

ALLOCATIONS POLICY

| | | |
|--|------------------------|---------------------------|
| Abertay Housing Association | TITLE OF POLICY | NO. |
| | ALLOCATIONS | VERSION |
| | | DATE 2008 |
| | | PAGES |
| Written By | | Don Barnett |
| Department | | Housing Management |

| Activity Standards | Number(s) |
|-----------------------------|--|
| Housing Management | AS1.1, AS1.2 |
| Property Management | |
| Property Development | |
| Homelessness | AS4.2, AS4.3, AS4.7, AS4.8 AS4.10 |
| Services for Owners | |
| Gypsy Travellers | |
| Wider Action | |

| | |
|-----------------------------------|------------------------|
| Approval Date by Committee | 31 January 2008 |
| Target Date for Revision | 2010 |
| Date Reviewed | |

| | |
|--------------------------|--|
| Last Date Amended | May 2006 June 2005 January 2008 |
| | |

Notes: Amended January 2008 to give priority to Abertay Orlit residents whose houses are to be demolished.

ALLOCATIONS POLICY

INDEX

- 1) About Abertay and the Allocations Policy
- 2) Who can apply?
- 3) Applications
- 4) Allocating properties
- 5) Housing List Groups and Quotas
- 6) Housing Types and Sizes
- 7) The Points System

1) About Abertay and the Allocation Policy

Abertay Housing Association

Abertay Housing Association is a non-profit making organisation, registered with Communities Scotland and the Registrar of Friendly Societies. Abertay aims to provide well managed and maintained social rented housing to those in housing need at generally affordable rents.

The Association aims to provide a variety of types of housing in the Dundee area and to respond to the housing needs of a wide cross section of people including those applicants requiring additional support to maintain a home.

By providing additional accommodation the Association sees its role as complementary to that of the local authority and other housing providers.

Policy Formulation

The Association has taken due account of guidance issued by Communities Scotland and the Scottish Federation of Housing Associations in their published documents, Raising Standards in Housing and Performance Standards, and The Housing (Scotland) Act 2001 in formulating this policy. We have also consulted with the local authority.

Copies of the policy

Copies of this full policy are available from Abertay's office free of charge. Where appropriate, on request, the Association will also be prepared to provide an audio tape or translated copy of this policy.

ALLOCATIONS POLICY

Policy Objectives

The Association's objectives of this policy are:

- To allow all categories of applicants to be able to apply for and to be considered for housing suitable for their needs.
- To work closely with the local authority to assist in the reduction of homelessness and to ensure housing needs in the wider community are being met.
- To help maintain and sustain communities by providing high quality housing at generally affordable rents.
- To allocate accommodation to applicants with high levels of housing need as described in this policy.
- To allocate properties to ensure that best use is made of our housing stock balanced with the aspirations and interests of all groups of applicants and tenants and in a manner which is fair to all.
- To enable a wide range of choices for all applicants regarding type and location of properties.

By having the above mentioned objectives and by excluding unnecessary restrictions on applicants eligibility to apply for and be offered housing we feel that not only will Abertay allocate accommodation to those with high levels of housing need but that the policy will help to sustain balanced communities.

All ages of applicants over the age of 16, all persons regardless of economic status and all the varying different types of household are all entitled to be considered for housing in this policy.

Policy Monitoring and Review

We will review this policy annually to ensure that objectives are being met and to take account of any changes to legislation and/or codes of guidance. We will prepare statistical returns quarterly which will be incorporated into the Housing Management quarterly report to the Management Committee. These will be assessed to ensure that the objectives of the policy are being met.

Appeals and Complaints

Any applicant who is dissatisfied with the way in which the application has been assessed, reviewed or any other decision taken in relation to the application should first contact the Housing Services Director to appeal the decision made. If the Housing Services Director is unable to resolve the matter, then applicants should obtain a copy of our formal complaints procedure which is available from the office and follow the steps set out in the procedure.

ALLOCATIONS POLICY

2) Who can apply ?

Open Access

Any person of 16 years of age or older can apply and be assessed for housing. Abertay will maintain an open housing list. Whilst applicants have a right to remain on our housing list, applicants will be advised that they have a low priority and unlikely to receive an offer of housing if their housing need is not recognised by the Association or if they have very low need as per our points system. Applicants may be deferred if their tenancy/previous tenancy has not been conducted in a satisfactory manner - see Existing and Former Tenancies below.

