

SECTION THREE

LETTINGS

1 INTRODUCTION AND AIMS

- 1.1 Perthshire Housing Association is a non-profit making organisation. It operates under charitable rules and is registered with Communities Scotland, which provides the majority of funding for building new homes. While the Association has a significant development programme, its stock level remains limited in comparison to the demand for affordable rented housing in Perthshire.
- 1.2 As a result, it is not possible to provide accommodation to everyone who applies to the Association for housing, even where needs may be pressing. We do however, undertake to let accommodation on the basis of housing need alone, accounting for all relevant housing legislation and existing Equal Opportunities requirements. In allocating available properties, the Association will not discriminate against individuals on the grounds of sex or marital status, race, disability, age, sexual orientation, language or social origin, gender, or on the grounds of their religious beliefs, employment status and income.
- 1.3 The Association aims to ensure that people have fair and open access to our housing list and the associated assessment process. We will work with other agencies to maximise and simplify access to our housing. In addition, we will also let our properties in a way that gives reasonable preference to those in greatest housing need; makes best use of our available stock; maximises choice and helps to sustain communities.

2 HOUSING STOCK

- 2.1 The Association has over 1,400 properties in Perthshire located in:

Perth	Town Centre, Letham, Crieff Road, Friarton, Tulloch
Near Perth	Almondbank, Scone, Stanley, Errol, Bridge of Earn, Kinfauns and Crieff
Highland Perthshire	Pitlochry, Aberfeldy, Ballinluig, Grandtully, Glenlyon, Kinloch Rannoch, Dunkeld, Blair Atholl, Bankfoot
East Perthshire	Blairgowrie, Rattray, Coupar Angus, Alyth, Burrelton, Spittalfield

3 BACKGROUND INFORMATION

- 3.1 Anyone aged 16 or over can apply for housing with the Association. To apply for housing to rent, applicants complete the Perthshire and Kinross Housing Register form. By completing this one form, applicants will be added to the register and considered for housing not only by us but also by the Council and Hillcrest Housing Association. Perth and Kinross Council administer the housing register in line with a specific service level agreement and the Association's staff is able to access our waiting list via a computer link.

To decide on priority, we have adopted a "points" system as the most appropriate way of letting our housing stock. Each applicant is awarded points as outlined below depending on their circumstances. When we have a vacancy, the accommodation will normally be offered for let to the applicant with the highest points who has requested housing in the area and requires the size of accommodation available. A few variations to this rule apply and these are outlined in sections 3.2 – 3.11

Nominations

- 3.2 Perth and Kinross Council nominates applicants from its own waiting list for 50% of vacancies for rented housing. A Nomination Agreement developed jointly by the Association and Perth and Kinross Council specifies the arrangements for implementing this policy. The Association in partnership with the Council has also agreed a protocol aimed at ensuring the smooth and effective operation of the legislative duty on the Association, under Section 5 of the Housing (Scotland) Act, 2001, to comply with requests from the local authority to rehouse homeless households. Details of the operational implementation of the Nominations Agreement and the Section 5 Protocol are included in the Association's Lettings Procedures.

Transfers

- 3.3 Any tenant of the Association may apply for a transfer, irrespective of the duration of their tenancy. The level of housing need will be assessed in line with the provisions of Section 4 below. The Association will promote the active use of transfers to as a means of making best use of the housing stock.

Any sharing owner with the Association may apply to be considered for other shared ownership vacancies, irrespective of the duration of their occupancy. Applications will be considered in line with the marketing strategies agreed for individual shared ownership housing developments.

Care in the Community

- 3.4 The Association will continue to participate in the Care in the Community consultation forum and joint assessment and allocations panels. To this end, tenancies identified by this process will be allocated in accordance with the recommendations of the joint assessment and allocations panels that contain representatives of local authority housing and social work services; health authorities; and the Association. Targets for the number of houses to be allocated will be set annually and detailed in the Association's Business Plan. Such referrals will be considered as Council nominations.

