in the timescale, the date of application will be taken from the first application that was accepted by the Council; however the housing priority may be adjusted accordingly.

Where a register entry is amended following receipt of a completed Change of Circumstances form, the Council will notify the applicant concerned in writing.

## **5.9 False Statements and Withholding Information**

Under Section 171 of the Housing Act 1996, it is a criminal offence for applicants to knowingly give false information or to withhold information relevant to their application. A fine of up to £5,000 may be imposed by the Court if the applicant is found guilty. An offence may be committed if an applicant knowingly gives false information, or knowingly withholds information which the Housing Advice Team has reasonably requested on the Housing Application form. An offence will be committed if the applicant allows a third party to provide false information on their behalf or at their instigation.

## 6. HOW THE SCHEME OPERATES

Lettings will be made in line with the Council's HomeChoice Allocation Scheme based on the greatest housing need, the best fit for the property advertised and time on the waiting list within the designated preference Band.

The Council will ensure that preference is given to the following applicant categories as set out in S167 (2) of the Housing Act 1996. The five groups of individuals who are entitled to reasonable preference are:-

1. People who are 'homeless', within the meaning of Part VII of the Housing Act 1996;
2. People who are owed a particular statutory duty by any local housing authority under certain provisions of homelessness legislation;
3. People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
4. People who need to move on medical or welfare grounds, including grounds relating to a disability; and
5. People who need to move to a particular locality in the District of the local housing authority, where failure to meet that need would cause hardship, to themselves or to others.

### 6.1 Banding

Each of the five categories of applicants entitled to reasonable preference requires detailed and careful consideration and applicants will be placed in bands as follows:-

<b>Band 1</b>
Applicants within the following categories would be included in Band 1:
1. Homeless applicants where the Council has accepted a duty under Part VII of the Housing Act 1996 as amended.
2. Medical Priority is granted in exceptional circumstances, when the applicant or a member of the applicant's household has an immediately life threatening or progressive condition which is seriously affected by their current housing. (Home owners who are adequately housed, or whose needs can be met through the sale or adaptation of the property will not be awarded medical priority but will be advised of their options and provided with advice and assistance).
3. People moving on from Supported Housing Projects under agreed referral arrangements between Supported Accommodation Providers and Warwick District Council.
4. Special Agency Referral such as Warwickshire County Council Adult Health and Community Services, Children, Young People and Families Services and Probation. Referrals will be made under agreement with the departments concerned.
5. Extraordinary cases.

All applicants in Band 1 will have this priority for up to 12 weeks. The 12 week period will commence from the date the applicant is registered in Band 1.

During this period only one reasonable and suitable offer of accommodation will be made to discharge any duty the Council owes.

The Housing Advice Team will at its discretion, be able to make bids on behalf of applicants for any suitable properties that become available. Should such a bid be successful any duty owed by the Council will be discharged.

If an applicant has a successful bid, they will be offered that property as long as they meet the criteria and it is considered reasonable and suitable for their needs. Once the offer has been made the applicant will no longer be able to bid for properties.

If in the event an applicant refuses the offer, notwithstanding any request for a review, their application will be reassessed and moved to the appropriate Band with their original date of registration being reinstated. The same is true if an applicant's circumstances change or they make alternative arrangements to meet their housing need.

If during this period an applicant has not been housed or been made an offer of suitable accommodation their case will be reviewed. In these circumstances either the time period will be extended or one final direct offer of suitable and reasonable accommodation will be made.

## **Band 2**

Applicants within the following categories would be included in Band 2:

1. Medical and Welfare Priority may be awarded when an applicant or a member of the households current housing conditions are having a major adverse effect on their medical condition and welfare but whose need to move is less urgent.  
(Home owners who are adequately housed, or whose needs can be met through the sale or adaptation of the property will not be awarded medical priority but will be advised of their options and provided with advice and assistance).
2. Households in priority need and threatened with Homelessness through no fault of their own (This priority will only be awarded where the applicant is co-operating with the Council to try to prevent homelessness).
3. Non-priority, unintentionally homeless applicants.

