

# Allocations Policy

## 1. Introduction

- 1.1 Muirhouse Housing Association Ltd [MHA] is a locally based housing association committed to providing good quality affordable housing to those in housing need. This means that priority will be given to those in the greatest housing need. MHA operates an open housing list which allows a continual opportunity for people to apply and be assessed for housing. The respective need of each applicant will be determined by a Points System.
- 1.2 In formulating this policy the Association has taken into account the guidelines issued by Communities Scotland and the Scottish Federation of Housing Associations together with all relevant legislation.
- 1.3 MHA currently allocates properties from the housing list through Edinburgh's common housing register, Edindex.

## 2. General Principles and Objectives of the Allocations Policy

- 2.1 The aims of this policy are to ensure that applicants are accepted onto the housing list on the basis of their housing need, and that properties are let fairly and consistently to those in the greatest housing need. MHA aims to maximise the use of its stock through the Allocations Policy.
- 2.2 MHA operates a points system for assessing applications, based on housing need.
- 2.3 All information that is received in connection with an application is strictly confidential. MHA complies with the requirements of the Data Protection Act.
- 2.4 Employees and Committee Members must declare an interest if they are aware that a close relative or a member of his /her household applies for housing.
- 2.5 MHA considers any form of discrimination to be unacceptable and will ensure that no applicant receives less favourable treatment on the grounds of race, sex, sexual orientation, age, class, colour, ethnic or national origin, disability, mental health, religion, HIV or marital status.
- 2.6 Applicants are requested to provide details of their ethnic origin in order to assist the Association in monitoring this section of policy although provision of this information is entirely voluntary.

### **3. Eligibility for Housing**

- 3.1 All persons over the age of 16 are eligible to apply for housing.
- 3.2 Applications are welcome from all people in housing need regardless of their age, race, colour, ethnic or national origin, religion, sex, marital status, sexual preference, medical condition or physical disability. MHA aims to promote equal opportunities and complies with the requirements of the Race Relations Act 1976, the Sex Discrimination Act 1975 and the Race Relations Code of Practice in Rented Housing.
- 3.3 Current and former employees, Committee Members and their relatives may apply for housing. A tenancy may be granted if the person is in housing need and the allocation complies with the requirements of both this Allocations Policy and Schedule 7 of Housing (Scotland) Act 2001.
- 3.4 Where an applicant is currently in debt [where the debt is equivalent to at least one month's rent] with a current or previous landlord or mortgage lender, they will be required to provide confirmation that they have a suitable arrangement in place to clear the debt and that this has been maintained for a minimum of 3 months. Where an applicant has not maintained an arrangement to clear a debt, their application will be suspended until they have addressed the situation appropriately.
- 3.5 MHA will suspend applicants who have been the perpetrator of anti-social behaviour, which has been related to the conduct of their tenancy. This includes where members of the household have been the perpetrators. Applicants will be suspended from being considered for rehousing by MHA for a period of time where:
  - The applicant has been evicted for anti-social behaviour within the last 3 years.
  - The applicant/member of the household has had an anti-social behaviour order granted against them within the last 3 years.
  - References from a reliable source such as Police or other statutory body confirm that anti-social behaviour has taken place and is directly related to the tenancy. This includes behaviour by the tenant and any children or visitors to the property.

If an applicant refuses 3 offers of accommodation, without good reason, their application may also be suspended.
- 3.6 Any applicant suspended will be advised of the reason[s] for suspension and of their right of appeal. All suspensions will be reviewed on a 3 monthly basis, and decisions to suspend will be based on sound evidence and reasonableness.

#### **4. Assessment of Housing Need**

- 4.1 A points system has been designed to measure housing need. The points awarded to each applicant are based on the information provided within the application form and any other correspondence received in relation to the application.

The points system ensures that every applicant's needs are assessed on the same basis. This is necessary as only a limited number of houses may be available each year.

- 4.2 Factors that will be taken into account when assessing the housing need of an applicant include homelessness, security of tenure, lack of amenities, overcrowding, medical condition and social reasons.

For Example:

- Physical condition of current housing.
- Current housing circumstances and future housing needs.
- Security of tenure in current housing.
- Medical factors in applicant's household, which could be eased by different housing arrangements.
- Other factors, e.g. requiring support, harassment.

Factors that will be disregarded include local connection, or length of time resident in the area, property ownership and the ability to pay.

- 4.3 The Association will accept applications from owner-occupiers, however, owner-occupiers must agree to sell their property within an agreed timescale and accept a MHA property as their only or principal home. They will be required to sign a declaration agreeing to this prior to being made an offer of accommodation.
- 4.4 Following receipt of the application by the Central Admin Unit of Edindex, the applicant will be advised whether or not they are to be accepted onto the appropriate housing list within the Common Housing Register.
- 4.5 Applicants who are not accepted onto the housing list will be advised why their application has not been accepted and that they can re-apply should their circumstances change. They will also be advised that they have a right of appeal.

