

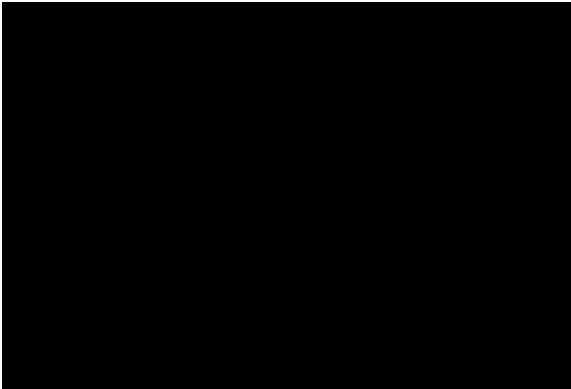
**BRIDGEWATER
HOUSING
ASSOCIATION
LIMITED**

ALLOCATIONS POLICY

Approved by Management Committee
on Wednesday 7 May 2003

Contents

1. Background Information
2. Our Aims
3. Access to the Housing List
 - 3.A. Asylum Seekers
4. Assessing Applications
5. Applicants with Equal Need
6. Suspending Applicants
 - 6.A. Removals and Cancellations of Applications
7. Applicants who Worsen their own Circumstances
8. The Priority Groups
9. House Sizes
10. Confirmation of Housing Need and Disclosure of Information
 - 10.A. Housing Support
11. False and Misleading Information
12. Offers of Housing
13. Future Safeguard – Sheltered Applicants
 - 13.A. Deferred Applications
14. Tenancies
15. Review of Housing List
16. Confidentiality
17. Points
18. Special Cases
19. Homes Cases
20. Choice and Aspiration

- 
21. Homelessness
 22. Mutual Exchanges
 23. Succession to Tenancy
 24. Sub-Letting and Lodgers
 25. Assignations
 26. Other Matters
 27. Appealing a Decision

Allocations Policy	Bridgewater Housing Association Ltd
Approved by Committee 28 April 1999 31 May 2000 9 May 2001 8 May 2002 7 May 2003	Notes: Originally approved by committee on 22/4/98 – PS references B1.1.2.3
Ref: HM1/2003	

1. BACKGROUND INFORMATION

Bridgewater Housing Association is based in Erskine where it owns and manages approximately 800 properties. The Association has been operating in Erskine since April 1998 when it purchased the former Scottish Homes housing in the area.

Bridgewater is run by a Management Committee comprising local tenants, owner occupiers and people with an interest in housing, who decide on the policies which will be operated by the Association. Staff are employed to deliver the housing service and only they will have access to details contained in housing application forms. Members of the Management Committee are not involved in allocating houses or deciding on who gets a house.

2. OUR AIMS

Bridgewater Housing Association aims to provide good quality rented accommodation to those in housing need, at prices that people can afford, while at the same time making best use of the available stock and allocations process to assist in the creation and maintenance of a balanced, stable community. As a locally controlled Housing Association a degree of emphasis will be placed on meeting local housing need. Up to 50% of houses are offered to Renfrewshire Council for nominations, the balance are let to applicants who apply direct to the Association.

3. ACCESS TO THE HOUSING LIST

We maintain an "open" waiting list allowing people to apply and be assessed for housing at any time. Anyone aged 16 years or over may apply and all applicants will be dealt with fairly, without prejudice and in keeping with the Association's Allocations and Equal Opportunities Policies, which confirm that in our dealings with applicants there will be no discrimination on the grounds of sex, marital status, family circumstances, race, ethnic or national origins, disability, age, religion, political or sexual orientation.

3. ASYLUM SEEKERS

Asylum seekers can register on the housing list, however their applications will be suspended until such times as they are granted leave to remain, and their rights to a tenancy are clear.

4. ASSESSING APPLICATIONS

The Association operates a "Groups Plus Points" system for deciding the priority of applicants for available houses. All applications are pointed on a range of housing needs which are listed below.