<p>4. Existing households who are Council and Housing Association tenants within the District and who are overcrowded.</p> <p>The following guide is used to determine whether or not a family meets the bedroom standard. The Council considers that each of the following require one bedroom:-</p> <ul style="list-style-type: none"> <li>• An adult couple.</li> <li>• Any other person aged 16 or over.</li> <li>• Two children of the same sex under the age of 16</li> <li>• Two children under the age of 10 regardless of their sex</li> <li>• Any other child whose main and principal home is with the applicant and they live there permanently</li> </ul>
5. Households subject to a Demolition or Closing Order.
6. Existing Council and Housing Association tenants within the District who are under-occupying their current accommodation by more than 1 bedroom and would move to smaller accommodation that would be more suitable to meet their change in need, thereby vacating a larger social housing property for re-letting.
7. Armed Forces applicants with 3 years or more service and having lived in the District for 2 years prior to joining, within 12 weeks of their discharge date.
8. Succession Cases.
<p><b>Band 3</b></p> <p>Applicants within the following categories would be included in Band 3:</p>
1. Households in priority need who have been determined to have become homeless intentionally.
2. People who are neither an owner or tenant.
3. Families with young children under 16 years living on the second floor or above (ground and first floor are acceptable).
4. Applicants lacking or sharing more than one facility for example bath, toilet, kitchen, with another household.
5. Applicants in housing need without a local connection.
<p><b>Band 4</b></p> <p>Applicants within the following categories would be included in Band 4</p>
1. All applicants without a housing need with or without a local connection including transfers.
2. Home Owners.

## **6.2 Quotas and Monitoring**

The Scheme will include quotas for allocations to Bands 1, 2 and 3; this will enable a greater spread of available properties to each Band, whilst ensuring there is sufficient properties for Band 1 in order for the Council to meet its statutory duties.

50% of the properties will be advertised for Band 1, 30% for Band 2 and 20% for Band 3.

Band 1 applicants will only be able to bid for properties advertised in Band 1.

This will not preclude applicants from the other Bands bidding for properties in Band 1 but the advert will clearly state that Band 1 applicants will be given priority.

Age restricted properties will not be included within the quotas. Bidding will take place in the normal way and preference will be given to the applicants with the highest priority.

Band 4 will be able to bid but will only be considered for low demand properties where no other bids have been successful.

Allocations will be monitored on a quarterly basis so that quotas can be altered should there be any risk that the reasonable preference requirements are not being met.

## **6.3 Property Size and Letting Guidelines**

Property size and letting guidelines are provided to:-

1. Enable the Council and its Partner Landlords to make the best use of the housing stock.
2. Assist applicants in making informed choices from the properties available.
3. Help fulfil the Council's responsibilities to people in need.
4. Contribute to Sustainability and Social Inclusion.

For property size and type an applicant would be eligible to bid for see Appendix 1.

Eligibility for any vacant property will be specified within the advert.

Landlords will have the right to refuse to let properties which are considered unsuitable for the applicant.

Although applicants are permitted to bid for properties one bedroom in excess of their need, when letting preference will be given to the applicant who has the greatest need for that size of property.

Due to the scarce resource of 4 and 5 bed properties in the District, applicants with this need will be allowed to bid for 3 bed properties. The Landlord will reserve the right to refuse if the allocation would cause statutory overcrowding.

In some circumstances the Council may restrict the sort of property or area an applicant can apply for. It will do this if there are concerns about the risks the applicant poses or which are posed to the applicant in a specific location or property type. This decision may be part of a multi agency risk assessment.

## 6.4 Advertising

All landlords within the Scheme advertise their properties on a fortnightly cycle. The advert goes live every other Thursday and runs for a week, i.e. 12.01 am Thursday (week one), to 12:00 midnight the following Wednesday, (week 2).