Equal Opportunities

Allocation of houses are made without distinction as to the race, colour, culture, marital status, religion, ethnic or national origin, gender, sexual orientation or religious or political beliefs of the applicant and we will monitor our applications accordingly.

Committee Members and Staff, and their close relatives etc.

Applications will be accepted from the above. Any such allocation must comply with the requirements of Communities Scotland, Housing (Scotland) Act 2001 and this allocations policy, be approved by the Management Committee or properly constituted sub committee and be properly noted and recorded.

Home Owners

We will accept applications from home owners and home ownership will be no bar to receiving the offer of housing.

Suspensions

Whilst applications will be accepted, offers of accommodation will normally only be made if former or current tenancies have been conducted in a satisfactory manner and all the tenancy obligations have been met.

However, no account of former or current arrears of rent will be taken if the arrears outstanding are no more than one twelfth of the annual amount payable.

Where the arrears exceed that amount then applicants will be required to demonstrate that they have agreed an arrangement with their landlord, that they have made payments in accordance with the agreement for at least 3 months and that they are continuing to make such payments.

Where applicants or anyone proposing to reside with the applicant have caused or allowed damage to their present home, then they will be expected to have rectified the damage or to have satisfactorily recompensed their landlord for the repairs before receiving an offer of housing.

ALLOCATIONS POLICY

Applicants who have been evicted for anti social behaviour or racial harassment or where there is substantiated evidence of extreme or serious behaviour or sustained nuisance - as defined in Abertay's Neighbour Disputes and Anti Social Behaviour and Racial Harassment policies - will not normally receive an offer of housing unless they can demonstrate that their circumstances have changed to such an extent that the Housing Services Director regards it as unlikely that similar behaviour will recur.

Any departure from the above paragraph must have the authority of the Housing Services Director who may decide to offer a Short Scottish Secure Tenancy (post 30/9/02) for between 6 and 12 months depending on the individual circumstances.

In particular, where:

- an order of repossession due to using the house for immoral or illegal purposes or for causing an offence in the locality of the house or for anti social behaviour or harassment has been served on the applicant or any one of joint applicants within the preceeding three years or
- the prospective tenant , joint tenant, or a person who it is proposed to reside with the prospective tenant is subject to an ASBO

then the applicant may be offered a Short Scottish Secure Tenancy for a period of between 6 and 12 months. Where a Short SST is to be offered then the Senior Housing Officer will ensure that appropriate housing support arrangements are put in place.

The Senior Housing Officers have the authority to make decisions on whether the applicants previous or current tenancies have been conducted satisfactorily.

Right to Buy

Where a transfer applicant submits an application through the Right to Buy procedure, the application for rehousing will be suspended until the house is sold or the application to purchase has been withdrawn.

3) Applications

Confidentiality

Abertay will treat all information provided in connection with an application as confidential at all times. All enquiries regarding the progress of an application by either the applicant or a third party acting on the applicants behalf should be made to the appropriate staff member. Applicants who wish information to be passed to a third party will be required to sign a letter naming the person or body acting for them and authorising release of information.

Any information given by the applicant which is stored on computer will be dealt with under the terms of the Data Protection Act 1998. Abertay is registered with the Data Protection Commissioner.

ALLOCATIONS POLICY

Receipt of Applications:

On receipt, applications will be assessed and an acknowledgement and assessment details issued to the applicant. This information will be issued within 10 working days of receipt of the application. The applicant will be advised whether they have been accepted onto the waiting list, and if not, reasons for the non acceptance will be given.

Prior to an allocation being made, a home visit will be made to verify the application details and to assess how best the Association can meet the applicant's requirements.

Applications to other agencies

Even although an applicant is accepted on to our housing list and has a high priority we cannot guarantee a house will become available within a reasonable timescale.

Therefore we encourage applicants to apply to the local authority and other housing providers in the area they wish to be housed. A list of other landlords is available from our office.

False information

To avoid the Association making allocations based on false information applicants may be asked to provide documentary evidence in support of statements given in the application form.

Applications which are found to contain deliberately falsified information or which fail to disclose relevant information will be refused. If a person is found to have obtained a house on the basis of deliberately falsified information the Association may exercise its right to raise legal proceedings to end the tenancy and to recover possession of the property.

Medical Certificates

If an applicant has a medical condition which they wish to be taken into account as part of their application, a medical certificate must be provided. This will be forwarded to the District Medical Adviser for assessment.

