

# Tenants First Housing Co-operative

## Allocations Policy

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## **1.0 Aims**

Tenants First Housing Co-operative (hereafter referred to as the Co-operative) is a fully mutual Co-operative that owns rented properties in Aberdeen, Aberdeenshire and Angus. Approximately 10% of the properties become vacant each year and are allocated by the terms of the Co-operative's Allocation Policy. Details of stock can be found at Appendix Three.

The Co-operative's Allocation Policy aims to provide good quality affordable housing for those in housing need using a fair and accessible system that does not discriminate or exclude individuals, while ensuring the needs and aspirations of the community are addressed.

In order to achieve the aim of the Allocation Policy, it is based on principles set out in the Raising Standards in Housing (A Good Practice Guidance Manual SFHA 2004) and Performance Standards for Social Landlords and Homelessness Functions – COSLA, Communities Scotland and SFHA, 2001.

These principles are as follows:

### **Housing Need**

The Co-operative will prioritise allocations of property to people with high levels of housing need, and/or support need where appropriate, without discriminatory restrictions. By housing need we mean that any person over the age of 16 can apply for housing with the Co-operative and if that person has a housing need their level of need will be prioritised according to criteria set in the 'Definition of Categories and Priorities' – Appendix One.

### **Choice and Empowerment**

The Co-operative aims through the provision of good information and advice to give applicants the ability to make informed choices about their housing options and to reduce complexity and bureaucracy where ever possible.

### **Accountability**

The Co-operative aims to be accountable to its members and to the communities it works within for the Allocations Policy and processes.

### **Sustainable Communities**

The Co-operative aims to make best use of its available stock and use the allocations process and information from analysis of data recorded to assist in the creation and maintenance of communities where people want to live and remain.

### **Partnership**

The Co-operative will aim to work in partnership with other bodies and other organisations e.g. Combined Housing Registers, local authorities or other Registered Housing Landlords (RSLs) to identify and alleviate housing need.

### **Equality of Opportunity**

In the provision of housing services and employment of staff the Co-operative will seek to ensure equality of opportunity and treatment for all persons.

### **The Role of Governing Body Members**

The Co-operative's governing body members will not be involved in the day to day operation of the allocations process but will be involved in the setting, reviewing and agreeing of the Allocations Policy, considering appeals and special cases, and the monitoring of outcomes of the Policy.

### **Customer Service and Audit Trails**

The Co-operative will maintain clear audit trails to show how and why allocations of properties have been made to particular households, whilst having due regard to data protection legislation. The Co-operative will aim to ensure that its overall allocations process is transparent to outside agencies and to people whose applications for housing are unsuccessful. Open communication will be observed with applicants at all stages of the allocations process from the initial enquiry onwards.

### **Monitoring and Review**

The Co-operative will ensure that the results of the allocations process will be regularly monitored, reported and acted upon as part of an ongoing review process.

The Co-operative will distribute its Allocations Policy to appropriate agencies and bodies such as local authorities.

## **2.0 Objectives**

The Allocations Policy links with the following objectives contained in the Co-operatives Internal Management Plan:

- 1g) to train and develop staff to full potential and maximise use of all other resources
- 1h) to ensure sustainability in provision, management and maintenance of the housing stock
- 1i) to provide and maintain properties to meet identified need
- 2c) to encourage the realisation of the Co-operative ethos

## **3.0 Allocations Policy and Associated Issues**

### **3.1 Access to the Co-operative's Housing**

There are no restrictions in the Housing (Scotland) Act 1987 as amended by the 2001 Act on the grounds of nationality, residence and/or immigration status to any individual or household making an application to the Co-operative. All applicants on a housing list are entitled to an assessment of housing need.

**As there are no restrictions in law in people subject to immigration control accessing housing association tenancies** the Co-operative has no requirement to make enquiries about immigration status when accepting someone onto the housing list. Any person(s) who has attained the age of 16 may apply to the Co-operative for housing via Homehunt North East Scotland (*homehunt*<sup>®</sup> NES).

### **3.2 Information and Advice**

The Co-operative will provide applicants and potential applicants with comprehensive information and advice in relation to housing options, opportunity for housing with the Co-operative, the method of assessment of housing need and allocation of property and all other issues associated with applications for housing.

### **3.3 Balanced Communities and Promoting Choice**

The Co-operative recognises that it plays an important role within the communities in which it has properties. It believes that choice based lettings empower applicants and promotes the concept of choice in the housing options open to them.

The Co-operative believes that the choice based lettings system encourages the development of social and family networks by recognising the need for applicants to move into an area for work or support reasons.

The Co-operative is also sensitive to how the Allocation Policy continues to impact upon the communities in which it operates. Thus analysis of allocations will be carried out as necessary if concerns arise that there is an over-concentration of households in one area with high levels of vulnerability or dependency which is putting at risk the stability of the community.

### **3.4 Method of Allocation**

*homehunt*<sup>®</sup> NES is the organisation which has been set up jointly with Castlehill Housing Association to manage access to, and allocation of, its properties via a choice based lettings system.

Properties will be allocated on the following principles in the following order:

- Best Use \*
- Level of Priority Pass
- Length of time in housing need

\*Best use is normally applied where applicants make best use of the bedrooms available or the attributes (such as disabled adaptations) of a property. Because of the shortage of one-bedroom properties within the Co-operative's stock, applicants who qualify for properties that have been adapted for disabled use or who qualify for ground floor properties on medical grounds can be offered a property that is one bedroom larger than their housing need.

### **3.5 Summary of how the Co-operative house applicants via choice based lettings.**

#### *Registration Lists*

All applicants will complete a short registration form and be placed on the registration list. A registration reference number will be issued to each applicant.

#### *Housing Need Priority Pass*

For the Co-operative to follow the principle of housing people in housing need, it assesses need based upon statutory guidelines and good practice for the following categories:

- Housing Circumstances
- Medical
- Overcrowding/Under occupation
- Personal Circumstances
- Lacking Facilities

Applicants with an identified housing need will need to complete a priority pass application form in one or more of the above categories. Dependant on the applicant's circumstances they may be given a Gold, Silver or Bronze award. If an applicant is assessed as having no housing need they will not be given any priority need award. Appendix One lists the priority pass bandings and the circumstances under which they will be awarded.

### **3.6 Allocating Accommodation to Homeless Applicants**

The Scottish Government has set a target of eradicating homelessness by 2012. In working towards this goal, on 1 April 2008, Aberdeen City and Aberdeenshire Council abolished the priority need assessment for applicants aged 18 - 26 years old.

The Co-operative recognises it has a duty to house homeless people and works in partnership with local authorities to achieve the 2012 target in the following ways:-

- By awarding applicants aged 16 – 26 years old assessed as statutory unintentionally homeless the highest priority pass award
- By awarding applicants aged 27 years old and above assessed as statutory unintentionally homeless and in priority need the highest priority pass award
- By operating within the remit and targets set in the Choice Based Lettings Protocols with Aberdeen City and Aberdeenshire Councils, which includes obligations relating to Section 5 homeless referrals
- By providing information requested from a local authority in respect of its housing stock
- By liaising with local authorities to monitor, review and contribute to homeless allocations and strategies aimed at housing homeless people in the areas in which the Co-operative operates

### **3.7 Sheltered Housing**

Anyone who has a medical need for sheltered housing can complete the medical priority pass application form. Applicants will also need to be assessed for housing support to ensure that they are eligible for sheltered housing and receive the required funding from their local authority. Sheltered housing properties will be restricted to those who qualify for this category and who are 60 years old or over although discretion will be given to applicants under 60 years of age where they have a specific medical need for sheltered housing and have the necessary housing support funding in place.

### **3.8 Applicants with Custody of Children**

Applicants who share custody of their children for three nights or more will qualify for additional bedrooms to accommodate their children within the definitions set for bedroom occupancy.