Properties are advertised through:

1. The Council and Housing Association Offices.
2. Supported Housing Providers.
3. Website at [www.warwickdc.gov.uk](http://www.warwickdc.gov.uk).
4. The local Observer newspaper.
5. Parish Council Notice Boards.
6. Community Centres.
7. Local Libraries and One Stop Shops.

The properties advertised will generally be accompanied by the following information:

1. Type of property.
2. Number of bedrooms or number of people suitable for the property.
3. Location.
4. Any adaptations and level of accessibility for people with mobility problems and wheelchair users.
5. Rent charges and Service Charges.
6. Any specific letting criteria ie age or number of children restrictions.
7. Landlord.
8. Property reference number.
9. If there are any age restrictions, for example if a property is only suitable for people aged 60+.

The advert will identify the relevant Band that will be given priority. If a bid is not received from the preferred Band, the letting will be made to the highest placed applicant bidding from the next Band.

## 6.5 Expressing an Interest (Bidding)

Applicants may only express an interest (bid) if they are eligible for the type of property advertised.

Applicants can express their interest in the following ways:

- In person at the Council Offices.
- By phone.
- On the website.

Applicants can apply for up to **5** properties in any one advert but will need to state their order of preference, successful applicants can only be considered for 1 property at a time. All adverts will carry a deadline by which expressions of interest will need to have been registered. Any expressions received after the closing date for the advert will not be considered.

The Council will offer support and assistance to applicants in making bids and can make bids on their behalf.

## **6.6 Shortlisting**

Once the bidding round has closed properties will be offered to applicants on the basis of highest need:-

- If more than one person bids for a property, it will go to the applicant who matches the criteria for the property in the advertised Band and with the highest degree of need and the longest waiting time.
- Where two or more applicants expressing an interest in a vacant property have equal priority, preference will be given to the applicant who has been on the register the longest.
- Where two or more applicants with exactly the same level of priority and time waiting on the register express an interest in the same property, the allocation will be made to the applicant who expressed an interest first.

Properties will be allocated to the applicant who has the greatest need for the size of property advertised and has waited the longest in each Band.

Landlords will have the right to refuse to allocate properties which are considered unsuitable for an applicant. Reasons for refusal may for example include:

- Medical grounds,
- Where an applicant has bid for an adapted property for which they do not have a need
- Where an applicant poses a risk to the Community or the applicant is at risk in a specific location or property type.

The successful bidder will be notified in writing within a week of the bidding period closing and the application will be validated. The results of each bidding round are available on the Council's website [www.warwickdc.gov.uk](http://www.warwickdc.gov.uk).

A property designated as over 60+ will be determined as low demand if after one advert no successful bids are received. In such cases a direct offer may be made by the relevant landlord on a first come first served basis.

## **7. MEDICAL AND WELFARE NEED FOR HOUSING**

### **7.1 Medical Need**

The Council gives medical priority depending on how unsuitable an applicant's current accommodation is in relation to their medical needs.

A medical condition can include a physical or mental illness, disability or incapacity. The information provided on the Self Assessment Medical form will form the basis of the medical assessment. Verification may be required by writing to a general practitioner, health professional or through a home visit.

Information provided by general practitioners, health professionals and or other agencies will be taken into account but may not result in medical priority being awarded. Each case will be assessed on its individual merits based on independent medical evidence received.

Priority may only be awarded if repairs or adaptations to the property that will ease the medical condition cannot be reasonably carried out or enforced.