Change of Circumstances

Applicants must inform the Association of any change in their personal or housing circumstances.

Renewal of Housing Applications

All housing applications will be reviewed annually, and all applicants must renew their application each year. Abertay will contact all applicants annually. Failure to return an application renewal form to the Association will result in the applicants name being removed from the housing list.

4) Allocating properties

ALLOCATIONS POLICY

Points

We feel that a points system is the most appropriate way to allocate our dwellings within principal groupings.

Where applicants have the same number of points and they are being considered for the same property then the applicant who has been in housing need the longest will be offered the property.

Sensitive Allocations

Whilst it will be usual for the applicant with the highest number of points to be considered for a particular type, size and location of property, Abertay also aims to allocate its properties sensitively.

e.g. to match applicants with houses for mobility needs (consider any transport requirements, hills, steps to the front door), avoiding over concentrations of children in a close (where we may offer a similar flat in an alternative close), paying heed to potential clashes of lifestyles where, for example, we may have received noise complaints and a potential applicant is known to have a noisy lifestyle, and so on.

All allocations of housing will be signed by both the Housing Officer and Senior Housing Officer and where the applicant with the highest number of points has not received the offer the reasons will be clearly stated with a visible audit trail.

Exceptional Circumstances

Although our allocations policy endeavours to cover all situations it is recognised that there may be exceptional cases which are not adequately covered in this policy.

The Housing Services Director has the authority to award additional points, or to offer accommodation outwith the stated house sizes or to otherwise increase the priority of applicants due to exceptional circumstances.

Any such decisions will be recorded in writing and reported to the Management Committee on a quarterly basis.

Matrimonial Homes Act:

In some circumstances, the Sheriff Court has the power to direct the Association to award a disputed tenancy to one of two parties. The Association will act in accordance with the Sheriff's decision.

Hard to Let Properties:

In the event of a dwelling being refused at least 4 times by applicants who had indicated that they were willing to accept that type of accommodation within that area, the Housing Services Director will take such steps as he/she deems necessary to expedite the letting of the dwelling.

No qualifying applicants:

In the event of there being no qualifying applicants for a dwelling the

ALLOCATIONS POLICY

Housing Services Director will take such steps as necessary to expedite the letting of the dwelling.

5) Housing List Groups and Quotas

Housing List

Allocations will be made from the Housing List except for the following quotas:

- **Transfer applications** (from existing Abertay tenants) - Quota up to 30%
We recognise that many of our existing tenants will have unmet housing needs and aspirations which will be assessed in accordance with this policy. In order to balance the aspirations and needs of all groups of applicants up to 30% of allocations will be made to transfer applicants.

- **Nominations and Section 5 Referrals** from the local authorities - Quota up to 50% net lets.

We will offer the Local Authorities the opportunity to nominate for up to 50% of net lets (ie after transfers and decants). This figure will include the Section 5 referrals. All nominations (except Section 5 referrals) will be assessed against Abertay's Allocation Policy. The details of the operation of this will be covered in the formal nominations agreement with each Local Authority.

In particular, we will comply with Section 5 referrals (homeless families) from the local authority to provide housing for homeless persons/families in priority need unless there are reasonable grounds for not doing so. Should we be unable to reach a satisfactory agreement then Abertay may instigate the arbitration process as described in the Section 5 Protocol with the council .

- **Supported Accommodation** - Quota up to 12%

Abertay recognises its Supported Housing role, and up to 12% of properties which become vacant each year will be allocated to Care in the Community categories. This may involve the use of SSSTs, leases and management agreements.

- **Homes** - quota up to 4%

Abertay participates in HOMES and HOMESWAP and up to 4% of net allocations (i.e. after transfers, nominations, decants) will be made to applicants under the HOMES scheme.

Ethnic Minorities

We will aim to achieve an overall target of 2.5% of lets to Ethnic Minority applicants.

Housing Exchanges:

The Association permits exchanges between its own tenants and those of other landlords. The aim of this is to assist tenants to satisfy their housing

ALLOCATIONS POLICY

aspirations and housing need, to promote mobility and to make better use of the housing stock.

The Housing Services Director reserves the right to refuse a request for an exchange if there are reasonable grounds for so doing.