Section 10 of the Housing (Scotland) Act 2001 requires that in selecting tenants for their houses, RSLs must give reasonable preference –

a) to persons who

- (i) are occupying houses which do not meet the tolerable standard; or
- (ii) are occupying overcrowded houses; or
- (iii) have large families; or
- (iv) are living under unsatisfactory housing conditions; and

b) The 2001 Act also requires that reasonable preference in the allocation of housing must be given by RSLs to homeless people and people threatened with homelessness.

Once applications have been pointed, applications are placed in a group, and a set percentage of lets are made to that group during the year (see 8. below). The Association considers this system to be the best way of giving reasonable preference to applicants in the statutory list; objectively assessing the relative needs of various applicants; whilst at the same time ensuring that certain other client groups have some access to housing too.

All applicants will be accepted onto the waiting list, however applicants will be advised that their prospects for re-housing within a reasonable period of time will be determined by:

- The number of points their application has been awarded in relation to their assessed housing need, and
- The Association's ability to house those applicants in greatest housing need.

In order to enable applicants to a) obtain indicative information on average waiting times for housing, and b) provide staff with clear guidance to best assist customers, the Housing Manager will recommend to Committee a points threshold for each apartment size and for each priority group in April each year. This will reflect the level of need /approximate number of points required (based on historical information) for an applicant to have a realistic

chance of being allocated a house within a reasonable time-scale. This will be considered in conjunction with the annual review of the Allocations Policy. The points threshold for 2003/04 is attached at Appendix 1.

Applicants who have been assessed as having low or no priority will be issued with a letter advising that there is a points threshold below which an applicant is highly unlikely to be made an offer, and that the applicant falls into this category. Advice will be provided on other housing options, where possible. Such applicants will be encouraged to report any change of circumstances so that their application can be reviewed as required.

5. APPLICANTS WITH EQUAL NEED

In cases where two competing applications are equally pointed, the Association will consider:

- Date of application
- Length of time in housing need
- Other options available to the applicants
- Severity of medical, social or special needs.

6. SUSPENDING APPLICANTS

A housing applicant may be suspended where:

- The applicant's needs cannot be met within the Association's present or proposed housing stock profile.
- A previous application was cancelled on the grounds of providing false or misleading information or for withholding relevant information. Further information is supplied at section 11 below.
- An applicant has intentionally worsened his/her own circumstances. Further information is supplied at section 7 below.
- He/she has not pursued an application through the normal process and has attempted to canvass a member(s) of the Association's Management Committee for personal gain.
- He/she has attempted to bribe a member of staff in order to obtain accommodation or preferential treatment.
- A transfer applicant has been served with a Notice of Proceedings relating to a breach of the applicant's tenancy.
- A transfer applicant's rent account is in arrears. Where extenuating circumstances apply, a transfer may be granted subject to the approval of the Director or Housing Manager.
- An applicant is in serious breach of his/her tenancy agreement. 'Anti-social' behaviour and harassment are as defined in the tenancy agreement and in assessing whether to suspend such applicants Bridgewater will take account of the nature, frequency and duration of the conduct; the extent to which the conduct is the consequence of acts or omissions of people other than the tenant; the effect which the conduct is having on other

people; and any other action taken by the landlord to address the conduct.

