

# ALLOCATIONS POLICY

## 1. Policy Statement and Aims

- 1.1 This policy sets out how Castles & Coasts Housing Association (**CCHA**) will allocate our available rented homes, in a fair, transparent and efficient way, taking into account the housing need and aspirations of residents and potential residents, in line with relevant legislative and regulatory requirements.
- 1.2 The policy excludes the allocation of other tenure types, which are not rented, i.e. Shared Ownership, Rent to Buy and Outright Sale properties, and also successions or assignments of tenancies.
- 1.3 CCHA's aim is to meet the aspirations of those in greatest housing need, and we will work together with Local Authority partners to give priority for re-housing to those people in the 'reasonable preference' categories of need prescribed by Government guidance, and to find joint solutions to address local housing need.
- 1.4 Our policy is to treat everyone applying for housing fairly, being inclusive to all. We will provide additional support, where necessary, to ensure that everyone is able to apply for housing.
- 1.5 As well as addressing the needs of individuals, we intend our policy to have a beneficial effect on local communities, by contributing to the development of sustainable communities.
- 1.6 This policy covers all applicants who register an interest to apply for a CCHA home, either via a Choice Based Lettings (**CBL**) scheme or directly with CCHA. Where we are a partner of a CBL scheme, the specific Allocations Policy of the given CBL scheme applies. Details on geographical areas covered by a CBL scheme are outlined at Appendix 1.
- 1.7 This policy applies to both new applicants and existing residents who wish to transfer.
- 1.8 In some cases, applicants who apply for a CCHA home will be ineligible or unsuitable. These circumstances are defined in Section 6.

## 2. Relevant Legislative and Policy Framework

- 2.1 This Allocations Policy is aligned to the following legislation:
  - Housing Act 1996 (as amended by the Homelessness Act 2002 and the Localism Act 2011)
  - Equality Act 2010
  - Housing and Regeneration Act 2008
  - Localism Act 2011
  - Welfare Reform Act 2012
  - The Government's Social Housing Allocations Guidance
  - Immigration Act 2016
  - Homelessness Reduction Act 2017
  - Regulator of Social Housing's Tenancy Standard

## 3. Definitions

- 3.1 The following definitions are used within this policy.

Definition	Explanation
<b>Choice Based Lettings</b>	This scheme allows housing applicants to apply for available housing, in accordance with their needs and geographical preferences.

Definition	Explanation
<b>Section 106 Agreement</b>	This is a Legal Agreement relating to conditions applied as part of the property or development's Planning Permission, which sets out residency eligibility criteria.
<b>Local Lettings Policy</b>	This is a set of criteria which applicants of housing must meet, in specific geographical areas, usually where housing supply is low and demand is high.
<b>Nominations Agreements</b>	This is an agreement whereby the Local Authority can nominate applicants for properties within a specific scheme. This is usually an agreed percentage of overall allocations.
<b>Agreement for Tenancy</b>	This is an agreement where a tenancy is granted to an applicant under 18 years old. It allows the individual to occupy the property, ahead of them turning 18. An appointed Guarantor acts as a representative of the resident, until that date, and guarantees compliance with the conditions set out within the Tenancy Agreement.

#### 4. Eligibility

4.1 Social housing is primarily allocated to those people in housing need under Section 69 of the Housing and Regeneration Act 2008. An individual's circumstances will be considered at the point of application and as identified at Pre-Tenancy Assessment stage.

4.2 The following eligibility criteria applies to applicants of CCHA's rented homes:

- Anyone who is over the age of 18, and is a UK resident, with the right to live and work in the UK, with recourse to public funds.
- Anyone who is between the age of 16 and 18 years old may apply for housing, subject to providing details of a Guarantor, who will agree to the adherence to the obligations under the agreement for tenancy granted to the individual, until the resident turns 18 years old.
- Existing residents of CCHA homes can register for a transfer to another property, where there is a housing need. Normally, they will only be eligible if they have an up to date rent account and have conducted their tenancy in line with their obligations within the Tenancy Agreement. However, exceptions may be made. In these cases, the resident will be required to pay or agree a reasonable Repayment Programme in respect of financial arrears, as a term of their new tenancy.

#### 5. Affordability

5.1 As a responsible landlord, CCHA must establish that prospective residents are able to sustain a tenancy, before we offer them a home. A Pre-Tenancy Assessment will, therefore, be carried out prior to the offer of a tenancy. This will assess the applicant's ability to afford and sustain a tenancy.