### **3.9 Market Rent Properties**

Market rent properties will be allocated on date of registration rather than considering levels of need or best use. The affordability of the rent to the applicant and the requirement to create a sustainable community will also influence the allocation process. Whilst acknowledging that allocation criteria for market rent properties is significantly different from those of its social rented stock, the Co-operative remains committed to the key principles described in Section 1.0, in the allocation and management of its stock.

### **3.10 Nominations and Targets**

A Choice Based Lettings Protocol is in operation with Aberdeen City Council and Aberdeenshire Council. The Co-operative will aim to allocate 25% of its vacancies to statutory homeless applicants and in doing so fulfil its obligations in respect of Section 5 referrals.

A standard Nominations Agreement is in operation with Moray Council.

There is no Nomination Agreement with Angus Council as the properties in Arbroath are let as market rent,

The Co-operative will monitor applicants on its registration list and allocation of its properties and will analyse the information received to establish emerging trends and other issues identified to improve the service it provides.

### **3.11 Factors Affecting Allocation Outcomes**

#### *Outstanding Monies Due*

In accordance with Section 10 of the Housing (Scotland) Act 2001, where an applicant has any monies outstanding to the value of one month's rent or more from a current or a previous tenancy, a repayment agreement will require to be in place with the current or previous landlord and maintained for a minimum of the three successive months preceding the allocation. In the case of existing members of the Co-operative the same criteria will apply providing that the repayment agreement is on a basis which is entirely satisfactory to the Co-operative in terms of recovery of the debt.

#### *Anti Social Behaviour*

Where an applicant has been evicted or has had an Anti Social Behaviour Order or an Interim Anti Social Behaviour Order granted against them in the preceding three years, the Co-operative will offer a Short Scottish Secure Tenancy with support such as that offered by the ASSIST project.

#### *Removal of Applicants from Registration List*

Applicants may only be removed from the Registration List under the following circumstances:

- The applicant has requested removal
- The death of the applicant
- Where the applicant has failed to respond to the annual review of the registration list
- If correspondence sent is returned by post e.g. 'addressee gone away'

#### *Restricted Lets*

**Some properties are subject to restricted lets due to their size. Currently the Co-operative has restricted lets for the following properties:-**

- **Wilson Court, Port Elphinstone, Inverurie**

#### *Registrations put 'On Hold'*

Applicants may request that their applications be put on hold if they wish to do so. They will be asked to define a specific length of time for this but may request their application be made live again within that period.

Applicants who change their address after they have been registered will need to complete a new registration form. A change of address may also require

the applicant to complete new priority pass forms in relation to their housing need. During this process applications will be put 'on hold' until the new registration form has been logged into the system.

### **Six-month bidding exclusion**

The Co-operative will accept applicants onto the Registration List but may exclude them from bidding for, or being offered, accommodation for a **six month** period under the following circumstances:

- Where any form of legal or court action has been commenced against an applicant or an individual forming part of the application under the terms of the Housing (Scotland) Act 2001 or the Anti Social Behaviour (Scotland) Act 2004.
- Where the applicant does not meet the criteria stated above regarding outstanding monies
- A Sex Offender, where the applicant has refused permission for a risk assessment to be carried out in order to identify suitable housing
- The applicant has refused the offer of property on three occasions and their reasons for refusal do not comply with the remit for accepted refusals

### **Two-year bidding exclusion**

The Co-operative will accept applicants onto the registration list but may exclude them from bidding for, or being offered, accommodation for a **two year** period under the following circumstances:

- Threatening or abusive behaviour towards Co-operative staff
- Where an applicant has been found to have given false or misleading information about their circumstances and this has led to the applicant attracting higher priority for housing than was due.
- Where an applicant has been found to have deliberately worsened their living circumstances in order to attract higher priority for housing.

In each of the above circumstances the applicant will be advised of the length of time their application will be put on hold, the reasons for this and will be made aware of their ability to remedy the situation in writing. Applications put on hold will be reviewed every six months or sooner if the applicant advises of a change of circumstances.

Applicants will be given the opportunity to appeal against the decision to put their applications 'on hold' by using the Co-operative's Complaints Policy.

## **3.12 Excluded Properties**

In order to meet current objectives and maximise best use of stock, it will be necessary under specific circumstances to exclude some vacant properties from being re-let through the normal allocation process. Below is a summary of circumstances under which this will happen.

*Referrals:*

Tenants First will consider referrals from other agencies if it is found that it can provide accommodation for the specialised needs of individuals. In such cases the Allocation Policy may not apply.

*Special Supported Housing (excluding Sheltered Housing):*

Tenants First provides a variety of specialist housing for people with particular support needs.. Because of the specific character of this category of housing, these properties will not be available for relet through the normal allocation policy principles

*Moray:*

Currently Tenants First owns no properties within the boundaries of the local authority of Moray but has a Nomination Agreement in place with Moray Council for future developments. .

*Stock Sustainability*

Tenants First recognises that it has a duty to make best use of its housing stock. Where tenants who under-occupy properties meet the stock sustainability remit, it will be necessary to exclude the property identified that better suits their housing need from being relet through the normal Allocations Policy. For example, if a tenant is under-occupying a four-bedroom house and would be better suited to a two-bedroom property, the next appropriate two-bedroom property that becomes empty would be offered to the tenant, outwith the normal allocations remit. The four-bedroom property that would subsequently become empty would then be let through the Allocation Policy as normal.

*Decants/Demolitions:*

If existing or potential tenants require to be re-housed if major works are required to their properties it may be necessary to decant the tenant to another property within Tenants First's ownership. Properties required to house decanted tenants would thus be excluded from the normal allocations process.

*New Build:*

On some occasions it may be necessary to exclude new build properties from the normal allocation process. For example, if the local authority has 100% nomination rights to the properties available for let, or where the requirement to create a balanced community exists to ensure that there is not an over concentration of one particular tenant group in one area.

*Mutual Exchanges:*

Properties that are involved in mutual exchange between tenants will not be advertised because the property does not theoretically become empty. However mutual exchanges will be promoted by Tenants First as a housing option for tenants of a registered social landlord or local authority who may not have a high level, or any, housing need priority.

*Garages*

Garages will be let using a separate waiting list and therefore will not be advertised when they become vacant. Those applicants on the waiting list will be contacted directly to establish their interest in renting the garage.

### **3.13 Allocating a Property where No or Unsuitable Bids Received**

Minimising rent loss and re-letting properties quickly is the Co-operative's main priority when managing empty houses.

Where a property has no suitable bids, e.g. person under 60 applies for sheltered housing and does not have a sheltered housing need, or where the property has not received any bids, the Co-operative can offer the property to an applicant after the closing date, without the need to re-advertise the property. For example, if a registered applicant did not bid for a specific empty property at the time it was advertised, and where no bids or suitable bids were identified for that property, an applicant can apply for, and be allocated, the property without the need for it to be re-advertised a second time.

### **3.14 Sensitive Allocations**

The Co-operative's aim is to offer safe and secure housing to its members so that they can live in peace within their own environment.

It may be necessary on occasions for the Co-operative to by-pass an applicant who has successfully bid for a property. An example of when this may happen is where an applicant is known to have substance abuse issues and the empty property they have successfully bid for is situated next to or close by a member who has learning disabilities or severe mental health difficulties. In these circumstances it would be considered good practice to by-pass the applicant and offer the property to the next person on the shortlist.

### **3.15 Long Term Voids/Low Demand Properties**

In situations where the Co-operative has a property that has not been let within four weeks and where no other circumstances are involved, the property is classed as a 'long term void'.

Properties that take longer than seventeen weeks to let /or have no waiting list are classed as low demand. Where such properties are identified the Co-operative will investigate the cause (s) and set clear objectives to increase demand.

### **3.16 Membership of the Co-operative**

Only applicants who have been approved membership of the Co-operative will be allocated a Co-operative property.