- An applicant has previously been evicted for anti-social behaviour or has had a decree or an Anti Social Behaviour Order (ASBO) granted against them in relation to a tenancy in the last three years. In such cases, Bridgewater will seek clear evidence, such as Police reports, on current or recent behaviour in order to determine whether the suspension should be lifted.
- Transfer applications will automatically be suspended in the event that a Right to Buy application is submitted by the applicant.
- Where an applicant has outstanding liability, ie rent arrears or service charge arrears, which relates to the tenancy and the amount outstanding is more than one twelfth of the annual amount owing. Applicants will not be suspended where they have made an arrangement to pay off the debt and they have been keeping to that payment for three months or more.
- Where a tenancy related debt other than rent, for example, service charges, rechargeable repairs, non-routine cleaning of a house, costs of clearing an abandoned house and storing furniture, factoring or property management charges, is outstanding. Applications will not be suspended where the recurrent payment or one-off charge is less than or equal to one-twelfth of the annual amount owing. Debts which comprise recurrent and one-off charges will be considered separately. Where the applicant has made an arrangement to pay off the debt and has been keeping to that payment for three months or more, the application will not be suspended. Debts which have been outstanding for more than five years may be disregarded.
- Where an applicant has abandoned a previous tenancy, or an eviction decree was granted, and he/she owes unpaid rent or unpaid costs for repair and furniture removal. In such cases, the amount outstanding will be more than one twelfth of the annual amount payable or the tenant will have agreed payments with his/her landlord for paying the outstanding liability and has made payments in accordance with that arrangement for at least three months, and is continuing to make such payments.

Applicants can appeal a decision to suspend them. Further information is provided in section 27 below on 'appealing a decision'.

6.A REMOVALS AND CANCELLATIONS OF APPLICATIONS

The Association may remove applicants from the housing list in specific circumstances. These include:

- ◆ Where the applicant has requested removal from the register - this will normally be obtained in writing;
- ◆ On the death of the applicant; and
- ◆ The failure of the applicant to respond to the review of the housing list.

7. APPLICANTS WHO WORSEN THEIR OWN CIRCUMSTANCES

Where it has been proven that an applicant has deliberately worsened his/her circumstances, points will not be awarded to take account of these circumstances. For example, if an applicant has deliberately overcrowded his/her accommodation overcrowding points will not be awarded.

8. THE PRIORITY GROUPS

Each year the Association produces a Lettings Plan which sets out the projected number of lets for the year ahead, and how these lets will be spread across the different housing lists or 'Priority Groups' operated by the Association.

A number of priority groups have been established and these are detailed below. To ensure that applicants in each priority group have a realistic chance of being offered accommodation, the Association sets a percentage of lets to each priority group. Following assessment an application will be placed in one of these groups according to the individual circumstances of the applicant. If an applicant qualifies for more than one group, he/she will be placed in the group that gives him/her the highest degree of rehousing priority. Houses that become available for letting are allocated to the person from the top of a group. Although the number of allocations to each priority group will be monitored and reviewed annually, Bridgewater currently allocates on the following basis:

New Applicants	20%
Medical Priority	10%
Transfer Applicants	10%
Renfrewshire Council Nominations	50%
Community Care	5%
HOMES	1%
Link Refugee Project	4%

9. HOUSE SIZES

Normally houses will be allocated on the basis of accommodation needed, in terms of numbers of bedrooms required. However in cases of acute housing need, subject to availability, the Association may consider allocating a property to an applicant, with one or less bedrooms than required. In the event of a let being made, and the applicant re-applying for housing, housing need will be assessed on the basis of the applicants current circumstances, where that is appropriate.

10. CONFIRMATION OF HOUSING NEED AND DISCLOSURE OF INFORMATION

If an applicant is selected for an offer of housing, he/she will be visited by a member of staff. The Association also reserves the right to make enquiries with any third party such as a previous or current landlord, Doctor etc to

check the validity of information disclosed by the applicant. However the applicant's consent will be asked for on the application form.

10.A HOUSING SUPPORT

Where the Association anticipates that an applicant has support needs, we may seek to involve the local authority social work department and/or other organisations involved in support provision at an early stage. Where appropriate, the applicant's family or carer will be involved in the needs assessment.

11. FALSE AND MISLEADING INFORMATION

The applicant will be required to sign a declaration on the application form. Where false or misleading information has been deliberately supplied in order to influence the assessment of housing need, the application will be withdrawn and any subsequent application will not be considered for a period of up to one year. If a tenancy has been granted on the basis of such information, action will be taken by the Association to repossess the property. In any event the Association will notify the Police of a possible criminal offence. Discretion lies with the Housing Manager with regards to the length of the suspension and the applicant will have the right to appeal to the Director in accordance with Section 27 below.