5.2 Where it is clear that an applicant would be in financial difficulty, if they were to be offered the property, and effectively not be able to sustain a tenancy, CCHA may decline the tenancy. Alternatively, CCHA may offer additional support, to help the applicant access support and advice, to assist them to access housing which is affordable and sustainable.

#### 6. Applicants Who Are Ineligible

6.1 Applicants who meet the following criteria are ineligible to apply for CCHA's rented homes:

- Applicants without the right to rent, as defined under the provisions of the Immigration Act 2016, are ineligible to apply for social housing.
- Owner occupiers will be allowed to register their interest for a CCHA rented home. However, the priority banding they are awarded will depend on an assessment of their financial means and their ability to purchase suitable accommodation or remain in their current home.

- 6.2 CCHA expects applicants registering for housing to be able to meet the standards of behaviour required of them by our Tenancy Agreements. Where an applicant's current behaviour indicates that they would be unsuitable to be a resident, they will not be eligible to register, until they can evidence that they have engaged with relevant support and/or there has been an evidenced period of changed behaviour. Where possible, we will signpost people to relevant support agencies.
- 6.3 Local Authorities can treat a person as ineligible where they, or a member of their household, has been guilty of behaviour serious enough to make them unsuitable to be a resident and, at the time of the application, the applicant is still unsuitable to be a resident. We agree with, and will adopt, this approach.
- 6.4 Unacceptable behaviour includes, but is not limited to:
- Anti-Social Behaviour (**ASB**)
  - Racial harassment and other hate related crimes
  - Criminal behaviour
  - Violence
  - Violence or threats of violence to staff or the agents of contractors or partner organisations
  - Serious housing related debt
- 6.5 We will not exclude applicants unless we have followed the 3 steps below to be considered before making that assessment:
- 1) Is the behaviour unacceptable?  
  
The ASB need not have led to possession, prosecution or other enforcement action by a statutory agency, provided that, on the balance of probability, the household is responsible.
  - 2) Is the unacceptable behaviour serious enough to make the applicant unsuitable as a resident of the landlord?  
  
Where there would be entitlement to a Possession Order, CCHA will need to ensure that the behaviour was serious enough to make the person unsuitable to be a CCHA resident.
  - 3) Is the behaviour current or has it improved?  
  
Unacceptable behaviour will be behaviour at the time the application is considered. Previous unacceptable behaviour may not justify a decision to consider the applicant as unsuitable, if that behaviour can be shown to have improved.
- 6.6 Where all 3 steps of the above assessment have been satisfied, an applicant may still be deemed as ineligible, if:
- an applicant has provided false information or deliberately withheld information in connection with their application.
  - an applicant owes money for housing related debt. This is usually where the outstanding debt is over £1,000 or where there has been no active engagement or attempt to repay the outstanding debt.
  - legal proceedings are underway to end an existing tenancy. This includes the service of a Notice of Seeking Possession, because of the resident's breach of a condition of tenancy.
  - after inspection, we consider an applicant's current CCHA property to be in an unacceptable condition.

- 6.7 If an applicant is a resident of CCHA and they request a transfer, we will, generally, not consider the application, unless there is an established housing need. We will consider each individual transfer application according to the circumstances of the case.
- 6.8 CCHA will not adopt a ‘blanket ban’ approach. The decision on whether an applicant is deemed to be ineligible, will be made on a case by case basis.
- 6.9 Where an applicant is deemed to be ineligible, they will be given the reasons for that decision and will be informed of their right to appeal the decision and, also, the process of appeal.

## 7. Housing Applications from CCHA Staff, Board Members and their Family Members

- 7.1 In line with CCHA’s Employment, Housing and Contract Awards to Staff, Members and their Family Members Policy, we ask applicants to provide details, on their application, as to whether they have a connection to CCHA. A connection includes the following:
- they are employed by CCHA, either directly or as a sub-contractor or agent.
  - they are a director, owner, Board Member, trustee or has some other controlling or financial interest in the organisation.
  - they hold shares in the organisation or has some other financial stake or interest in its success.
  - if there is some other connection or link that a reasonable person could take to create a conflict of interest.
- 7.2 Where the above applies, the Chief Executive will assess the housing application, to ensure the applicant has the greatest need for the property, over any other applicants for the property.