Membership of the Co-operative gives members the right to participate in the running of the Co-operative in a range of ways such as the right to be elected to the local Tenant Management Board, Sub Committees and Committee of Management and the right to participate in member consultation via mediums such as Focus Groups or the Tenant Panel as per the Co-operative's Tenant Participation Strategy.

Once an applicant has been identified for a vacant property the Membership Policy is followed.

### **3.17 Housing Support**

The Co-operative recognises that when allocating housing it must take into account the legislation relating to housing support. This will require the development of appropriate support packages, the details, provision and funding of which must be written into the Scottish Secure Tenancy Agreement. Appendix Four provides details of the supported housing properties it manages.

### **3.18 Stock Sustainability**

The Co-operative recognises that it has a duty to make best use of its housing stock whilst ensuring that households in difficult circumstances can access properties that best match their housing need. As the Co-operative does not have a large number of four and five bedroom properties in its ownership its ability to be flexible in its approach in transferring members internally, within the framework of the approved Allocations Policy, ensures that its objective in making 'best use' of stock is achieved.

Where the Co-operative has identified a three, four or five bedroom property that is under-occupied, the Co-operative's will transfer members to a property more suited to their housing needs through the use of its Stock Sustainability Strategy.

### **3.19 Referral Agencies**

The Co-operative is committed to supporting its members sustain their tenancy for as long as they require it and is involved in several joint and partnership working with other agencies on projects that provide support. The projects the Co-operative is involved in are:

- ASSIST  
This is a joint project with Grampian Housing Association which provides support to members deemed vulnerable to help sustain their tenancy in the long term. Staff from the project provide guidance and assistance to those members referred to the service.
- SMART

This is a partnership arrangement with Grampian and Castlehill Housing Association. Members who are experiencing financial difficulties in maintaining their tenancy can be referred to the Financial Inclusion Officer for help and advice.

- Furniture Project  
This project is a partnership arrangement with Grampian and Castlehill Housing Association. New and current members have access to either a full or part package that allows them to furnish their home at an affordable cost. This service is provided on a referral basis and is managed by Instant Neighbour.

The Co-operative is also involved with supporting vulnerable applicants secure accommodation in the social rented sector. The Agencies that the Co-operative is involved with are:

- Betterways  
This is a group of agencies from a housing and social work background who meet quarterly to consider applications from young people leaving care make a seamless transition of moving from care into mainstream housing with or without support.
- Next Stage  
This group is similar to Betterways but Next Stage is geared more towards providing help for older applicants with mental health issues. This group also meets quarterly

### **3.20 Homeswapper**

Homeswapper is a national database that holds information on tenants of Registered Social Landlords and local authorities who would like to exchange their tenancy with another tenant. This is better known as a 'mutual exchange'. The Co-operative currently does not participate in this scheme but for a small monthly fee people can access the Homeswapper website directly.

### **3.21 Sex Offenders**

From 1 April 2007, in relation to the Management of Offenders etc. (Scotland) Act 2005, it will be the legal duty of the Co-operative to co-operate with the responsible authorities (a responsible authority can be the police, prison service, social work, council housing offices) in assessing and managing the risk posed by sex offenders. The duty to co-operate is reciprocal.

Responsible authorities must establish joint arrangements for assessing and managing the risks posed by sex offenders. The arrangements, known as the Multi Agency Public Protection Arrangements (MAPPAs) will increase the emphasis on information sharing and practical management of the risks posed by sex offenders.

The Co-operative is committed to working within the Scottish Government's National Accommodation Strategy for Sex Offenders (NASSO) framework, a strategy set up, with the overall objective, to improve public protection by the adoption of a consistent approach to assessment and management of risk and to ensure that appropriate resources are allocated to the management of offenders.

The Co-operative recognises the need to efficiently manage the information it holds on members and applicants identified as sex offenders. It will ensure that all information held on sex offenders is categorised as confidential and held securely within the conditions set out in the Co-operative's Restricted Contact Policy and procedures.

### **Definition of the word "co-operate"**

Sex Offenders - Section 1(2) of the 2005 Act defines "co-operate" to *include the exchange of information*.

### **3.22 People from Black and Ethnic Minorities, Migrant Workers and Lesbian, Gay, Bisexual and Transgender People**

There are no restrictions in the Housing (Scotland) Act 1987 as amended by the 2001 Act on the grounds of nationality, residence and/or immigration status to any individual or household making an application to a housing co-operative. The Co-operative therefore has no requirement to make enquiries about immigration status when accepting someone onto their registration list and is not restricted legally to allocating housing on the basis of a person's immigration status.

To ensure people from ethnic minorities' migrant workers and lesbian, gay, bisexual and transgender (LGBT) people have equal access to its Registration List; the Co-operative will pro-actively promote itself and aim to make information comprehensive and accessible. The Co-operative also recognises that its Allocation Policy has to be sensitive to housing issues surrounding ethnic minorities, migrant workers and LGBT people, for example, harassment and isolation from social and religious networks.

### **3.23 Refugees and Asylum Seekers**

When an asylum seeker receives Refugee Status or another form of leave to remain in the UK, their entitlement to financial support ends. They may have to move out of the accommodation they occupied as an asylum seeker within 28 days. As the Co-operative has no requirement to ask applicants about their immigration status it will accept applications from applicants with with Refugee Status.

### **3.24 People with Support Needs**

The Co-operative aims to avoid discrimination against people with support needs. Thus in the case where individuals with support needs apply to the Co-operative for housing, with no existing support in place, efforts will be made wherever possible to contact appropriate support agencies, subject to the individual's consent

### **3.25 People with Physical Disabilities**

In general, the Co-operative's ability to respond to the housing needs of applicants with physical disabilities will be defined by the availability of suitable stock and demand for properties that require special adaptations.

The Co-operative will keep a comprehensive database of all its properties and their features to ensure applicants are provided with accurate advice.

Consideration will also be given to carrying out adaptations in properties in order to meet the applicants' needs provided funding is made available.

In the case where the Co-operative is unable to provide appropriate housing, advice will be offered on other housing options with housing providers who have specialised housing stock and the existence of the Disabled Persons Housing Service (DPHS).

### **3.26 Garages**

The Co-operative owns rented garages in Aberdeenshire and Angus. The Co-operative's policy aim is to provide good quality rented garages. Applicants' details will be kept on a separate waiting list and the garages will be allocated in date order of application with priority given in the order listed below:-

1. member with the Co-operative who lives within the immediate locality of the garage
2. member of the Co-operative who lives outwith the immediate locality of the garage
3. private resident who lives in the immediate locality of the garage
4. private resident who lives outwith the immediate locality of the garage
5. any other person – example, shop owner

Members of garages will be issued with a short assured tenancy agreement.

### **3.27 Complaints Policy**

All applicants will have the right to make a formal complaint or appeal against any decision taken during the application process or on any aspect of the

homehunt<sup>®</sup> NES service they have received, using the Co-operative's Complaints Policy and procedure.

### **3.28 Schedule 7 of the Housing Scotland Act (2001)**

The Co-operative may grant a tenancy to employees, Committee Members, former Committee Members and close relatives of the aforementioned but only where the application has been processed and meets the following requirements.

- The allocation fully meets the Co-operative's published allocations criteria.
- The person has had no involvement in or influence over the process by which the Co-operative allocated the tenancy in question
- The allocation has been specifically agreed at a full meeting of the Co-operative's Committee of Management excluding any members who have a declared interest.
- The membership approval request has not been signed by a person who is related to the applicant(s)

## **4.0 Training**

The Co-operative through its Internal Management Plan is committed to training and developing staff and its committee members to their full potential in order to deliver a high quality of service in all areas of its business to tenant members, applicants and to the public.

## **5.0 Equal Opportunities**

The Co-operative will ensure that in implementing this Policy it will not unfairly discriminate against any individual, household or group on the grounds of gender, gender identity or marital status, on race grounds, or on the grounds of disability, age, sexual orientation, language or social origin, other personal attributes, including beliefs or opinions such as religious beliefs or political opinions.