12. OFFERS OF HOUSING

When an offer of housing is made, the applicant will normally have two days in which to accept or reject the offer. The Association will ensure that the offer meets the applicant's housing needs as stated on the application form and as confirmed at the offer visit. If a second offer is rejected, the applicant will be interviewed and his/her stated choices will be reviewed. Where a third offer is refused, the Association may decide that no further offers are to be made for a period of one year, unless a material change to the applicant's housing circumstances has been reported during that time.

13. FUTURE SAFEGUARD – Sheltered Housing

If a Sheltered Housing applicant wishes to place his/her name on our housing list and does have a level of priority for housing within the terms of the Association's Allocations Policy, but does not wish to be made an offer at this time, the Association may agree to suspend the application under the heading Future Safeguard until such times as the applicant wishes to be made offers.

13.A DEFERRED APPLICATIONS

Applications may be received from applicants who are not currently seeking housing, for example, applicants in tied accommodation, prison or the armed forces. Such applications will be admitted to the housing list and classed as deferred applications. In these circumstances the onus lies with the applicant to notify Bridgewater when he or she wishes to be actively considered for housing.

14. TENANCIES

All successful applicants will require to sign a Scottish Secure Tenancy (SST) or Short Scottish Secure Tenancy.

Instead of suspending an applicant, Bridgewater may grant a Short Scottish Secure Tenancy if the applicant has been evicted for anti-social behaviour in the last three years. A Short Scottish Secure Tenancy under these circumstances:

- ◆ Can be for either six months or a year; and
- ◆ Must be provided with support.

15. REVIEW OF HOUSING LIST

The Association will review housing applications for applicants above the threshold on at least an annual basis. Applicants will be contacted in writing to confirm if they wish to remain on the list, or to notify the Association of any changes in their circumstances. The application will be cancelled if the applicant does not respond within the specified time-scale.

Applicants who are below the threshold will have their applications reviewed at least every two years.

16. CONFIDENTIALITY

All information provided by the applicant will be treated as confidential and the Association will ensure that only information relevant to the assessment of the applicant's priority for housing, the affordability of rent levels and equal opportunities will be used.

17. POINTS

Within each priority group applicants will be awarded points to reflect their existing housing circumstances and assessed housing need. Housing will be offered to the applicant with the highest number of points and will be awarded on the following basis:

Overcrowding

Overcrowding points will be awarded using the following criteria:

The number of apartments required by a household is

- Living Room
- 1 bedroom for each applicant and spouse/partner
- 1 bedroom for each 2 persons of the same sex under 12 years old
- 1 bedroom for each 2 children of different sex under 8 years old
- 1 bedroom for any remaining member of the household

Overcrowding points will be calculated on the basis of the number of rooms in an applicant's present accommodation and the number of rooms required. The scale of overcrowding points is

No of Bedrooms In present house	No of bedrooms required				
	1	2	3	4	5
0	10	20	30	40	50
1	0	10	20	30	40
2		0	10	20	30
3			0	10	20
4				0	10

Plus 5 points for each additional apartment required.

If applicants are not householders the number of rooms that they have exclusive use of will be considered. In addition applicants who are living apart will be allocated additional 5 points.

Applicants who live in bed-sits or studios will be pointed as having no bedroom.

Under Occupation

Under Occupation points will be calculated on the basis of the number of rooms in the applicant's present accommodation and the number of rooms required. The number of points awarded for each room surplus to requirements is 5 points.

In order to encourage Bridgewater Housing Association tenants to release under occupied family houses for re-let, the number of points awarded for each bedroom surplus to requirements for Transfer Applicants is 10.