Adapted Properties

- 3.5 Where housing is specifically built or adapted for a certain group of applicants, people in these groups will be given first priority. This includes houses built for wheelchair users and older people. For both initial lettings and re-lettings, houses built for wheelchair users will be allocated in accordance with the recommendations of the Physical Disabilities Panel, which contains representatives of housing, social work and health authorities and the Association.

Ground Floor Accommodation

- 3.6 Given the limited availability of ground floor properties within the Association's housing stock, the allocation of these, where possible, will be targeted on waiting list applicants with a medical need for this type of property. Medical need will be assessed in accordance with the provisions of Section 4.8 (Medical) below.

Supported Accommodation

- 3.7 Any specific allocations requirements in relation to supported accommodation projects that the Association is involved in will be reported, progressed and implemented in line with the provisions of Section 2 (Tenancy Arrangements) of the Housing Management Policy.

Furnished Accommodation

- 3.8 The Association will provide additional furnished properties on an annual basis and will target the allocation of these on applicants nominated to the Association by Perth and Kinross Council's Homelessness Service, through the Section 5 referral process. Information on the number of additional furnished properties to be provided will be detailed on an annual basis in the Association's Business Plan, and will mainly reflect the availability of grant funding from Communities Scotland for these. A separate furnishings service charge will be applied for these properties to enable to cyclical replacement of the furnishing items.

Provision of Accommodation to Sex Offenders

- 3.9 The Management of Offenders (Scotland) Act 2005 places a responsibility on all registered social landlords to co-operate with other statutory agencies in providing services to particular individuals, including sex offenders, who may represent a risk to the general public. The Association has a specific Policy on the Provision of Accommodation to Sex Offenders that reflects the provisions of the 2005 Act and the 'National Accommodation Strategy for Sex Offenders in Scotland' (NASSOS) contained within this. This policy will be adhered to in all situations involving the provision of accommodation to sex offenders in the Association's housing stock.

Shared Ownership and Homestake Housing

- 3.10 For all new shared ownership and homestake housing developments the Association will determine individual marketing strategies that will include details of the target allocation group(s). Property allocations will be made in accordance with the target groups approved by the Customer Services Committee. Further information on the allocation of shared ownership properties is detailed in Section 9 (Shared Ownership) of the Housing Management Policy. Further information on the allocation of homestake properties is detailed in the separate Homestake Policy.

Mutual Exchanges

- 3.11 Association tenants can apply for a mutual exchange with another Housing Association or Council tenant. This will normally be granted so long as the other landlord agrees in writing; the properties are of a suitable size and type for both households; both tenancies have been conducted in a satisfactory manner under the terms of respective Tenancy Agreements; both tenants have a satisfactory history of rent, service charge and other tenancy debt payment. In all cases the person(s) becoming Perthshire Housing Association tenants agree(s) to abide by the Association's housing management policies.
- 3.12 As regards the history of rent, service charge and tenancy debt payment this will be assessed in accordance with the criteria detailed in 5.1(c) – (g) below.

Local Lettings Initiatives

- 3.13 The Association may in particular circumstances aim to achieve specifically identified community need objectives through the use of local lettings initiatives. The aim of these generally will be to help contribute to the creation and maintenance of balanced communities in particular localities. There is no single accepted definition of what constitutes a balanced community and the objectives therefore for any proposed local lettings initiative will largely depend on the particular circumstances of the development concerned. Issues, for example, that may influence such initiatives include :

- addressing issues of choice and aspiration amongst people looking for housing
- providing for a range of different levels of need as a means of contributing to community stability
- addressing a range of life and employment experiences rather than an excessive over-concentration of households with particular circumstances
- sustaining local communities and associated social networks

3.14 The introduction of any local lettings initiative within the context of this policy will require the approval of the Association's Customer Services Committee. Also, in designing these schemes due regard will be given to the requirements of the Housing (Scotland) Act, 2001 in relation to housing allocations.