Medical Priority will be awarded as follows:

- Band 1 priority is granted in exceptional circumstances, when the applicant or a member of the applicant's household has an immediately life threatening or progressive condition which is seriously affected by their current housing. This would include for example, applicants who are discharged from hospital and their home is totally unsuitable for their needs or those who are completely housebound because of the type of accommodation they live in.
- Band 2 may be awarded when an applicant or a member of the households current housing conditions are having a major adverse affect on their medical condition but whose need to move is less urgent.
- No medical priority will be granted where the affect of housing conditions on health is moderate, slight or variable and there is no material impact on the health of an applicant and the accommodation is suitable for medical needs.
- No priority will be awarded if the applicant is not capable of independent living. These cases will be referred to the relevant Social Services team

Where an applicant is to be rehoused partly or wholly due to a medical assessment, the Council may consider a departure from the Council's Policy restrictions on type, size and location. Where priority is awarded it will only be for a property type that will resolve the housing need. For example, if an applicant is awarded priority for ground floor property because the stairs in their current home present a barrier, then they will only be considered for ground floor properties. They will not be considered for a house unless there are exceptional circumstances.

Home owners who are adequately housed, or whose needs can be met through the sale or adaptation of the property will not be awarded medical priority but will be advised of their options and provided with advice and assistance.

## **7.2 Welfare Need**

Applicants may wish to apply for rehousing on welfare grounds. In such circumstances priority may only be awarded where housing or the domestic situation severely affects the welfare of the applicant. Examples of this may include:

- To give or receive care and support to a family member where no alternative support is available.
- Need for rehousing to avoid hardship to self or others as jointly assessed by the Housing Authority and another relevant professional agency.
- The applicant is living in such insanitary conditions that their health or welfare is severely prejudiced, and there are no remedies available to improve the conditions.
- Where a recommendation is made to transfer existing tenants of the Local Authority or RSLs due to being victims of violence or harassment, racial or other, in accordance with local Policy. Wherever possible appropriate remedies will be taken to resolve the situation rather than move the victim.
- Where children have been identified as vulnerable, following a joint assessment by the Housing Authority and Children, Families and Young People Services, and settled accommodation is essential.

## **8. EXTRAORDINARY CASES**

An applicant may be considered for Extraordinary Case Priority if they have:-

- An urgent and immediate need for housing, the circumstances of which are unusual and are not covered by the Allocation Scheme.

Priority will only be given if the housing need/s cannot be resolved, or cannot be resolved quickly enough through the main Housing Register.

## **9. NOMINATION AGREEMENTS WITH SUPPORTED ACCOMMODATION PROVIDERS**

Referral arrangements are agreed with the individual Supported Accommodation Providers for applicants leaving their accommodation. The Housing Advice Team will award priority if they are satisfied that the applicant is ready and able to live independently and a move on package is in place.

The Council's referral arrangements are with the following Providers with Supported accommodation in the district:-

- Mayday Trust
- Chapter1
- Salvation Army
- Fry Housing Trust
- South Warwickshire Plato Trust
- Orbit (YHP)

## **10. SPECIAL AGENCY REFERRAL**

Referrals may also be received from:

- Warwickshire County Council Adult Health and Community Services and Children, Young People and Families Services
- Probation (no more than 5 a year)

Referrals will be made under agreements with the Departments concerned and applicants must generally meet the eligibility criteria. Children's Act responsibilities are also considered.

Examples of the groups of applicants who may be assisted under this arrangement are:

- Young People Leaving Care.
- Applicants with Mental Health issues.
- Applicants with Learning Disabilities.
- Referrals from Probation.

## **11. MULTI AGENCY PUBLIC PROTECTION ARRANGEMENTS (MAPPA)**

MAPPA meetings are required by law. The Housing Strategy Service representative attends monthly meetings where multi agency information is shared in relation to the housing of high risk offenders. High risk offenders are able to apply to join the register and 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. Warwick District Council 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.

In some instances, depending on the nature and merits of an individual case, a direct offer of accommodation may be made to a high risk offender rather than a let through the HomeChoice Allocation Scheme.

## **12. MANAGEMENT LETS**

In some very urgent circumstances the Council and RPs may reserve a property before it is advertised to offer it as a Management Let. Examples of such cases include:

- To provide emergency interim or temporary accommodation following a fire or flood.
- To provide a decant property for tenants affected by regeneration work.
- An urgent and immediate need for housing, the circumstances of which are unusual in nature and not covered by the Allocations Policy.