## 8. Property Type Eligibility

- 8.1 Usually, we will not offer accommodation which does not meet an applicant’s identified housing need, i.e. a property too small or too big for the household. However, discretion may be applied, under exceptional circumstances.
- 8.2 We will, generally, offer the following sizes of properties to the following types of applicants:

Property Type	Household Type
Bedsit / 1 bedroom property	<ul style="list-style-type: none"> <li>• A single person</li> <li>• A couple</li> </ul>
2 bedroom property	<ul style="list-style-type: none"> <li>• A couple with 1 child</li> <li>• A single person with 1 child</li> <li>• A couple with 2 children</li> <li>• A single person with 2 children</li> <li>• 2 single people</li> </ul>
3 bedroom property	<ul style="list-style-type: none"> <li>• A couple with 2 or 3 children</li> <li>• A single person with 2 or more children</li> </ul>
4 bedroom property	<ul style="list-style-type: none"> <li>• A couple with 3 or more children</li> <li>• A single person with 3 or more children</li> </ul>

Please note that the household composition is dependent on the age and sex of children, in line with size eligibility criteria used to assess benefit criteria for housing costs.

## **9. CBL, Nomination Agreements and Section 106 Agreements**

- 9.1 CCHA is committed to working in partnership with relevant Local Authorities, through joint housing application and allocation schemes, including CBLs and Nominations Agreements, where these are applicable.
- 9.2 Where Section 106 Agreements or Local Lettings Policies apply to CCHA properties, we are required to allocate within the terms of these, for example, specific local connection or age restrictions. Where these agreements are preventing the prompt allocation of a property, or scheme, we will negotiate with the Local Authority to widen the criteria, where possible, in order to meet current housing need within the area.

## **10. Direct Application Process**

- 10.1 In geographical areas where CCHA properties are not allocated through a designated CBL scheme, or where CBL systems become unavailable or obsolete, we operate a direct application and waiting list process for the allocation of properties in these areas. In addition, we also liaise with Local Authorities in these areas, as required, where there are Nominations Agreements in place.

## **11. Managed (Direct) Allocations**

- 11.1 In some exceptional circumstances, a property will be allocated directly to an applicant outside of the Allocations Policy. There are two instances where a managed allocation is made. The first being where CCHA has a legal obligation. This is where:
- a Court Order states that CCHA is obliged to provide a property.
  - it is necessary to decant an existing CCHA resident to an alternative property, due to major repairs, health and safety reasons, demolition, fire or flood.
- 11.2 The second being, where a sensitive allocation is required, due to the person's previous history, where there is an urgent need for housing, and it would cause serious hardship or risk to the applicant. This is where:
- current residents who are at imminent risk of violence and are to be housed through a witness protection programme.
  - vulnerable residents who are to be housed as part of a multi-agency protocol, where a full support package is in place.
  - an existing resident is required to move to make best use of stock and suitable accommodation has not been secured through the Allocations Policy, e.g. to make available a fully adapted property, urgently required by a priority resident.
  - there is a need agreed between housing and Adult Social Care or Children's Services to provide a specific property for vulnerable individuals. For example, where a property is required for people with learning disabilities to live together with support.
  - a sensitive allocation is required for a particular property because of previous issues of drug dealing, violence, public protection or ASB.
  - a risk to the sustainability of a current tenancy is identified and a move to a smaller property would be mutually beneficial.

Please note that the above list is not exhaustive.

## **12. Assessing Housing Need**

- 12.1 We will give reasonable preference to the following categories of housing need:
- People living in unsatisfactory conditions, i.e. unsanitary or overcrowded.

- People whom the Local Authority have accepted as statutorily homeless under the Housing Act 1996 and to whom they owe a continuing duty to house.
- Households consisting of, or including someone with, a particular need for rented accommodation on medical or welfare grounds, including grounds related to disability.
- People who need to move to a particular locality in the district of the housing authority where failure to meet that need would cause hardship to themselves or others.

12.2 CCHA's rented homes are allocated on a points based system, in accordance with housing need. The table at Appendix 2 provides a detailed overview of the points system.

### **13. Mutual Exchanges and Transfers**

- 13.1 CCHA will support existing residents who wish to move through a transfer and/or a mutual exchange.
- 13.2 Residents have the right to exchange accommodation with certain other CCHA residents, residents of other housing associations and Local Authorities. Residents must obtain prior written approval from us.
- 13.3 CCHA has the right to refuse a transfer or mutual exchange. Section 6 outlines the circumstances in which a tenancy would be ineligible. In addition, where an existing resident has a Starter Tenancy or a tenancy which is less than a year old, this is also likely to be ineligible.

### **14. Housing Fraud**

- 14.1 Social housing fraud is a criminal offence, and anyone found to have deliberately provided false information, or withheld information as part of a housing application, will be denied a tenancy and, CCHA will report this to the Police, as necessary.
- 14.2 If we discover this type of irregularity at the offer stage, we will withdraw the offer. A tenancy found to be obtained by deception, may also be at risk of repossession.