The Co-operative will ensure that its Allocations Policy is made available in alternative formats on request such as large type face, Braille, alternative languages etc. and that it has access to interpretation services as required.

## **6.0 Monitoring and Reporting**

Reports will be prepared quarterly, or more frequently if request, for the Housing Management Sub Committee to assist in monitoring the allocations process. The Key Policy Issue Agreement, Appendix Two, provides details of the information reported on.

## **7.0 Review**

The Co-operative will carry out an annual review of its Allocations Policy to ensure that it reflects all legislative and good practice obligations. Every third year it will carry out a major review which will include consultation with members in this process.

The Registration List will also be reviewed annually and applicants written to, to establish if applicants wish to remain on the List for housing. This exercise also provides the opportunity for verification of the information that is held about an applicant.

## **8.0 The Legal Framework**

- Housing (Scotland) Act 1987
- Housing (Scotland) Act 2001
- Anti Social Behaviour (Scotland) Act 2004
- Control of Payments and Benefits: Schedule 7 of the Housing (Scotland) Act 2001
- Data Protection Act 1998
- Race Relations Act 1976 - Racial Discrimination and Equal Opportunity
- Matrimonial Homes (Family Protection) (Scotland) Act 1981
- Sex Discrimination Act 1975
- Disability Discrimination Act 1995
- Industrial and Provident Societies Act 1965
- Human Rights Act 1998
- Homelessness (Scotland Act) 2003

## **9.0 References**

- Raising Standards in Housing – A Good Practice Guidance Manual SFHA 2004
- Performance Standards for Social Landlords and Homelessness Functions
- Self Assessment for Registered Social Landlords

## **10.0 Related Policies and Documents**

- Membership Policy
- Void Policy
- The nomination agreement with Aberdeen City Council and Aberdeenshire Council
- The Equal Opportunities Policy
- Policy on Payments and Benefits to Members, Employees, and their close Relatives (Schedule 7 Part1 of Housing (Scotland) Act 2001
- The Policy Consultation Strategy

- Internal Management Plan
- Complaints Policy

## Appendix One

### Definition of Categories and Priorities

#### HOUSING CIRCUMSTANCES CATEGORY

**Definition**

Housing circumstances categories exist to recognise an applicant's current housing situation and the degree to which they can be considered secure or otherwise.

Homelessness

- Statutory Homeless (including residence in Statutory Homeless Hostel)

**Proof will be required from relevant local authority regarding homelessness status e.g. letter from local authority.**

*People who claim to be 'roofless', 'sleeping rough' or 'no fixed abode' should be encouraged to present themselves as homeless to their local authority, as no Gold priority award will be given without relevant verification.*

Impending Homelessness

Where **56 days notice or less** has been given to vacate current accommodation as defined below:

- In Care
- Lodgings
- Privately rented accommodation
- Bed and Breakfast, Boarding House or Hotel
- Owner Occupation (only where sale necessary)
- Short stay hostel
- Refuge
- Tied Accommodation
- HM Forces with confirmed leaving date

Priority			Definition
Gold	6 Month Time Limit	We area limit and feature limit	Statutorily Homeless
Silver	No Time Limit	No area or property feature limits	Impending Homelessness

## LACKING FACILITIES CATEGORY

### Definition

The Housing (Scotland) Acts 1987 and 2001 defines when accommodation should be considered to meet reasonable standards. This has been used in this category and states that housing is below reasonable standard if it fails to meet the following:

- Is structurally stable
- Is substantially free from rising or penetrating damp
- Has satisfactory provision for natural and artificial lighting, for ventilation or heating
- Has an adequate piped supply of wholesome water available within the house
- Has a sink provided with a satisfactory supply of both hot and cold water within the house
- Has a water closet available for the exclusive use of the occupants of the house and suitably located within the house
- Has a fixed bath or shower and a wash hand basin for the exclusive use of the occupants of the house, each provided with a satisfactory supply of both hot and cold water and suitably located within the house
- Has an effective system for the drainage and disposal of foul and surface water
- Has satisfactory facilities for the cooking of food for the exclusive use of the occupants within the house
- Has satisfactory access to all external doors and outbuildings

Priority			Definition
Silver	No Time Limit	No area or property feature limits	If three or more of the above definitions are not met
Bronze	No Time Limit	No area or property feature limits	If two of the above definitions are not met

## OVERCROWDING CATEGORY

### Definition

The following each require a bedroom:

- A single adult
- Two adults who are partners
- Children of different sexes where the eldest has reached age 8
- A young person who has reached the age of 14 years
- Children of the same sex where there is a 10 year or more age gap
- Where there is an assessed medical reason for persons who would normally share not to
- Where an additional room is required for medical equipment

Permanent carers and foster children who are part of a household will be assessed as part of the family.

### Extra Bedroom Recommendation for Applicants who are Pregnant

#### **An extra bedroom requirement will be granted when:**

There is a baby due and no sibling to share it with. If the children in the household are age 10 years old or more, the baby will require a bedroom of its own.

#### **No extra bedroom requirement will be granted when:**

The unborn baby can share with a sibling. If there are children age 8 years or younger in the household it is assumed the baby will share with them.

#### **Assessing Overcrowding and Under Occupation:**

For the purposes of assessing overcrowding/under occupation, the baby will be counted as a person using the age rule as above.

Examples of how this affects your application are listed below:

- 1) Mrs X (pregnant), sharing with friends and sleeping on the couch is entitled to a silver for Overcrowding (2 persons overcrowded, two bedroom requirement).
- 2) Mrs X (pregnant), sharing a house but with a bedroom to herself is entitled to a bronze for Overcrowding (1 person overcrowded, one bedroom requirement).
- 3) Mr & Mrs X (pregnant) living in a two (double) bedroom house with a 7 year old son is not entitled to any priority for Overcrowding (baby can share with son, so 0 persons overcrowded, two bedroom requirement).
- 4) Mr & Mrs X (pregnant) living in a two (double) bedroom with a 17 year old son is entitled to a bronze Overcrowding (baby cannot share with son, so 1 person overcrowded, three bedroom requirement).

5) Mrs X (pregnant) living in a 3 bedroom (two double, one single) with a 12 year old son and a 5 year old daughter is not entitled to any priority for Overcrowding (baby can share double bedroom with 5 year old, so 0 over crowding, 3 bedroom requirement).

Priority			Definition
Gold	6 Month Time Limit	Applicant can area and property feature limit	3 or more bedrooms short
Silver	No Time Limit	No area or property feature limits	2 bedrooms short
Bronze	No Time Limit	No area or property feature limits	1 bedroom short

#### UNDER OCCUPATION CATEGORY

##### Definition

This category will be awarded to tenants of Registered Social Landlords only to promote effective asset management and maximise the opportunity for existing tenants to move to smaller accommodation should they wish to do so.

Priority			Definition
Silver	No Time Limit	No area or property feature limits	Two or more bedrooms surplus
Bronze	No Time Limit	No areas or property feature limits	One bedroom surplus

#### MEDICAL CATEGORY

##### Definition

Applicants who have a medical condition that they consider to be relevant to their application for housing will be assessed on the severity of the medical condition and the degree to which their housing circumstances affect this. A medical banding will first be awarded and then this will be translated into a CBL banding.