## **13. APPEALS AND REVIEWS**

Applicants will be notified in writing of decisions taken on their application.

The notification will give clear grounds for the decision, which are based on the relevant facts of the case.

Under section 167 of the Housing Act 1996, an applicant has the right to request a Review on certain decisions. This right will be made clear in such decision letters.

The following decisions have a right of Review:

- Ineligible applicants due to immigration status or persons from abroad who have failed the habitual residence test;
- Not to accept an applicant on to the Housing Register or give an applicant any preference because of unacceptable behaviour serious enough to make him unsuitable to be a tenant;
- Not to give an applicant any preference because of the financial resources available to him or her;
- Not to make an allocation to an applicant, when it has been considered he or she would not be capable of independent living;

- The suitability of accommodation offered to an applicant in discharge of the Council's duty under the provisions of Part VII of the Housing Act 1996 (Housing the Homeless);
- The outcome of a request for welfare or medical priority.

Any request for a Review must be made within 21 days of the applicant being informed in writing of the Council's decision. The Review will be carried out by one of the following, Housing Advice Liaison Officer, Housing Advice Manager or a Senior Officer not involved in the original decision.

A person will be notified in writing of the outcome of a Review, within 28 days of receiving the request, detailing the reasons for the decision.

## **14. ADAPTED PROPERTIES**

There are a number of properties which have adaptations and are suitable for applicants with disabilities. All adapted properties will be advertised through the HomeChoice Allocation Scheme, however, preference for such accommodation will be given to those people who have the appropriate level of need and clearly require this type of accommodation.

In some cases applicants may have a medical need for ground floor flats, bungalows and disabled persons properties. In such cases their registration details will be amended so they qualify to bid for them.

## **15. OTHER HOUSING OPTIONS**

Warwick District Council is an area of high housing demand and need. In recognition of the extreme pressures on affordable housing in the District and in accordance with Section 166 of the Housing Act 1996, the Council will provide applicants with advice and assistance about a range of housing options available from itself and from partner landlords. Each partner may offer slightly differing schemes as part of their housing options and advice services. These may include the following:

### **15.1 Rent Deposit and Bond Schemes**

The District Council provides homeless households or those threatened with homelessness with the deposit required by landlords to enable them to rent a property in the private sector.

Persons who may be eligible for assistance are those who are:

- Resident within Warwick District.
- Eligible for housing (see Section 5)
- Risk of becoming homeless.

Properties are inspected and safety checks are carried out prior to the tenancy commencing, the minimum period for a tenancy is twelve months.

## **15.2 Low Cost Home Ownership**

The affordable housing on all new developments in the District both Rented and Shared Ownership are advertised through the HomeChoice Allocation Scheme.

Orbit Housing Association are the agents for a number of Help to Buy Schemes in the Warwick District Council area.

For more information on Help to Buy and to view properties available in the West Midlands please visit [www.orbithelptobuy.co.uk](http://www.orbithelptobuy.co.uk).

## **15.3 Under Occupation Incentives**

The Local Authority and RPs offer incentives for under-occupation, if an applicant is interested in participating they would need to contact their respective landlord for further information.

For Council Tenants the following incentives are available for under-occupation:-

A Resettlement Service will be offered to applicants on the Common Housing Register who successfully bid for a specified low demand property advertised under the Homechoice Allocation Scheme.

The Transfer Incentive Grant Scheme is a fixed incentive payment made to Secure Tenants of the Council who transfer from three or four bedroom family-sized general needs accommodation (houses, maisonettes or flats) to one or two bed roomed flats.

## **15.4 Mutual Exchanges**

A Mutual Exchange is where two or more Council or Housing Association tenants swap their homes. It does not involve any property becoming empty. As the Housing Register becomes longer a Mutual Exchange is often the quickest way of moving.