Reasonable grounds would include the situation where:

- a current Notice of Repossession has been served,
- where either party does not require the facilities or amenities provided in specially designed/adapted properties,
- where the house is provided for the employment of the applicant,
- where the exchange would lead to severe overcrowding or underoccupation or worsen the housing situation of either party.
- where the house would not be suitable for the tenants needs,
- where there are rent arrears or other outstanding debt in relation to the tenancy

In addition, applicants agree to remain in their exchanged houses for a minimum period of 6 months.

Abertay maintains an exchange register which is available for viewing in Abertay's office.

In order to maximise the opportunities for tenants to move home Abertay participates in the HOMES and HOMESWAP mobility schemes. Full details are available from the Association's office.

Tenants may apply to exchange and approval will be given provided the criteria as laid down in this policy are met and in addition:

In exceptional circumstances the Housing Services Director has discretion to waive any of the above criteria where the housing situation of one of the applicants can be substantially enhanced by approving the exchange.

Exchanging tenants must be prepared to accept the decorative condition of the property and any alterations or improvements carried out by the current tenant.

6) Housing Types and Sizes

General Needs Housing

The majority of the Associations properties fall into this category which is open to all applicants to apply.

Sheltered Housing

Admission to the Sheltered Housing lists will be normally restricted to those over 60 years of age, except where a medical condition warrants sheltered housing.

ALLOCATIONS POLICY

All applications for Sheltered Housing will be assessed by the District Medical Advisor who will allocate a priority banding A,B,C,D,E. A being the highest priority, E being the lowest.

Within each banding, Abertays points system will be used to determine those applicants with the highest priority need for housing.

Amenity Housing

The Association has a number of amenity properties. These include properties adapted for wheelchairs and for ambulant disabled residents. Applicants for this type of accommodation will be considered outwith the points system.

Due to the limited number of properties available, Abertay will seek referrals from the District Medical Officer, the Committee for Housing the Disabled Dundee, and from agencies working with clients who have specialised housing needs.

Houses unsuitable for particular categories of applicants

Dryburgh Gardens non - sheltered flats will be let to single persons/couples who do not have /intend to have young families living with them – i.e. under the age of 16.

Fintry Mains non - sheltered flats will be let to single persons/couples who do not have/intend to have young families living with them - i.e. under the age of 16.

House Sizes

Applicants will not normally be allocated a house which they would under-occupy according to their household size and bedroom requirements.

Children involved in custody cases will be considered as members of the household where regular access - i.e. for at least two overnight stays per week or eight weeks per year - has been agreed and can be demonstrated e.g. through a Minute of Agreement which has been lodged with the Keeper of Registers or by the confirmation in writing of both parties. However priority will be given to applicants with full custody arrangements or permanent household members where such applicants have identical points.

The following bedroom criteria will generally be applied to assess house size required and the extent of any over-crowding or under-occupancy:

A double bedroom for:

Couples *

Single Parents

Two mixed sex children under 5 years

Two same sex children under 10 years

A single bedroom for all others.

* Couples will be able to apply for 2 bedroom accommodation rather than 1

ALLOCATIONS POLICY

bedroom accommodation if they prefer. In order to make available larger sized properties single transfer applicants will be able to apply for 2 bedroomed accommodation if they occupy 3 or more bedroomed accommodation.

Abertay recognises that the above bedspace criteria are more generous than the statutory requirements:

Viz 2 mixed sex children under 10 share a double bedroom
and 2 same sex children irrespective of age share a double bedroom.

Where applicants wish to take a **smaller** dwelling than that which they qualify for which will not result in overcrowding by statute, then Abertay will accept the applicants preference. However points for overcrowding or underoccupation will only be calculated on the **difference** in size between the applicants present accommodation and their preferred choice.

7) The Points System

The following points system applies to both general and sheltered housing waiting list applicants.

- ❖ applicants who qualify for points under **A** (No permanent accommodation) and **B** (Required to leave present accommodation) and **C** (sharing/furnished accommodation) may also be awarded points from sections **E** (Medical), **F** (Support) **J** (Domestic violence) and **K** (Anti social, harassment)
- ❖ applicants not in categories **A,B** or **C** will be entitled to points from the remainder of the categories as applicable.
- ❖ applicants who qualify for points under **D** (Employment) may also fall into either of the groups above. They will be eligible for points **EITHER** under **D** (Employment) **OR** as above, if applicable, whichever results in the higher number of points.