Sharing Facilities

Sharing facilities points are awarded to applicants who do not have their own home and who share someone else's home or live in a hostel sharing the basic amenities. Up to a maximum of 15 points can be awarded however this is restricted to 10 for single persons living with their parents or normal carers. Sharing amenity points will be awarded as follows:

Toilet	5 Points
Bath/Shower	5 Points
Kitchen	5 Points

Lacking Facilities

Lacking facility points are awarded to applicants who own or rent accommodation that does not have the basic facilities. In addition points are

awarded for severe dampness/disrepair. When an applicant indicates that he/she lacks basic facilities, an inspection will be carried out and or a report will be asked for from the Environmental Health Department, (at the request of the applicant), to establish if the facilities are below the tolerable standard. Similar arrangements will apply where the applicant claims dampness. Dampness/disrepair points will be awarded only when one or more room is unusable. Lacking facility points will be awarded as follows:

Inside Toilet	5
Bath/shower	5
Piped hot water	5
Dampness/Disrepair	5 points for each room unusable

Medical points

Medical points are awarded where rehousing would be of benefit to relieve a severe medical problem. In awarding medical points for specific conditions and house types a degree of discretion must be used to take account of individual circumstances.

Medical "A" – 20 Points

Medical A points will be awarded for applicants or members of their family with serious disabilities where rehousing to suitable accommodation is essential because of a severe medical problem. When the medical condition is a physical one, then the award of high priority is reserved for applicants or members of their family with serious disabilities who could not, or could only with great difficulty, enter or be mobile within the house, the building, or local area. When the medical condition is not a physical one, then the award of Medical A priority is reserved for applicants or members of their family with a serious debilitating condition that requires a specific type of housing or amenity.

Medical A cases can only be placed on the queue for housing that is suitable for their medical condition, i.e. Medical A applicants who cannot manage stairs cannot be put on the queue for houses that involve climbing stairs. In allocating housing to Medical A cases account will be taken of the facilities in the house in relation to the specific needs of the applicant, i.e. a house adapted for a wheelchair user will be offered first to any wheelchair users on the queue.

Medical "B" – 10 Points

Medical B points will be awarded for applicants or members of their family where rehousing would be of benefit to relieve a severe medical problem. In these cases applicants would not necessarily be restricted to ground floor accommodation and could be considered for flats and for houses with internal stairs.

Medical points will not be awarded on an "optional" basis to allow an applicant to apply for both suitable and unsuitable housing. The award of

medical points is a recognition that only some house types are suitable for the applicant. Consequently the applicant will not be queued for unsuitable house types.

The award of medical points will be based on a medical submission that can be: (a) completion of the Association's Medical Form, (b) a medical certificate signed by a doctor, (c) a consultant's report.

An assessment for medical points will be carried out by the Housing Assistant in conjunction with the Housing Manager/Director and the appropriate agency.

Further Guidance on the suitability of particular house types for medical cases is given in Appendix 2.

In addition to the award of medical points a further 5 points will be given for each floor level above that required. (If ground floor or ramped access is required and the applicant has steps up to his/her present accommodation, this will be treated as first floor and pointed accordingly).

Aids and HIV

The Association recognises the particular difficulties which people with AIDS and HIV have and the implications for their life expectancy that their living environment can have. Consequently the Association will deal sympathetically and confidentially with applicants who disclose their HIV status to the Association and following the necessary verification checks, the Association will award Medical Priority A status.

Social Points

Social points are awarded to applicants who have a serious social problem and are only considered appropriate when other solutions to the problem are not available or not feasible and where the points system is not able to deal with the problem. There are two broad categories of applicant who are eligible for social points:

Households where there is a serious problem made worse by current living conditions and where rehousing is needed to solve the social problem, and

Applicants who wish to move closer to a relative who is in need or can provide support.

Social Points - 20

Social Points are awarded to applicants where suitable rehousing is felt essential and that if the applicant remains in their current housing situation, it may result in a serious threat to life and limb, mental stability, the stability of the family unit or result in the need for institutional care. It should be noted that this does not necessarily include anti-social behaviour against the applicant.