There is a national scheme called Homeswapper which tenants can join free of charge if their Landlord subscribes to the Scheme, otherwise there is a small administration fee. The website address is [www.homeswapper.co.uk](http://www.homeswapper.co.uk).

The landlords consent is required before any Mutual Exchange can take place. Consent will not be unreasonably withheld. The grounds for refusal of consent would be:-

- Exchanges leading to overcrowding and or under occupation of one of the landlord's properties.
- Exchanges where recovery or legal action is being taken against either tenant because of rent arrears or other breaches of tenancy conditions.
- Exchanges to the landlord's special needs accommodation where this is not required by the applicant or a member of his or her household.
- Where the accommodation has been provided under S106 Housing Scheme and the incoming tenant does not qualify.
- Where the tenancy agreement does not permit exchanges between tenants.

## **16. OTHER CHANGES OF TENANCY**

### **16.1 Succession**

If an applicant dies while a tenant, the tenancy will pass to their husband, wife or partner, if they lived with them in the property at the time of the death. If the applicant does not have a spouse or partner, the tenancy may pass to another relative if they had been living with them continuously for the 12 months before their death. This is called 'Succession'.

If the tenancy passes to the applicants spouse or partner, the Council or RP may not move them if they want to stay in the property. If the tenancy passes to another relative and it is larger than they need, the landlord may require them to move to another suitable property.

Tenants should seek advice from their landlord regarding any Succession rights.

### **16.2 Assignments**

Sections 91 and 92 of the Housing Act 1985 set out the circumstances in which a tenant may be able to assign their tenancy.

Whether or not an applicant can assign their tenancy depends on the type of tenancy they have and the suitability of the accommodation the tenant is looking to assign. Tenants should seek advice from their landlord regarding any rights they may have to assign their tenancy.

## **17. LOCAL LETTINGS POLICY**

Local Letting Policies will be considered in addition to the HomeChoice Allocations Scheme for both urban and rural areas to make the best use of new and existing stock and to create sustainable communities. Our Partner landlords may choose to operate a local lettings policy for particular schemes or types of housing, giving preference to specific groups of applicants. Where this is the case, advertising will clearly indicate which applicants will be given preference.

## APPENDIX 1

### PROPERTY SIZE AND LETTINGS GUIDELINES

	Studio Flat/Bedsit	Bedsit Bungalow (Sheltered)	1 Bed Flat or Maisonette	1 Bed Bungalow (Sheltered)	1 Bed House	2 Bed Flat or Maisonette	2 Bed Bungalow (Sheltered)	2 Bed House	3 Bed Flat or Maisonette	3 Bed Bungalow	3 Bed House	4 Bed Flat or Maisonette	4 Bed House	5 Bed House
Single Person	✓		✓		✓	✓								
Partners (Couples)			✓		✓	✓								
2 or more Adults Sharing						✓			✓	✓				
Households with 1 dependent						✓		✓	✓	✓	✓			
Households with 2 dependents (who can share)						✓		✓	✓	✓	✓			
Households with 2 dependents (who need a bedroom each)									✓	✓	✓	✓	✓	
Households with 3 dependents (where 2 dependents can share)									✓	✓	✓	✓	✓	
Households with 3 dependents (who need a bedroom each)									✓	✓	✓	✓	✓	✓
Households with 4 dependents (where dependents can share)									✓	✓	✓	✓	✓	
Households with 4 dependents (where 2 dependents can share)									✓	✓	✓	✓	✓	✓
Households with 4 dependents (who need a bedroom each)									✓	✓	✓	✓	✓	✓
Households with 5+ dependents									✓	✓	✓	✓	✓	✓
Single Person 60+	✓	✓	✓	✓	✓	✓	✓							
Couple 60+			✓	✓	✓	✓	✓							

Under the HomeChoice Policy, a dependent child is classed as under 18 years of age.  
Some properties have age and other restrictions. Please check property adverts for details.