4 POINTS SYSTEM

Points are awarded to applicants under one of the following categories:-

4.1 Points Homeless

Accepted as statutorily homeless by Perth and Kinross Council under the terms of the relevant homeless persons legislation or anyone who is "roofless", sleeping rough or who is staying on an infrequent basis with friends or relatives

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or

4.2 Threatened with Homelessness

Due to become homeless within a 3-month period including:-

- Repossession of home resulting in the threat of homelessness (qualified by section 5.3)
- Private tenancy issued with Notice to Quit
- HM forces personnel leaving the service
- Applicants requiring to leave their present home due to marital or relationship breakdown
- Tenants in tied accommodation whose employment has ended and a notice to quit has been issued
- Property subject to statutory closing / demolition order
- Documentary evidence to confirm the above circumstances will be required.

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or

4.3 Lack of Satisfactory Permanent Housing

Where accommodation is unsatisfactory, shared or tenure is insecure, then points will be awarded for one only of the following sets of circumstances:-

- Hostel or Bed & Breakfast 10
- Applicants in lodgings / sharing with friends or relatives 8
- Caravan 6
- Private tenancy (fixed term or non-secure lease) 4

4.4 In addition to the points awarded in one of the three categories above, any combination of points can also be given for:-

4.5 Sub-Standard Accommodation

Where accommodation is sub-standard or does not meet the tolerable standard the Council's Environmental Health Department can determine the relative degree of disrepair, and allocate points for a range of defects including for example:-

- House not structurally stable
- House substantially affected by rising or penetrating damp
- Inadequate supply of hot and cold water at sink within the house
- No inside WC

The Environmental Health Service allocates points for each individual defect when the assessment is carried out. These will be applied to the application up to a maximum of 10 points.

1 - 10

4.6 Over-Crowding

The standard for assessing overcrowding will be that a bedroom, separate from the living room will be required for (bedsits are excluded from this criteria) :-

- The applicant and their partner
- Single persons without the exclusive use of a bedroom
- Every additional two persons in the household
- Additional person(s) over **5** years of age in the household, other than the applicant and their partner who otherwise would require to share a bedroom with a member of the opposite sex
- Any member of the household who submits a certified medical reason for requiring to sleep in a room alone

For each bed space deficient

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Note:- It is assumed that children will be given first priority for any available bedspaces

4.7 Under-Occupation

	Any applicant wishing to move to smaller accommodation will be given 4 points for each excess bedroom in their existing home	4
4.8	<u>Medical</u>	
	Where moving house will relieve or improve a medical condition as assessed by the District Community Medicine Specialist	
	<ul style="list-style-type: none"> • Very high priority • High priority • Medium priority • Low priority 	<p>10</p> <p>7</p> <p>5</p> <p>2</p>
4.9	<u>Support Reasons</u>	
	Where an applicant has special medical or social reasons to move to or within Perthshire to be near a relative or carer.	
	Documentary evidence will be required to confirm these circumstances.	5
4.10	<u>Harassment and Domestic Abuse</u>	
	The Association views all types of harassment and domestic abuse as serious matters, whether for example the applicant is subject to racial harassment or harassment from a former partner or any other person. Applications in this category will be assessed under the special circumstances and appeals system outlined in section 7. In considering applications, the Association will need to be satisfied that the harassment / domestic abuse is of a serious and persistent nature and that re-housing would solve the problem. Independent supporting evidence of the problems being experienced will be sought, where possible, and 15 points can be awarded in serious cases. Where the applicant is an existing tenant or sharing owner with the Association consideration will be given to the possibility of a management transfer being granted in working to try and resolve the problem. In all instances we will try to assist the victims generally in line with our Harassment Procedures.	
4.11	<u>Waiting Time</u>	
	No priority is given for the length of time on the waiting list although if two applications have the same points, the application received first will have priority.	
4.12	<u>Allocation Targets</u>	
	We aim to achieve the following allocation targets for our rented properties on an annual basis. Our progress in achieving these will be monitored on a regular basis. The figures relate to the percentage of the combined total of new lets and relets over the course of the financial year.	
	<ul style="list-style-type: none"> • Common Housing Register direct applicants and PHA transfers • Nominations from Perth and Kinross Council 	<p>50%</p> <p>50%</p>