### **15. Cross References and Future Policy Review**

- 15.1 This policy will be applied in conjunction with the following CCHA policies and procedures:
- Anti-Social Behaviour Policy
  - Decant Policy
  - Domestic Abuse Policy
  - Equality & Diversity Strategy
  - Empty Property Management Policy
  - Employment, Housing and Contract Awards to Staff, Members and their Family Members
  - Safeguarding Policy
  - Tenancy Policy
- 15.2 The Allocations Policy will be reviewed in light of any new legislation or Regulatory Standards or every 3 years, whichever comes first.

## CBL SCHEMES

### 1. North East

1.1 In the North East, there are several CBL schemes in operation. These are:

- Northumberland Home Finder - properties located in Northumberland
- Tyne and Wear Homes - properties located in Newcastle, North Tyneside, Gateshead and South Tyneside
- Durham Key Options - properties located in Durham
- Compass - properties located in Darlington
- North Yorkshire HomeChoice - properties located in North Yorkshire

### 2. North West

2.1 In Cumbria, CCHA is a partner of Cumbria Choice, which is a sub-regional CBL scheme. All of CCHA's rented properties in Cumbria are advertised and allocated on Cumbria Choice and in accordance with Cumbria Choice's Allocations Policy.

2.2 CCHA's properties in Lancaster are advertised and allocated via Lancaster City Council's Ideal Choice Homes scheme. The scheme operates according to a Nominations Agreement between the Council and the partners, including CCHA.

## POINTS ALLOCATION

Circumstance	Reason for Priority Band Assessment	Number of points awarded
<b>Statutorily Homeless</b>	If you are homeless or threatened with homelessness, you should initially contact your Local Authority. If you are accepted as statutorily homeless by them, and an obligation exists for them to provide permanent accommodation.  (Proof from the Local Authority will be required).	<b>1000 Points</b>
<b>Threatened with homelessness</b>	If you have received a Notice to Quit, a Notice of Intention to Seek Possession from your landlord/employer or you are to be discharged from hospital, prison or the armed forces, 28 days prior to expiry of the notice.  (Proof from the Local Authority will be required).	<b>500 Points</b>
<b>Non-Statutorily Homeless</b>	If you are homeless or threatened with homelessness and are accepted as such by the Local Authority, but do not have a priority need as defined by the legislation.  (Proof from the Local Authority will be required).	<b>500 Points</b>
<b>Non-Secure Tenure</b>	<ul style="list-style-type: none"> <li>If you are living with family or friends and do not have the right to permanent or long-term security of tenure.</li> <li>If you are living in temporary accommodation such as bed and breakfast or a council run hostel for homeless families and do not have long term security of tenure</li> <li>If you are living in accommodation that is provided with your job</li> <li>If you are living in private accommodation under an “assured shorthold tenancy” or a licence</li> </ul>	<b>75 Points</b>  <b>75 Points</b>  <b>75 Points</b> <b>75 Points</b>
<b>Local Authority Actions</b>	Your home is subject to a Compulsory Purchase Order. Points are awarded when the Purchase Order is confirmed.	<b>500 Points</b>
<b>Domestic Abuse</b>	If you are at risk of abuse or violence in your present home from someone who is part of your household or who is associated with your household, e.g. through a previous relationship, kinship or friendship with an ex-partner, and there is no accommodation which you could reasonably be expected to occupy.  For the definition of Domestic Abuse, please refer to the Domestic Abuse Policy.	<b>1000 Points</b>
<b>Hate Crime/ Harassment</b> *(This should be substantiated by your current landlord or Police reports).	If you or a member of your household is experiencing hate crime in or around your present home.	<b>500 Points</b>
<b>Severe Harassment</b>  *(This should be substantiated by your current landlord or Police reports).	If you or a member of your household has been singled out for ASB, which makes living conditions intolerable, e.g. threats of violence, which may be carried out.	<b>75 points</b>
<b>Other Levels of Harassment</b>	If you or a member of your household is experiencing harassment of other kinds which are of a lower intensity or shorter duration and which	<b>10 points</b>