Medical bandings are defined as follows:

X-medical	Medical condition that requires immediate housing or re-housing
Sevwho	Severe condition that is wholly affected by present circumstances
Modwho	Moderate condition that is wholly affected by present circumstances
Minwho	Minor condition that is wholly affected by present circumstances
Sevmod	Severe condition that is moderately affected by present circumstances
Modmod	Moderate condition that is moderately affected by present circumstances
Minmod	Minor condition that is moderately affected by present circumstances
Sevmar	Severe condition that is marginally affected by present circumstances
Modmar	Moderate condition that is marginally affected by present circumstances
Minmar	Minor condition that is marginally affected by present circumstances

Assnil	Minor condition that is marginally affected by present circumstances No medical condition or suitably housed for medical condition		
It should be noted that where it is considered that a medical condition is only marginally affected by current housing or where there is a nil assessment then no banding will be awarded under this category.			
Priority			Definition
Gold	6 Months Time Limit	Applicant can area limit and feature limit. homehunt NES can also feature limit	<ul style="list-style-type: none"> <li>• X Medical</li> <li>• Sevwho</li> </ul>
Silver	No Time Limit	No area limit. homehunt NES can feature limit.	<ul style="list-style-type: none"> <li>• Modwho</li> <li>• Minwho</li> <li>• Sevmod</li> <li>• Modmod</li> </ul>

### PERSONAL CIRCUMSTANCES CATEGORY

#### Definition

This category recognises personal circumstances that require to be taken into account when assessing an application for housing:

#### Vacating Adapted Disabled

This recognises households who are vacating an RSL tenancy that is adapted for disabled use because the adaptations are no longer required. Note, there must be significant, permanent adaptations to secure a Gold Priority.

#### Harassment or Violence

Where an applicant or a family member is under threat of or actual violence, mental abuse, domestic abuse or harassment

#### Children at Risk

Where a child or children within the applicants family is considered to be at risk

#### Financial Hardship

Where a households monthly rental/mortgage payments exceeds 25% of monthly income

#### Separated Family

Where due to housing circumstances a family **has no choice** but to live separately

#### General Assistance

This recognises where an applicant requires to live in a particular area to access or to give assistance to a relative or family member. General assistance priority will only apply to areas where moving improves the applicants ability to provide or receive assistance. General assistance is where the assistance makes a significant difference to the persons quality of life or ability to live at home. This priority is also awarded where childcare provided allows someone to work.

#### Current Neighbour Problems

This recognises where a household is having mild or moderate difficulties with a neighbour that affects their ability to remain in their current accommodation.

Travel Time to Work or Education and Isolation from essential services

This recognises where a household member/s has to travel to reach work or education or is isolated from essential services and the household wish to move to be closer to these. These are awarded regardless of whether or not the household are car owners but they must live at least 10 miles away from the facilities they are travelling to or are isolated from.

Relationship Breakdown

This recognises where a relationship has broken down and the couple wish to live separately but cannot do so until alternative accommodation is secured for one of them.

**PERSONAL CIRCUMSTANCES CATEGORY**

Priority			Definition
Gold	No Time Limit	No area or property feature limits.	<ul style="list-style-type: none"><li>• Vacating Disabled Adapted</li></ul>
Silver	No Time Limit	homehunt NES will limit areas when general assistance is being awarded.	<ul style="list-style-type: none"><li>• Harassment or Violence</li><li>• Children at Risk</li><li>• General Assistance</li><li>• Financial Hardship</li></ul>
Bronze	No Time Limit	No area or property feature limits.	<ul style="list-style-type: none"><li>• Separated Family</li><li>• Current Neighbour Problems</li><li>• Travel time to work/education</li><li>• Isolation from Services</li><li>• Relationship Breakdown</li></ul>

APPENDIX TWO

***homehunt*<sup>®</sup> NORTH EAST SCOTLAND**

**CASTLEHILL HOUSING ASSOCIATION  
AND  
TENANTS FIRST HOUSING CO-OPERATIVE**

**CHOICE BASED LETTINGS**

**AGREEMENT ON KEY POLICY ISSUES**

## **Introduction**

This document is produced jointly between Castlehill Housing Association and Tenants First Housing Co-operative. It confirms the agreement on key policy and procedural issues in relation to the allocation of vacant properties via choice based lettings, which will be delivered through *homehunt*<sup>®</sup> North East Scotland (*homehunt*<sup>®</sup> NES). This document should be read in conjunction with each organisation's Allocations Policy.

## **Aims**

The following are the key aims in relation to this document:

- To set out the main issues that will allow vacant properties to be let via a choice based lettings system of allocations.
- To adhere to all legislative and good practice requirements.
- To promote choice and empowerment to applicants in relation to their housing or re-housing options and aspirations.
- To promote clear and agreed terms of partnership working between Castlehill Housing Association and Tenants First Housing Co-operative.

## **Choice Based Lettings**

Castlehill Housing Association and Tenants First Housing Co-operative work in partnership to allocate their vacant properties via a choice based lettings system.

Choice based lettings is a system of property allocation that allows applicants to bid for properties that they are interested in. Applicants with a housing need can apply for a priority pass which, on successful assessment, may aid applicants in increasing their priority to receive an offer of housing. This method of allocation will be delivered by the use of the *homehunt*<sup>®</sup> software system.

In addition to this document, the following documents are available which further explain and clarify the method of delivery of *homehunt*<sup>®</sup> NES:

- *homehunt* NES Registration Form
- *homehunt* NES Guidance
- *homehunt* NES Priority Pass Forms

- homehunt NES Procedures
- Choice Based Lettings Protocol
- Agreement between Tenants First Housing Co-operative and Castlehill Housing Association
- Allocations Policies

## **KEY PROCEDURAL ISSUES**

### **How to apply for Housing**

Applicants will be able to register with homehunt NES in the following ways:

- Request a registration form by phone
- Complete a registration form over the phone (form will then be sent to applicant for signature and returned)
- Complete a registration form on the homehunt website (form will be sent to applicant for signature and returned)
- Call in person at the Castlehill Housing Association or Tenants First Housing Co-operative offices to complete a registration form
- Complete a registration form at the local authority area housing offices and at the offices of other local housing associations

Applicants will complete a short registration form which asks for sufficient information to allow quick and easy access onto the registration list. An applicant can bid for any suitable property as soon as they are issued with a registration reference number. Applicants who complete a registration form online or over the phone will be eligible to bid once a fully completed, signed registration form has been returned - in these circumstances the date of application will be noted to ensure fairness is applied in situations where one or more applicants meet the qualifying criteria for a property bid for.

### **Application Process**

Once fully registered, applicants will be sent a card indicating their registration number and registration date. They will also receive a pack, which contains the priority pass application forms and guidance on how to complete them. Applicants can apply for a priority pass based on the following housing need categories:

- Housing Circumstances
- Overcrowding/Under-occupation
- Lacking Facilities
- Medical
- Personal Circumstances

Priority pass applications will be assessed by the homehunt NES Administrator and where applicable, a gold, silver or bronze award may be given. . An applicant does not need to have a priority pass to bid for vacant properties

although their prospect of a successful bid is less likely if no priority pass has been awarded.

Stringent checks will be carried out to verify details provided on the registration and priority pass forms once an applicant has successfully bid and receives an offer of housing. Tenancy references will be requested at this stage if applicable. If the information provided cannot be verified at the offer stage it is highly probable that the offer will be withdrawn and the applicant's application for housing with homehunt NES reassessed.

## **Best Use**

Best use will be the main consideration when allocating properties, followed by bids with the highest priority. For example, properties which have been adapted will be offered first to applicants who require and have a housing need for an adapted property.

In situations where properties do not have, for example, a level access shower, or other property adaptation requirements, and the successful applicant has a requirement for these, the property will still be offered to the applicant on the basis that the property can be adapted to meet their needs. In these circumstances the tenancy start date would begin as soon as the property is ready to let i.e. the start date will not be delayed because of completion of any adaptations.

Best use will also mean that homehunt NES will allocate properties to those applicants that make best use of the *number of bedrooms*. The exception to this is where an applicant qualifies for an adapted property. In this situation an applicant may be offered a property that is one bedroom larger than their housing need.

Consideration will be given to both single and joint applicants. This will ensure that single parent families are not discriminated against and considered on equal merit with joint applicants. Where best use is not met, the property will be allocated on highest priority. Where applicants have the same priority, date of award of housing need will be used to determine which applicant receives the offer.