The 50% figure for PKC nominations includes a 10% provision of the combined number of lets for Community Care Panel applicants. These are classified as Council nominations as detailed at section 3.5.

5 CONDITIONS

5.1 Access to Housing

When allocating available properties the Association will take no account of the following factors:

- (a) whether an applicant is resident in our operational area
- (b) the length of time for which an applicant has resided in our operational area
- (c) any outstanding liability (such as rent arrears) attributable to a house of which the applicant was not the tenant
- (d) any rent or other arrears accrued by the applicant on a previous tenancy which are no longer outstanding
- (e) rent or service charge arrears outstanding where these amount to no more than a month's charges
- (f) rent or service charge arrears where the applicant has come to an arrangement with the landlord to pay these arrears, has kept to the arrangement for at least three months and is continuing to make these payments
- (g) any outstanding debts (including Council Tax arrears) of the applicant or anyone who it is proposed will reside with the applicant which do not relate to the tenancy of a house
- (h) the age of applicant provided that the applicant is 16 years of age or over
- (i) the income of the applicant and his or her family
- (j) whether and to what value the applicant or any of the applicant's family owns or has owned heritable or moveable property

As regards the age criteria in (h) above this will not apply in the following circumstances:

- houses that have been designed or substantially adapted for occupation by persons of a particular age group
- houses to persons who are, or are to be, in receipt of particular support services

5.2 False Information

The Association expects applicants to provide full, accurate, up to date information regarding their application for housing. Where it is found that fraudulent or false information has been declared, any offer of accommodation that has been made will be withdrawn. If an applicant has already taken up a tenancy on the basis of false information, legal action may be taken for the recovery of possession of their home. Failure to disclose relevant information, including a change in circumstances will be treated in the same fashion. In all cases applicants have a right to appeal against such action, in accordance with Section 7 of this policy.

5.3 Suspensions

The Association, where possible, will obtain tenancy reports from current and previous landlords. In all cases, the Association will investigate the details of these reports and reserves the right, where an unsatisfactory report is obtained, not to offer housing to an applicant. In making such a judgement we will give due consideration to the history of rent and service charge payments and extent of other tenancy related debts, as well as

any documented complaints regarding anti-social behaviour of the applicant or a member of their household.

As regards the rent, service charge and tenancy debt payments, these will be assessed in accordance with the criteria detailed in 5.1(c) – (g) noted above. The existence of any debts not directly related to a previous tenancy, such as mortgage or Council Tax arrears, will not influence our decisions. Furthermore, debts accrued over 5 years ago will generally not be considered when we are deciding on the allocation of a property.

In cases where an offer of housing is withheld because of the applicant's previous tenancy history, they will be advised on the steps that should be taken to allow them to be actively considered for future vacancies. Where this involves tenancy debt arrears, active consideration for housing will be linked to the clearance of, or agreement to clear a debt or reduce it to a certain level. In cases of anti-social behaviour or other tenancy problems, active consideration for housing will involve consideration of any available evidence that highlights changes in the behaviour on which a decision not to allocate an available property was based.

In all cases applicants have a right to appeal against any decision made by the Association not to make an offer of housing, as detailed in Section 7 of this policy.

5.4 Refusals

The Association will at all times aim to accord with the stated wishes of each individual applicant as contained in their application form when allocating available properties. The Association is aware of the importance of promoting applicant choice in housing allocations and will therefore not apply any penalty system where an offer of accommodation is refused.