Social points – 5

An award of 5 social points will be made to applicants where suitable rehousing is felt to be desirable, preferable or of benefit in resolving a problematic situation such as for example someone requiring to give or receive support, etc.

Social points will be awarded only after submission of evidence/corroboration in support of the award from an appropriate agency(ies).

Harassment - 20

The Association recognises that harassment can take many forms, for example, racial and sexual, and has a seriously detrimental effect on the quality of life of the victim and, at its most acute, can be life threatening. Our overriding principle relating to cases where harassment is alleged – and the individual appears to be at risk – is that he/she should in the first instance be believed, however it will also be normal practice for certain checks to be made, eg contacting the Police , agencies which can support/corroborate the allegations if the applicant consents to this. Each case will be dealt with sensitively on its merits.

Prompt action may be required to ensure the safety of the applicant and his/her family therefore reciprocal arrangements with neighbouring Registered Social Landlords and Renfrewshire Council will be pursued in these circumstances.

Tied Housing Points - 20

Tied Housing points will be awarded to applicants who have to vacate tied accommodation due to ill health or retirement. A tied house is one that is allocated as part of a contract of employment and where the condition of employment requires that the employee takes up residence in the tied house. The number of points for someone having to vacate a tied house is 20. Only applicants who live in tied accommodation within Renfrewshire Council area will be eligible for these points.

Armed service personnel who have completed a short term of service will not be awarded tied house points. Long-term service personnel will be awarded points on successful completion of their service.

Insecure Accommodation – 20 points

In order to reflect insecurity of tenure issues for some applicants, Insecure Accommodation points will be awarded under the following circumstances:

- Forced Sale of the “matrimonial home”
- A short assured tenancy in the private rented sector.

Separating Partner Points – 5 Points

In addition to being eligible for Sharing Facilities points, Bridgewater tenants (spouse/Partner) who are separating and who have lived for at least one year in the home as a family/couple, and who can provide proof of their separation, will be entitled to an award of Separating Partner Points. This award will apply equally to same and mixed sex couples.

Fleeing Violence Points - 10

In relation to partners fleeing violence the Association's view is that people have the right to a life without violence or fear of violence and that it is not the victim's fault but the perpetrators. Our overriding principle is that the individual's claims will be believed, however it will also be normal practice for certain checks to be made, e.g. contacting police, if the applicant consents to this. Each situation will be treated as a unique event if that individual has presented with the same problem previously.

Points will be awarded in circumstances where it is probable that continued occupancy of the present home will lead to violence or threats of violence, and it likely that the threats will be carried out, by some other person residing in the home.

Leaving Residential Care – 20

In order to recognise the special circumstances of applicants who may require to leave residential care, for example, those affected by hospital re-provisioning programmes, leaving prison etc and for whom existing group living arrangements cannot adequately be pointed within the Allocations Policy, a separate award of points will be made.

18. SPECIAL CASES

Applicants who have urgent or special housing needs which cannot be adequately be met through the points system may be treated as Special Cases. Such cases will be referred to the Management Committee by the Director if he/she feels that this is appropriate.

19. HOMES CASES

The Homes scheme assists moves for employment and medical/social reasons to and from Renfrewshire to other areas in Scotland, England Wales and Northern Ireland whose Housing Authority takes part in the scheme. Applicants wishing to leave Renfrewshire for employment or medical/social reasons can be nominated to other housing authorities who take part in the scheme and if accepted, will be rehoused under that authority's Allocation Policy.

Applicants who have been nominated to Bridgewater Housing Association by other authorities who take part in the scheme will be assessed against the Association's Allocations Policy housing need priorities.

20. CHOICE AND ASPIRATION

The Association recognises that some applicants may apply for housing on the basis of personal choice or aspiration. Where this occurs and may contribute to the aims of the Association's Allocations Policy and the stability of the community, offers of housing may be considered.