If no applicants on the short-list qualify for a property on best use or priority need **the property will be advertised**. The principles of choice based lettings allow the allocation of a property that has a larger number of bedrooms than the applicant requires. **Therefore, in rare situations where a property is classed as 'difficult to let' and there is a lack of demand, properties that are larger than an applicants housing need may be allocated. In these circumstances staff will ensure that tenancy obligations can be met.**

Castlehill Housing Association and Tenants First Housing Co-operative will not allocate properties to applicants that are smaller than their assessed housing

need. For example, an applicant who qualifies for a 4-bedroom property will not be offered a 3-bedroom property.

## Priority Passes

### Priority Pass Categories

Housing need will be determined through the assessment of the priority passes listed below. An award will be given dependent on the level of housing need an applicant is assessed as having. The highest level of award that can be given is gold followed by silver and bronze.

The priority available in each category is listed below:-

<b><i>Priority Pass</i></b>	<b><i>Possible priority award</i></b>
Housing Circumstances	Gold, Silver
Lacking Facilities	Silver, Bronze
Overcrowding	Gold, Silver, Bronze
Under-occupation	Silver, Bronze
Medical	Gold, Silver
Personal Circumstances	Gold, Silver, Bronze

The priority pass forms and guidance booklet provides information on categories and the definitions used to assess applications received for priority housing need.

### Priority Pass Conditions

#### ***Multiple Priority Pass Awards***

When an applicant applies for more than one priority pass, the highest priority awarded from one category will be issued. For example, if an applicant is awarded a silver priority pass in the Housing Circumstances category and a bronze priority in the Lacking Facilities category the silver priority pass award will be the overall priority for that application.

When assessing who should be allocated a property, in situations where applicants are awarded the same level of priority and multiple passes have been assessed, the date the overall priority was awarded will determine who has been in priority need the longest.

#### ***Transfer Applicants***

Applicants applying for a transfer of accommodation will be awarded priority in the same way as applicants who are not currently tenants. Transfer cases cannot be awarded priority in the Housing Circumstances or Lacking Facilities categories as they have secure tenancies and properties that meet tolerable standards.

#### ***Homeless applicants***

In relation to the Housing Circumstances category, from 1 April 2008 applicants aged 16 -26 will be no longer be assessed for priority by their local

authority (except Moray; they will only be assessed for intentionality of homelessness and local connection. If assessed as *statutorily unintentionally* homeless, an applicant will be eligible to a Housing Circumstances gold priority award. If assessed as intentionally homeless the applicant will not qualify for this priority award but may be eligible for priority housing need through the remaining priority pass forms.

Applicants aged 27 years and upwards who are assessed by their local authority as *statutorily unintentionally* homeless and in *priority need* will be eligible for a gold priority award within the Housing Circumstance category. Applicants in this age group, who are assessed as intentionally and/or non priority homeless will not qualify for this award but may be eligible for priority housing need through the remaining priority pass forms.

Applicants in prison who apply for priority need using the Housing Circumstances, impending homeless, category will have their application assessed on submission of a release date.

### ***Priority Pass Time Limits***

*Gold priority award* - when an applicant is given a gold priority award this will be time limited for 6 months. Gold awards are given where the highest priority need is applicable and where there is a need to quickly re-house the applicant due to their current housing circumstances. When an applicant holds a time limited gold priority award and does not bid for a suitable property, the system will remove the priority award unless extenuating circumstances apply.

In situations where no suitable properties have been advertised, the system will automatically renew the priority award.

To maximise best use of existing stock the only gold priority award that will not have a time limit imposed on it relates tenants who are occupying a property adapted for disabled use, which they no longer require.

### ***Priority Pass Area Limits***

Applicants are to be given the opportunity to limit the areas in which they use a priority pass. Choosing to limit areas may result in the applicant increasing the time that they wait for re-housing.

In some situations homehunt NES may limit the choice of areas where a priority pass can be used. For example, where an applicant is given a gold priority award due to homelessness, the use of the gold priority award would be limited to within the local authority area where the applicant presented as homeless. Within rural local authority areas, consideration will be made of the distance of available properties as this may be a practical reason as to why an applicant chose not to bid. (Note: bidding circumstances will be considered on individual merit).

Where an applicant applies for priority because they need to move to give, or receive assistance, their priority pass will be limited by the homehunt NES

Administrator to areas in and around the area they require to move to. The homehunt NES Administrator will consider the direct link between the assistance required, or given, to the areas the applicant has chosen to limit their choice to. If the applicant bids out-with the areas that have been limited, the priority award cannot be used.

### ***Priority Pass Bidding Limits***

Applicants can bid for as many properties as they wish.

**Where an applicant makes multiple bids, unless they specifically notify homehunt NES of the order in which they wish to be considered for the properties they are interested in, the order in which they bid for a property will determine the order in which they will be considered for that property.**

### **Refusal of Property Offered**

To minimise random bidding and to ensure that applicants only bid for properties that they want to live in, the following conditions apply to applicants who repeatedly and unreasonably refuse properties:-

- 1 refusal** – 1<sup>st</sup> warning letter will be issued
- 2 refusals** – 2<sup>nd</sup> warning letter will be issued
- 3 refusals** – deferment for 6 months

Examples of unreasonable refusals would be:-

- No interest in area/house type
- Did not realise the distance involved to travel
- Too far from where I want to live

There will be occasions when an applicant has an acceptable reason for refusing a property. In this situation their refusal will not count. Examples of reasons where a refusal of property will not be counted are detailed below:

- Not affordable e.g. sheltered housing subject to housing support funding
- Medical grounds
- Support Issues
- Not suitable for adaptation
- Applicants with learning difficulties
- Vulnerable applicant e.g. elderly person who does not fully understand system
- Property close to violent ex-partner (which was not apparent at time of bidding)

## Change of Circumstances

Where applicants circumstances change regarding their application for housing they MUST contact homehunt NES with details of the changes. In most situations the applicant will not be required to take any further action but some changes may affect an applicant's housing need priority. For example, an applicant has been diagnosed with a medical condition that did not previously exist and assessment of that medical condition will be required to ensure they have been awarded the correct housing need priority.

Applicants who change their address after they have been registered will need to complete a new registration form. A change of address may also require the applicant to complete new priority pass forms in relation to their housing need.

## Applicants put 'on hold'

Applicants can ask for their application to be on hold if they are not ready to move but who may still wish their application to be held on the Registration List. An applicant will be asked to define a specific length of time for their application to be put on hold but may at any time have their application reinstated should they wish to be actively considered for an empty property.

Applicants who have changed their address since registering will have their registration form put on hold whilst the new details are being assessed.

### **ON HOLD - Six months**

Castlehill Housing Association and Tenants First Housing Co-operative will accept applicants onto the Registration List but may exclude them from bidding for, or being offered, accommodation for a six month period in the following circumstances:

#### ***Outstanding Debts***

Applicants who have outstanding debts with their current or a previous landlord may have their application put on hold if the debt outstanding is equivalent to more than one month's rent and where an arrangement to reduce the debt has not been made, or kept, for a period of three months.

Where the applicant is a tenant of Castlehill Housing Association or Tenants First Housing Co-operative, the arrangement put in place to clear any outstanding debt must be on a basis, which is entirely satisfactory to Castlehill Housing Association and Tenants First Housing Co-operative in terms of recovery of the debt.

Outstanding debts means any money owed to a landlord that is rent arrears; former tenant rent arrears; rechargeable repairs; legal costs; bank charges and any other related charges.