Circumstance	Reason for Priority Band Assessment	Number of points awarded
	are unlikely to result in physical violence, e.g. a low level of neighbour dispute, which is unlikely to be resolved by mediation or any other means.	
<b>Relationship Breakdown</b>	If you are living with a former partner where a relationship has irretrievably broken down.	<b>75 points</b>
<b>Overcrowding</b>	<p>We consider that a separate bedroom is necessary for:</p> <ul style="list-style-type: none"> <li>• Each couple living together.</li> <li>• A parent in a single parent family.</li> <li>• Each person aged 16 years and over.</li> <li>• Each child aged 10 or over who would otherwise have to share a bedroom with a child of the opposite sex.</li> <li>• Any other child.</li> </ul> <p>In addition, we consider that in no household should more than two people have to share a bedroom.</p>	<b>40 points</b> (for each bedroom you are assessed as needing but do not have)
<b>Under-Occupation</b>	<p>If you are a resident of any landlord and your present accommodation is too large, we will award:</p> <ul style="list-style-type: none"> <li>• if under-occupying by 1 bedroom</li> <li>• if under-occupying by 2 bedrooms or more</li> </ul> <p>(Please note you will not be awarded these points if the property which you occupy now is the same size as the property you are applying for).</p>	<b>40 points</b> <b>60 points</b>
<b>Suitability of Present Accommodation</b>	<ul style="list-style-type: none"> <li>• If you are a family with children under the age of 10 living wholly above the ground floor and would benefit from being housed in ground floor accommodation.</li> <li>• If you have an evidenced medical need and living wholly above the ground floor, without the use of a lift.</li> </ul>	<b>40 points</b> <b>40 Points</b>
<b>Lacking or Sharing Facilities</b>	<ul style="list-style-type: none"> <li>• Lacking or Sharing Facilities;</li> <li>• Kitchen or cooking facilities</li> <li>• Fixed bath or shower</li> <li>• Inside toilet</li> <li>• Hot water supply</li> <li>• Permanent heating</li> <li>• Electricity</li> </ul>	<b>10 Points</b> <b>10 Points</b> <b>10 Points</b> <b>10 Points</b> <b>10 Points</b> <b>10 Points</b>
<b>Disrepair</b>	<p>If your home is in a very poor state, as deemed by an Officer of the Local Authority under the Housing Health and Safety Rating System (HHSRS), as defined under Part 1 of the Housing Act 2004. e.g.:</p> <ul style="list-style-type: none"> <li>• It is severely damp</li> <li>• The roof or walls are leaking</li> <li>• The electrical wiring is dangerous</li> <li>• The window frames, doors or other woodwork is rotten</li> </ul>	<b>40 Points</b> <b>40 Points</b> <b>40 Points</b> <b>40 Points</b>
<b>Health or Medical Factors</b>	<p>We will award points on one ground only:</p> <ul style="list-style-type: none"> <li>• Where evidenced, you cannot use part of your home due to ill-health or disability.</li> <li>• Where evidenced, your ill-health or disability is made worse by the conditions under which you are living and moving to suitable accommodation would significantly improve your housing situation.</li> <li>• Where evidenced, your health or disability is made worse by the location of your property and moving to suitable accommodation would significantly improve your housing situation.</li> </ul> <p>A form will be sent out to you to complete if you indicate that you or anyone in your household, who is to be re-housed with you, has health</p>	<b>75 points</b> <b>40 points</b> <b>15 points</b>

Circumstance	Reason for Priority Band Assessment	Number of points awarded
	or medical problems, which are adversely affected by your current housing circumstances. This information will be used to determine your points award.	
<b>Social Circumstances</b>	<p>Applicants who's economic, or social and welfare needs, are reducing their prospects of securing and maintaining rented accommodation:</p> <ul style="list-style-type: none"> <li>• Partners or members of the family who would otherwise live together but are forced to live apart.</li> <li>• An applicant wishing to live nearer relatives to provide or receive support will be awarded (an address of relatives will be required, along with evidence information on the support provided).</li> <li>• If you are a family with dependent children and/or you are pregnant (receipt of MATB1 Form).</li> <li>• If you wish to move closer to your children's school.</li> </ul>	<p><b>75 Points</b></p> <p><b>40 points</b></p> <p><b>40 points</b></p> <p><b>20 points</b></p>
<b>Accommodation with Careline or Other Emergency Alarm</b>	<p>This housing is provided to support applicants 55 years and above.</p> <p>They are able to live independently, but they have the comfort of knowing that a community alarm is available in case of emergency.</p>	<b>20 points</b>
<b>Independent Living</b>	<p>This housing is provided to enable applicants over the age of 55 to maintain an independent lifestyle but with the benefit of having a Wellbeing &amp; Compliance Assistant, to provide support, where needed, and, in addition, the back-up of an emergency alarm system.</p> <p>CCHA will do its best to ensure that this accommodation is provided to people in most need of it, but only if the service it provides is appropriate to those needs.</p> <p>(Applicants for Independent Living will be subject to an assessment of their housing and general support needs)</p>	<b>40 Points</b>

- Please note that if an applicant is awarded points for homelessness, no further additional points will be awarded.