A No permanent accommodation

Statutory Homeless/ living in non-residential caravan

| | |
|--|------------------|
| <i>For single applicant/applicant and partner</i> | <i>26 points</i> |
| <i>For each additional member of the household</i> | <i>2 points</i> |

B Requiring to leave present accommodation

- ❖ In tied accommodation requiring to leave within 6 months
- ❖ Owners subject to a repossession order

ALLOCATIONS POLICY

- ❖ on a short assured tenancy which you are required to vacate within 6 months
- ❖ present accommodation due for demolition

For single applicant/applicant and partner 20 points
For each additional member of the household 3 points

- ❖ Divorced or separated still resident in the family home or relinquished interest in the family home

For single applicant/applicant and partner 22 points
For each additional member of the household 3 points

C) Sharing / privately furnished/ living in a residential caravan

- ❖ Living care of
- ❖ Sharing facilities/ houses in multiple occupation

For single applicant/applicant and partner 16 points
For each additional member of the household 3 points

- ❖ In furnished accommodation/ residential caravan

For single applicant/applicant and partner 14 points
For each additional member of the household 3 points

Applicants within **C** will also qualify for additional points if applicable as follows:

For each bedroom short of requirements 4 points
No hot water or bath/shower or WC - each 2 points
No Central Heating 1 point
For each child under the age of 10 not having a garden 1 point
For each storey above ground without a lift for children under the age of 5 1 point

D) Employment

Applicants seeking to move from outwith Dundee City Council's area to take up a job offer

For single applicant/ applicant and partner 14 points
For each additional member of the household 3 points

E) Medical factors where rehousing will help to relieve the difficulties

ALLOCATIONS POLICY

assessed by the District Medical Officer 0 to 40 points

F) Support requirements

Applicants wishing to move into the area to provide or to receive support from close family members.

Assessed by the District Medical Officer 0 to 20 points

G) Sub Standard / Lacking facilities

Very poor state of repair (authorised by HSD) 20 points

No WC 12 points

No bath/shower 12 points

No hot water 12 points

No Central Heating 5 points

Applicants with children under the age of 10 with no garden - per child 4 points

Applicants with children under the age of 5 living above ground floor with no lift - per storey 3 points

Applicants with children aged 6 to 16 above ground floor with no lift - per storey 1 point

H) Overcrowding

Each bedroom short of requirements 20 points

Plus applicants with a member of the household over the age of 10 sharing a bedroom with a member of the opposite sex 4 points

I) Underoccupation

For each bedroom in excess of requirements 25 points

J) Domestic violence

Suffering from domestic violence 30 points

ALLOCATIONS POLICY

K) Anti social, harassment

Suffering from anti social behaviour or harassment

| | |
|--------------------|-----------|
| Extreme | 25 points |
| Serious | 15 points |
| Sustained nuisance | 10 points |

L) Abertay tenants requiring a transfer

Tenants occupying cottages or 4-in-a-block flats wishing to transfer to a non-sheltered tenement or multi - storey flat

30 points

M) Discretionary

To be authorised in exceptional circumstances by the HSD and reported to the Management Committee

N) Abertay Orlit Residents

In addition to the calculation of points as described above, Abertay Orlit residents will be awarded points. See Appendix 1

100 points

ALLOCATIONS POLICY

APPENDIX 1

LETTINGS INITIATIVE - ABERTAY ORLIT RESIDENTS

In November 2007 Abertay's Management Committee made the decision to demolish Abertay's Orlit houses as soon as possible and with a target date of September 2010 for all demolitions.

Due to the popularity of the Orlits, and due to the small turnover of cottages it is recognised that it will be difficult to rehouse the Orlit residents in suitable and similar accommodation in a short timescale.

Consequently it is agreed that Orlit residents will be given an additional 100 points over and above the transfer points that they would have been awarded if their homes were not subject to demolition. This will have the effect that Orlit residents will have first option on Abertay's accommodation that becomes available.

In addition we will be sympathetic to any request for an extra bedroom - over that which our allocation policy would normally allow - for social reasons as long as the tenant is moving to similar sized or smaller accommodation to the Orlit being vacated.

Should an Orlit tenant refuse to move voluntarily, then an order of repossession under Ground 10 of Part 1, Schedule 2 of the Housing (Scotland) Act 2001 will be applied for. Other suitable accommodation must be made available. Suitability is described to in Part 2 of Schedule 2 to the Act and must take account of, location, size, character of accommodation compared to the tenant's existing accommodation, terms of tenancy etc.

By adopting this Lettings Initiative, it is expected that the necessity to seek such a repossession order will be minimised.