21. HOMELESSNESS

Part 1, section 1-10 of the Housing (Scotland) Act 2001 introduces the provisions on homelessness and housing allocation. The Act places new statutory responsibilities for homeless people on both local authorities and RSLs. In many parts it amends the Housing (Scotland) Act 1987 and gives homeless people a number of important rights. The provision on homelessness includes: a duty on registered social landlords to comply with a request from a local authority for accommodation for a homeless person.

Renfrewshire Council Nominations

Bridgewater Housing Association has negotiated a Nominations Agreement with Renfrewshire Council which allows 50% of Bridgewater lets, net of transfers, to go to nominations from the Council. A total of 25 % of these lets will be offered to people who have been deemed to be statutorily homeless by the Council. The Association will negotiate a protocol/service level agreement which will detail how the Association and the Council will work together to prevent homelessness in Renfrewshire and specifically the Association's contribution to this strategy.

Temporary Emergency Accommodation

Where possible, the Association will offer to provide at least two properties to be used by Renfrewshire Council as temporary furnished accommodation for those people who find themselves homeless and who require urgent temporary accommodation.

Nominations from Women's Aid

The Association's Policy allows for the recognition of relationship breakdown and also incidences of domestic violence. However to support our policy, the Association will allow nominations from Women's Aid to receive priority for housing and will let at least one property per year to a Women's Aid nomination.

22. MUTUAL EXCHANGES

Mutual exchanges occur when two tenants with the approval of the Association agree to exchange houses. This is mentioned in the Scottish Secure Tenancy Agreement. Such exchanges should be actively encouraged as they can relieve pressure on the Transfer List and promote better use of the Association's stock, minimise void loss and void repairs.

Any tenant of the Association can seek to exchange with any other tenant of the Association. Exchanges are not limited to 2 parties and three way exchanges can take place.

If an exchange is proposed involving non-Bridgewater Housing Association tenants, both landlords must agree to the exchange before it can proceed.

Mutual Exchanges will be granted in all cases where this is a reasonable request. There are certain circumstances however, where the Association will not allow applicants to swap homes and these will normally include the following:

- The Association has served a notice on the tenant warning that we may seek eviction on certain grounds because of the tenant's conduct;
- The Association has obtained an order for the tenant's eviction;
- The house was let because of the tenant's employment;
- The house was designed or adapted for persons with special needs and if the exchange was allowed, there would be no person living in the house who required those designs or adaptations;
- The other house is substantially larger than the applicant or his/her family requires or it is not suitable for their needs.
- The proposed change would lead to the criminal offence of overcrowding.
- Both houses have not been maintained to a reasonable condition by the parties who wish to exchange.
- The applicant has not occupied his/her home for at least 12 months.
- The applicant has not maintained a clear rent account for at least 6 months.
- The applicant owes the Association money, for example, for rechargeable repairs.
- The applicant has not conducted his/her tenancy in a satisfactory manner.
- The applicant has or will give or receive any financial or other inducement in connection with this exchange.

In addition the exchange will not normally be approved when the reason for the application is unacceptable to the Association e.g. when there is a significant difference in demand between the two houses involved and one of the parties to the exchange would not otherwise qualify for the house. An exchange will not be granted which involves a property which is designed or has been adapted for an elderly person or disabled person, unless that exchange otherwise complies with the Association's Allocations Policy.

In implementing this part of the policy, applicants for Mutual Exchange will complete the appropriate Application form – Appendix 3. They will be required to declare their intention to occupy their new home for at least one year and generally to sign up to a set of rules – Appendix 4. Applicants will also be required to sign an agreement to exchange tenancies – Appendix 5.

In the event that a transfer takes place and the condition of either house is not as seen originally by the incoming tenant, then the outgoing tenant will be held liable for any repairs.

23. SUCCESSION TO TENANCY

In certain circumstances the Association will allow someone to succeed to a tenancy. The specific rules are contained within the Scottish Secure Tenancy. Under the Scottish Secure Tenancy the tenancy may be inherited by one of the following people in the following way.