#### **5. Allocation Procedure**

- 5.1 All applicants will receive an Edindex Application Form and Guide to completion. They will also receive a summary of MHA's Allocations Policy,

if the Edindex form is issued from our office or if an applicant contacts our office and requests a copy. The Association monitors how many requests for applications are made from people with tenancies, and their current address.

- 5.2 Completed applications may be returned to MHA, Edindex or any other partner Association. Applications will then be forwarded to Edindex and checked to ensure that all questions have been answered and recorded.
- 5.3 All applicants will receive a written response from Edindex within 10 working days. MHA will arrange a home visit to applicants who are near the top of each housing list. Currently we visit the top 10 applicants on each list, based on the points awarded to each applicant.
- 5.4 The Central Admin Unit of Edindex will review the housing list on an annual basis. Additionally MHA will carry out monthly reviews of all applicants in the top 10 positions on each housing list.

## 6. Housing List

- 6.1 The housing list will be divided into two categories:

**Special Needs List** – *for applicants requiring housing which has been specifically designed for the elderly, disabled, etc*

**General Needs List** – *all other applicants*

Each housing list will be subdivided into household size. For example four person, three apartments and four person, four apartments.

Applicants will be placed into the appropriate housing list in accordance with the information provided in their Application Form.

- 6.2. MHA's homes are classified by the number of bed spaces. Double bedrooms can only be occupied by two persons under the following circumstances:

- Adult couples over the age of 16 years
- 2 persons, if mixed sex, both under the age of 7 years.
- 2 persons of the same sex under the age of 16 years.

In the case of 3 person households and upwards, single parents will be eligible for a double bedroom. A single parent and one child will be eligible for a three person property.

## **7. Transfers and Exchanges**

- 7.1 Existing tenants of the Association who wish to transfer to another Association property will have their application assessed in accordance with the rules for housing list applicants. (See MHA's Transfer Policy)
- 7.2 The Association will normally permit exchanges between its own tenants and tenants of other housing associations and local authorities subject to the criteria for admission to the housing list being met and there being no overcrowding or under occupation of the property. (See MHA's Mutual Exchange Policy)
- 7.3 The Association will assist applicants to move into the area to take up employment or training opportunities through the use of mobility schemes such as H.O.M.E.S. and Homeswap.

## **8. Allocation of Houses**

- 8.1 The Association operates a quota system for allocations, with 50% of allocations to Council Nominations, 40% to housing list applicants and 10% to transfer list applicants. The Association aims to meet these quotas each year but acknowledges that this will not always be possible.
- 8.2 Offers of Tenancy will be made to the applicant(s) with the highest number of points, based on their housing need. If there is more than one person with the same number of points, the applicant who has been in housing need the longest, based on the date they applied, will be offered the tenancy.
- 8.3 Where possible the offer will be made verbally, in an attempt to reduce the void period. This is followed by a written offer confirming the property type, size, the rent and service charge and the estimated date of entry. In some instances we will also provide a plan of the property.
- 8.4 If an offer is refused, the property will be offered to the next person on the housing list and so on until the property is allocated.
- 8.5 If the Association has no suitable applicants then it can consider applicants from the next most appropriate housing list e.g. 3 persons for a 4 person property, or one person for a two person property.
- 8.6 If the Association has no suitable applicants, the Council or a relevant agency will be approached to seek a nomination.

## **9. Working with The City of Edinburgh Council**

- 9.1 Nominations - The Association has a Nomination Agreement with The City of Edinburgh Council whereby the Council can nominate applicants from its own housing list for up to 50% of all re-lets and new lettings available from the Association.
- 9.2 Homeless Referrals - The Association will work in partnership with The City of Edinburgh Council to ensure we meet current statutory requirements for the provision of housing for homeless persons. We will seek to prevent homelessness whenever possible, by accepting Section 5 Homeless Referrals in line with the Homeless Protocol agreed with the Council.

## **10. Working with Other Agencies**

The Association will consider entering into nomination or referral agreements with other organisations to assist applicants to take up and sustain their tenancies.

## **11. Sustainable Communities**

To ensure that we maintain a sustainable community, MHA may make an allocation without reference to the allocations policy. An example of this is where too many vulnerable people are being housed in one area or common stair. All such allocations will be approved by the Senior Housing Officer or Property Services Manager and recorded within the quarterly report provided to the Management Committee.

## **12. Access to Information / Confidentiality**

All information provided by applicants will be treated in the strictest confidence.

Any applicant has the right to inspect personal information held about them in respect of their own application in accordance with the Data Protection Act and MHA's Confidentiality Policy.