**It is the applicant's responsibility to advise homehunt NES once they have either cleared their debt or met the requirements regarding repayment of debt so that their application can be reinstated.**

### **Anti Social Behaviour**

Where an applicant has a history of antisocial behaviour, the applicant may be excluded from homehunt NES in the following circumstances:

- Where the applicant, or an individual, forming part of the application has been evicted on the grounds of antisocial behaviour in the past three years and where the applicant, or individual, refuses support
- Where any form of legal or court action has been commenced against an applicant or an individual forming part of the application under the terms of the Housing (Scotland) Act 2001 or the Antisocial Behaviour etc. (Scotland) Act 2004
- Where the applicant is currently subject to an Antisocial Behaviour Order (ASBO) related to a current home address
- A Sex Offender, where the applicant has refused a risk assessment to be carried out in order to identify suitable housing

### **Refusal of Property**

The applicant has refused the offer of property on three occasions and their reasons for refusal are outwith the accepted refusal remit

### **ON HOLD – Two years**

Castlehill Housing Association and Tenants First Housing Co-operative will accept applicants onto the registration list but may exclude them from bidding for, or being offered, accommodation for a two year period in the following circumstances:-

### **Violence against Staff**

Castlehill Housing Association and Tenants First Housing Co-operative take staff safety seriously therefore any applicant who has behaved in a threatening or offensive manner to any member of staff.

### **False Information**

Applicants found to have given false or misleading information about their circumstances and this had led to the applicant attracting higher priority for housing than was due.

### **Deliberate Worsening of Circumstances**

An applicant is found to have deliberately worsened their living circumstances to attract a higher priority for housing. Before implementing this rule homehunt NES will require to be satisfied that the applicant knowingly altered his or her circumstances and that the resultant gain in priority was significant.

### **Sheltered and Very Sheltered Housing**

Properties advertised as sheltered or very sheltered housing will generally only be available to applicants who meet the age criteria. The age criteria is 60 years or over but discretion will be given to applicants under 60 years of age where they have a specific medical need for sheltered housing and have the necessary housing support funding in place. A Single Shared Assessment, or equivalent assessment, form will be used to assess an applicant's eligibility for sheltered or very sheltered housing. This detailed assessment of need will allow the local authority to assess the housing support need for that applicant.

Applicants applying for sheltered or very sheltered housing will normally be expected to have a medical priority and meet the criteria for funding through the housing support conditions provided by the relevant local authority

Where applicants are bidding for Castlehill Housing Association's very sheltered properties, the decision on best use of the property will be made by a panel which will include Castlehill Housing Association's staff, support provider for the very sheltered development, and representatives from the local authority. The panel meeting must take place before the allocation can be made therefore publishing the outcome of the allocation may be delayed.

## **Market Rent Properties**

Tenants First Housing Co-operative offers houses for rent that are categorised as Market Rents. Market rent properties will be offered to applicants based on date of registration rather than considering levels of need or best use. The affordability of the rent to the applicant and the requirement to create a sustainable community will also influence the allocation process. Whilst acknowledging that allocation criteria for market rent properties is significantly different from that of its social rented stock, the Co-operative remains committed to the key principles described in Section 1.0 of its Allocation Policy.

## **Shared Ownership**

Castlehill Housing Association provide shared ownership properties for applicants aged 55 and over or where an applicant has a medical condition that requires amenity type accommodation. Admission and assessment for shared ownership housing is on the same basis as that for rented housing with the additional requirement that the applicant must have:

- sufficient finance to purchase at least 25% share in the property, but;
- insufficient finance to allow for the outright purchase of suitable property, if such property is available in their area of choice.

Castlehill Housing Association reserves the right to seek sufficient financial information from the applicant to make the above mentioned assessment and may reject an application if the applicant is not willing to provide this.

## **Nominations with Local Authorities**

Castlehill Housing Association and Tenants First Housing Co-operative acknowledge that they have an obligation to assist the three local authorities (Aberdeen City, Aberdeenshire and Moray) to allocate properties to homeless applicants and to accept Section 5 referrals under the duty placed on them in the Housing (Scotland) Act 2001.

Both organisations have detailed arrangements with the above local authorities through a Choice Based Lettings Protocol. This Protocol ensures that applicants other than homeless are not unnecessarily excluded from housing with homehunt NES through regular monitoring of who properties are allocated to.

## **Excluded Properties**

In order to meet current objectives and maximise best use of stock, it will be necessary in some circumstances to exclude vacant properties from being advertised using the homehunt NES facility. Below is a summary of the circumstances in which this may happen.

### **For CASTLEHILL HOUSING ASSOCIATION, this will include:**

#### *Referrals:*

Castlehill will consider referrals from other agencies if it is found that they can provide accommodation for the specialised needs of individuals. In such cases the Allocation Policy may not apply.

#### *Adapted New Build:*

In some circumstances, Castlehill will adapt a new build property for the needs of a specific household and this property will not be included in homehunt NES. Subsequent re-lets of the property however will be advertised.

#### *Decants/Demolitions:*

In the event that existing or potential tenants require to be re-housed to accommodate major works in their properties it may be necessary to identify a current vacancy and exclude this from homehunt NES.

#### *New Build*

It may be necessary to exclude new build properties from homehunt NES. For example, in circumstances where the local authority has 100% nomination rights or where the Association wishes to apply criteria for a balanced community to ensure that there is not an over concentration of vulnerable tenants in one area.

#### *Mutual Exchanges:*

Mutual Exchanges will be excluded from homehunt NES. However this route will be promoted by the Association as a route for re-housing.

***Discretionary Transfers:***

**In some circumstances it will be necessary for a tenant to be offered a transfer of accommodation with the Association as a result of specific circumstances. Where such approval has been given, the property identified for the tenant to transfer to will be excluded from homehunt NES.**

**For TENANTS FIRST HOUSING CO-OPERATIVE this will include:-**

***Referrals:***

Tenants First will consider referrals from other agencies if it is found that it can provide accommodation for the specialised needs of individuals. In such cases the Allocation Policy may not apply.

***Special Supported Housing (excluding Sheltered Housing):***

Tenants First provides a variety of housing specifically for people with support needs.. Because of the specific character of this category of housing, these properties will not be available for relet through the normal allocation policy principles

***Moray Council:***

Currently Tenants First owns no properties within the boundaries of the local authority of Moray but has a Nomination Agreement in place with Moray Council for future developments. .

***Stock Sustainability Transfers***

Tenants First recognises that it has a duty to make best use of its housing stock. If a tenant under-occupies a property who wishes to move and meets the stock sustainability remit, it will be necessary to exclude the property identified that better suits their housing need from being re-let through the normal Allocations Policy.

***Decants/Demolitions:***

If existing or potential tenants require to be re-housed if major works are required to their properties it may be necessary to decant the tenant to another property within Tenants First's ownership. Properties required to house decanted tenants would thus be excluded from the normal allocations process.

***New Build:***

On some occasions it may be necessary to exclude new build properties from the normal allocation process. For example, the local authority has 100% nomination rights to the properties available for let, or where the requirement to create a balanced community exists to ensure that there is not an over concentration of one particular tenant group in one area.

***Mutual Exchanges:***

Properties that are involved in mutual exchange between tenants will not be advertised because the property does not theoretically become

empty. However mutual exchanges will be promoted by Tenants First as a housing option for tenants of a registered social landlord or local authority who may not have a high level, or any, housing need priority.

### *Garages*

Garages will be let using a separate waiting list and therefore will not be advertised when they become vacant. Those applicants on the waiting list will be contacted directly to establish their interest in renting the garage.

### ***Substantial Rent Loss***

**To minimise rent loss, in exceptional circumstances a property may be re-let without the need to re-advertise, using the previous shortlist of a property of the same size and type, so long as it is within three months, and where substantial rent loss has already accrued. For example, a tenant in sheltered housing dies and notification of this is not received within the normal timescales from family/warden/scheme manager.**

### ***Management Transfers:***

**In some circumstances it will be necessary for a tenant to be offered a transfer of accommodation with the Co-operative as a result of specific circumstances. Where such approval has been given, the property identified for the member to transfer to will be excluded from homehunt NES.**

## **Re-advertised Properties**

Properties will be re-advertised once the shortlist for those who qualify for the property bedroom size is unsuccessful, or if no bids for a vacant property have been received, or bids have been received but are unsuccessful: for example they have a debt due to a landlord that has not been paid.