Level One

- ◆ The tenant's husband or wife or co-habitee if the house was their only or principal home on the tenant's death; or
- ◆ A joint tenant, if the house was his or her only or principal home on the tenant's death.

In the case of a co-habitee, he or she must also have occupied the house as his/her only or principal home for at least 6 months immediately before the tenant's death. If more than one person qualifies for the tenancy under Level One, they must decide among themselves who should get the tenancy. If they cannot agree, the Association will decide.

Level Two

If no one qualifies at Level One, or a qualified person does not want the tenancy, it may be inherited by a member of the tenant's family as long as:

- ◆ He or she is aged at least 16 at the date of death;
- ◆ The house was his or her only or principal home at the date of death.

If more than one person qualifies for the tenancy under Level Two, they must decide among themselves who should get the tenancy. If they cannot agree, the Association will decide.

Level Three

If no-one qualifies at Level One or Level Two, or a qualified person does not want the tenancy, it will be inherited by a carer as long as:

- ◆ He or she is aged at least 16 at the date of death;
- ◆ The house was his or her only or principal home at the date of death;
- ◆ He or she gave up another only or principal home before the death of the tenant.

If more than one person qualifies for the tenancy under Level Three, they must decide among themselves who should get the tenancy. If they cannot agree, the Association will decide.

If someone qualifies for the tenancy but does not want it, they should tell us in writing within four weeks of the death and leave the house within three months. Rent will be charged only for the period of occupation.

The tenancy can only be inherited twice under the provisions noted above. If the tenancy has already been inherited twice, the third death will normally end the tenancy. This will not happen if there is a surviving joint tenant whose Scottish Secure Tenancy will continue. However, if there is still a person in the house who would otherwise qualify to inherit the tenancy under the above paragraphs, the tenancy will continue for up to 6 months after the last death. The tenancy will not be a Scottish Secure Tenancy for that period.

24. SUB LETTING AND LODGERS

The Association recognises that there may be circumstances when a tenant may wish to sub let his/her property. This will be allowed only with the prior written consent of the Association and permission must be sought in writing. and the sub-tenancy will require to be in written form and acceptable to the Association.

The Association also recognises that tenants may wish to take in lodgers. Again the Association will allow this, only with the prior written consent of the Association. Prior to granting consent the Association will require the Lodger to be provided with a written agreement by the tenant. The terms of this agreement must be acceptable to the Association.

25. ASSIGNATION

The Association recognises that there may be circumstances when a tenant may want to assign his/her tenancy. The tenant must obtain the prior written permission of the Association. The tenant may only assign the tenancy with the prior written consent of the Housing Association, which will not be unreasonably withheld.

26. OTHER MATTERS

Proof

The Association may ask applicants at any time to provide proof to back up their application. It will be normal practice to seek tenancy references before allocating houses to ensure as far as possible that houses are allocated to applicants who will make potentially suitable tenants and neighbours.

Changes of Circumstances

Applicants will be required to inform the Association if their circumstances change and this may materially affect their entitlement to housing under the

Association's Allocations Policy. If an applicant falls into debt with the Association, his/her application may be suspended in accordance with the criteria outlined at section 6 above. The Director has discretion to disregard this rule if it is thought sensible and appropriate to do so.

Joint Tenancies

The Association will generally offer joint tenancies, particularly when it is offering a new tenancy to married couples or cohabiting couples, (single and mixed sex) and where an existing sole tenant wishes to convert to a joint tenancy and the proposed additional tenant meets the qualifying criteria set out in the legislation.

27. APPEALING A DECISION

If an applicant disagrees with any decision regarding his/her application, or wishes to appeal against a suspension, he/she may write to the Director stating clearly the reasons for asking the decision to be reviewed. Once the decision has been reviewed, if the applicant remains dissatisfied, he/she can ask for his/her case to be considered by the Management Committee. The final right of appeal within the Association lies with the Management Committee.