## **13. Cancellation of an Application**

13.1 An application will be cancelled in the following circumstances:

- If an applicant has knowingly given false information or if information has been deliberately withheld.
- If an applicant fails to notify MHA or Edindex of any change in their housing circumstances.
- If an applicant does not respond to a letter and reminder letter from MHA or Edindex, including the annual review.

- If an applicant requests in writing that their application be cancelled.
- On the death of the applicant.

13.2 An applicant can appeal against the cancellation.

#### **14. Right of Appeal**

14.1 All applicants have the right to appeal against any decision made by MHA concerning their application, the assessment of their housing need or the cancellation of their application.

14.2 The appeal must be made in writing and should be addressed to the Director. A response will be issued within 10 working days.

14.3 If the applicant is still dissatisfied, they will have a right of appeal to the Management Committee of the Association. The appeal should be in writing to the Chairperson as per MHA's Complaints Procedure.

14.4 There is also a right of Appeal to the Public Services Ombudsman. Further information can be provided on request.

#### **15. Availability of the Allocations Policy**

15.1 Copies of this Allocations Policy are available on request and free of charge from the Association. A summary of the Policy is also available within the "Guide to the Allocations Policy" leaflet.

Copies of the policy can also be made available in other languages, on tape or in large print if required.

15.2 MHA will provide information and advice on allocations via a range of methods including verbal and written communication, newsletters, websites and local voluntary/support agencies. We can also provide information on the range of housing options available to applicants.

#### **16. Monitoring and Review**

All aspects of the Association's Allocations Policy will be reviewed on a regular basis to monitor its effectiveness and such reviews will be carried out at least every three years.

#### **17. References**

In adopting this policy the following publications have been taken into account:

Housing [Scotland] Acts 1987 and 2001  
Race Relations Act 1976  
Sex Discrimination Act 1975

Disability Discrimination Act 1995  
Human Rights Act 1998  
Data Protection Act 1998  
Raising Standards In Housing [SFHA], Chapter 1  
Performance Standards/Self Assessment [Communities Scotland]  
AS1.1 and 1.2

Reviewed: November 2005 and August 2007 (For implementation with  
Edindex 2008)

## Appendix One: Points System

### Introduction.

In order to ensure that the Association allocates properties to those people in greatest housing need, a points system is used to determine the relative priority of each applicant. Points may be awarded in more than one category, where appropriate.

#### 1. Homelessness.

Where the applicant(s) has been assessed, by City of Edinburgh Council, as homeless and in priority need. **100**

Where the applicant and their household are:

In lodgings	<b>8</b>
Leaving institutional care	<b>8</b>
Living with relatives	<b>8</b>
Leaving supported accommodation	<b>8</b>
In short term let	<b>6</b>
Occupants of a tied house	<b>6</b>
In housing need due to relationship breakdown	<b>4</b>

#### 2. Overcrowding.

Points awarded on the basis that children of mixed sex can share a room until the older child reaches six, and same sex individuals can share a room until the age of fourteen. Maximum points level of 16.

For each bedroom lacking **4**

#### 3. Underoccupation.

Points for each bedroom not required, not including the first one, where a single person occupies a double room. Maximum of 6 points.

For each bedroom not required **2**

#### 4. Poor housing conditions.

Poor condition (e.g. dampness in most rooms)	<b>4</b>
No inside wc	<b>4</b>
No bedroom	<b>4</b>
No bath/shower	<b>3</b>
No kitchen	<b>3</b>
No livingroom	<b>2</b>
Localised problem (e.g. dampness in small area)	<b>2</b>

**5. Sharing Amenities.** (Not applicable to those living with friends / relatives).

No exclusive use of bedroom	<b>4</b>
WC and bath/shower	<b>2</b>
Livingroom	<b>2</b>
Kitchen	<b>2</b>

**6. Health.**

Unable to leave hospital due to type of home	<b>100</b>
Extreme health issues	<b>6</b>
Less severe health issues	<b>4</b>
Minor health issues	<b>2</b>

**7. Social and Support Needs.**

Violence/harassment	<b>8</b>
Family support- where there is health issues	<b>4</b>
Split families (households having to live apart)	<b>4</b>
Children at height (<12's living in multi storey)	<b>4</b>
Employment (moving to area for work reasons)	<b>3</b>
Family support- where there is no health issues	<b>2</b>
Always lived with family (first time movers)	<b>2</b>

**8. Special factors/Discretionary points.**

For factors affecting the applicant's housing circumstances but not included in any of the foregoing categories. This category would have to be approved by the Property Services Manager/Director and noted at the next Management Committee Meeting. (Minimum 2 points to maximum of 4 points). **4**

Reviewed August 2007 (for implementation 2008, when the Common Housing Register revised allocations system is introduced).