If no bids have been received after a property has been advertised for four days, the homehunt NES Administrator may contact applicants who fit the property profile to see if they are interested in the property.

## **Membership of Tenants First Housing Co-operative**

Tenants First's constitution means that every tenant has to be a member of the Co-operative and every member has to be a tenant. Therefore to comply with the constitutional requirements, only applicants approved for membership of the Co-operative can be allocated a property.

## **Monitoring, Evaluation and Reporting**

To ensure that homehunt NES provides a first class service that meets the needs and aspirations of its service users, the monitoring and evaluation of all processes will be reported as follows:

### ***Quarterly***

- Number of properties let
- Letting outcomes including size, type, area and how property allocated e.g. best use
- How long applicant waited to be housed
- Where applicant was housed from e.g. homeless, transfer, waiting list etc.
- Number of homeless applicants housed,
- Number of refusals
- Number of registrations
- How applicants registered e.g. phone, email
- Average number of bids per property split
- Number of applicants on hold and reason why
- Number of priority passes awarded, split into categories and bandings
- Applicants Age Profile on registration list
- Applicants Age Profile housed
- Average days to let property
- Equality statistics
- Number of formal complaints
- Number of properties excluded from letting
- Website Statistical Information

## **Complaints Policy and Procedure**

An applicant may complain about any aspect of the service they have received and/or any decision taken during the registration of their application, or during the allocation process, If the matter hasn't been resolved on an informal basis the applicant can make a written formal complaint as per the terms of Tenants First's Complaints Policy. In every case homehunt NES will aim to resolve complaints received informally.

A copy of Tenants First Complaints Policy is available on request.

## **Equal Opportunities**

homehunt NES will ensure that it will not unfairly discriminate against any individual, household or group on the grounds of gender, gender identity or marital status, on race grounds, or on the grounds of disability, age, sexual orientation, language or social origin, other personal attributes, including beliefs or opinions such as religious beliefs or political opinions

## **Housing (Scotland) Act (2001) – Schedule 7 Allocations**

Tenants First Housing Co-operative and Castlehill Housing Association applicants who are employees, Committee Members, former Committee Members and close relatives of aforementioned may be granted a tenancy through homehunt NES but only where the application has been processed and meets certain requirements.

## APPENDIX THREE

## GENERAL NEEDS PROPERTIES

Number of properties by property type as at 31st March 2008 and number of re-lets from 1st April 2007 to 31st March 2008 in Aberdeen, Aberdeenshire and Angus

	Flats						Houses							
	1 bedroom	Re-lets	2 bedroom	Re-lets	3 bedroom	Re-lets	1 bedroom	Re-lets	2 bedroom	Re-lets	3 bedroom	Re-lets	4+ bedroom	Re-lets
FRASERBURGH	4	2					9	0	44	5	39	4		
PORTSOY									6	0	10	0	2	0
BANFF														
PETERHEAD	10	1	67	11			12	0	33	1	103	7	7	0
PETERHEAD (Market rent)											10	0		
MINTLAW									1	0				
BODDAM									16	2	3	0	7	1
BALLATER											5	0		
ARBROATH (Market rent)									28	6	15	6	7	0
BANCHORY							8	0	3	0				
ABOYNE							7	0	1	0				
GARTHDEE (Aberdeen)	29	3	18	2	5	0	20	1	40	1	86	1	2	1
KINCORTH					3	0			1	0				
COVE											1	0		
TORRY	1	0	1	0	3	0					2	0		
PORTLETHEN														
PETERCULTER	4	0					10	0	3	0	1	0		
BALMEDIE	2	0					5	0	6	1	2	0		
GRANGE, KEITH											1	0		
INVERURIE							2	0	4	0	3	0		
KEMNAY	7	1	6	1	1	0			4	0	9	0		
PITMEDDEN									2	0	2	0		
PORT ELPHINSTONE			32	1					3	0	10	0		
WESTHILL									5	0	5	0		
SHEDDOCKSLEY	10	1					5	0	27	0	28	0	0	0
CUMMINGS PARK (Aberdeen)									12	0	14	1		
DYCE									1	0	5	0		
BRIDGE OF DON							24	3	12	0	1	0	7	0
STOCKETHILL (Aberdeen)											18	0		
CENTRAL ABERDEEN	1	0												
PARK PLACE (Aberdeen)	10	0							1	0	1	1		
WOODSIDE	1	0												

Number of properties by property type as at 31st March 2008 and number of re-lets from 1st April 2007 to 31st March 2008 in Aberdeen, Aberdeenshire and Angus

SETTLEMENT	SHELTERED PROPERTIES								Supported Housing	
	Flats		Houses						Flat/house	Re-lets
	1 bedroom	Re-lets	1 bedroom	Re-lets	2 bedrooms	Re-lets	3 bedrooms	Re-lets		
FRASERBURGH	20	2							5	0
BANFF									2	0
PETERHEAD	11	1	10	0	1	0			1	0
PETERHEAD (Market rent)										
MINTLAW	22	1	8	2						
BODDAM										
BALLATER										
ARBROATH (Market rent)										
BANCHORY										
ABOYNE										
GARTHDEE (Aberdeen)			23	3	6	1	2	0		
KINCORTH										
TORRY										
PORTLETHEN									2	0
PETERCULTER										
BALMEDIE										
GRANGE, KEITH										
INVERURIE										
KEMNAY									2	0
PITMEDDEN										
PORT ELPHINSTONE										
WESTHILL									2	0
SHEDDOCKSLEY	11	0	79	8	4	0				
CUMMINGS PARK (Aberdeen)										
DYCE										
BRIDGE OF DON										
STOCKETHILL (Aberdeen)										
PARK PLACE	15	1	4	0	5	0	2	0		

The Co-operative currently provides, and aims to provide, housing for individuals with specific housing support needs to live as independently as possible.

This accommodation is allocated out-with the Co-operative's normal Allocation Policy and procedure. Individual's needs are instead assessed by the appropriate local authority social work department or a specialist organisation.

If the local authority has assessed an individual's needs as being suitable for supported housing the individual may be *nominated* to the Co-operative.

If the assessment of need is carried out by a specialist organisation the individual may be *referred* to the Co-operative.

### **Garthdee, Aberdeen**

This is a residential tenancy where one member receives 24 hour care and support from a specialist housing support and care provider, currently Cornerstone Community Care.

### **Portlethen**

This is a residential tenancy where two members receive 24 hour care and support from a specialist housing support and care provider, currently Community Integrated Care.

### **Banff**

This is a residential tenancy where two members receive 24 hour care and support from a specialist housing support and care provider, currently the Banff Supported Living Project of Aberdeenshire Council.

### **Portsoy**

The Co-operative is currently developing a residential development for three members who will receive 24 hour care and support from a specialist housing support and care provider currently the Banff Supported Living Project of Aberdeenshire Council.

### **Westhill**

This is a residential tenancy where two members receive 24 hour care and support from a specialist housing support and care provider, currently Cornerstone Community Care.

### **Fraserburgh**

This is a residential tenancy where five members receive 24 hour care and support from a specialist housing support and care provider, currently Community Integrated Care.

### **Leslie Place, Kemnay**

This is a residential tenancy where one member receives 24 hour care and support from a specialist housing support and care provider, currently Leonard Cheshire Limited.

### **Kemnay**

This is a residential tenancy where one tenant receives 24 hour care and support from a specialist housing support and care provider, currently Community Integrated Care.

**Peterhead**

This is a residential tenancy where one member receives 24 hour care and support from a specialist housing support and care provider, currently Cornerstone Community Care.

The Co-operative is currently working with the above partners and Aberdeenshire Council Social Work Department to provide 24 hour support housing for up to sixteen individuals in various locations in the Peterhead area.