6 **SIZE OF HOUSE ALLOCATED**

	<u>Number of bedrooms</u>
One person	1
Couple	1 or 2 depending on availability
3 persons	2
4 persons	2 or 3 bedrooms depending on bedroom size
5 persons	3
6 persons	3 or 4 bedrooms depending on bedroom size
7 persons	4 bedrooms
8 persons	4 or 5 bedrooms depending on bedroom size

In terms of sex separation, an additional bedroom will be allocated provided the older child is **5** years of age or over.

Flexibility will be applied in the size of house allocated to reflect specific household circumstances. Reference will be made to the provisions of section 4.6 of this policy in exercising this flexibility.

Where an applicant has overnight access to any children additional bedrooms can be allocated. Documentary evidence confirming the access arrangements, such as a court decision or other legal correspondence, will be required.

7 SPECIAL CIRCUMSTANCES AND APPEALS

- 7.1 A Lettings Policy must be flexible enough to recognise special circumstances that cannot be adequately foreseen in the drafting of the policy.
- 7.2 In cases involving existing tenants with the Association the Chief Executive has delegated authority to approve management transfers where the allocation will not result in a material benefit to the applicant in terms of the property type and size. This will involve detailed consideration of all relevant circumstances and may involve documentary confirmation of these being requested.
- 7.3 In cases of harassment the Chief Executive can award 15 points to waiting list applicants or grant a management transfer to existing Association residents experiencing this problem as outlined at section 4.10 of this policy.
- 7.4 The Chief Executive can also award up to 10 points to take account of special circumstances not covered in our points schedule. Again, this will involve detailed consideration of all relevant circumstances and may involve documentary confirmation of these being requested.
- 7.5 In all other special cases the Association's Chief Executive is empowered to make representation to the Management Board through one of the service committees.
- 7.6 Any person penalised under paragraph 5.2 or 5.3 of this policy may in the first instance appeal to the Association's Chief Executive who will arrange for the Management Board to hear the appeal. The decisions made by the Board on special circumstances and appeals will be final. The applicant, however, can make further representations on any decisions taken by the Board in line with the provisions of the Association's Complaints Policy.

8 PERFORMANCE MONITORING

- 8.1 The Association will monitor progress on allocations issues through the regular reporting of performance information to the Senior Management Team and Customer Services Committee. Targets in relation to allocations activities will be detailed in the Association's annual Business Plan. The implementation of the CHR service will be monitored through regular performance review meetings as detailed in the associated service level agreement. Internal checks on individual housing allocations will also be carried out to ensure compliance with the provisions of this policy.

9 RISK MANAGEMENT

- 9.1 Risk arises from the Association's Lettings Policy in a number of respects:
- high level of void properties resulting in rental loss
 - inappropriate allocations and mutual exchanges resulting in possible ombudsman's enquiries and legal action
 - failure to meet legal and regulatory requirements
- 9.2 Given the importance of the risks identified above it is recognised that the effective management of these is vital. This will be achieved through the cyclical review of the Association's housing management policies and procedures, including lettings, to ensure compliance with all legislative requirements and regulatory and best practice guidance. Appropriate training opportunities will also be made available to members of staff to ensure high standards of service are maintained in the Association's allocations activities.

10 EQUAL OPPORTUNITIES

- 10.1 The Association through the Lettings Policy will act to provide all services in a manner that encourages equal opportunities and complies with all relevant equal opportunities requirements. The Association's Equalities Policy provides further information on these and the Association's approach to equalities issues.

11 FINANCIAL RISK

- 11.1 Provision has been made in the Association's budgets for rent loss resulting from void properties. Re-letting and voids performance is a key service area that is subject to detailed monitoring and regular reporting to the Customer Services Committee.

Section reviewed March 2002

Section reviewed September 2002

Section reviewed December, 2004

Section reviewed – May, 2007 – Garry Savage, Housing Services Director

Next review – May, 2009