

INTRODUCTION

The purpose of this policy is to set out the principles through which South Northants Homes (SNH) manages its void properties and allocates its rented housing.

Existing tenants of South Northants Homes should also refer to the associated Transfer Policy.

In establishing its allocations and void management policy, SNH will adopt an approach which:

- Is easily understood by applicants
- Is fair, transparent and promotes equality of opportunity.
- Assesses priority on the basis of need
- Maintains balanced and sustainable communities
- Reflects the principles of maximising choice wherever possible
- Optimises the use of SNH stock to best meet housing need
- Is fully compliant and consistent with other SNH policies, government policies and current regulatory guidance.

POLICY STATEMENT

South Northants Homes is committed to providing a high quality, efficient and responsive allocations and void management service, minimising rent loss and making the best use of the housing stock which it holds.

Void Process

SNH will seek to minimise the number of days that a property is void by ensuring that pre-termination procedures are effective. Where possible, all properties which are to become void will be inspected and the outgoing tenant informed of any work required before they vacate. Where possible, some of the required works will be ordered and even undertaken whilst the outgoing tenant is within their notice period. SNH may also ask the outgoing tenant to agree for the new tenant to view the property whilst they are still in occupation.

Once a property has become vacant, SNH will carry out all necessary work to bring the property up to a defined, minimum lettable standard set out in our overall Void Standard. All safety works and checks will be carried out prior to the property being re-let, although some other works may need to be completed after the new tenant has moved in.

For 75% of empty properties (100% on most new builds), we will promptly notify South Northants Council (SNC) of a forthcoming void, providing necessary information about the property. SNC in turn should ensure that nominees are provided to us within the specified timescales.

Working with South Northamptonshire Council

SNH will work in partnership with South Northamptonshire Council to assist it in meeting its statutory responsibilities relating to the resolution of homelessness, ensuring that housing needs are met and fulfilling the contractual obligations placed upon both sides through the stock transfer contract. This means that we will:

- Provide the authority with nomination rights to new build and re-let properties in their area.
- Participate fully with the authority in developing Partnership Agreements, including nominations agreements and protocols, management standards, development and regeneration initiatives; and
- Participate in schemes that work towards a common housing register and extending choice within the authority's area.

Allocating Properties

Vacant properties will be promptly offered and allocated to either a nominee from a local authority or the most suitable household on the SNH transfer list, following a pre-tenancy interview in the case of nominees and receipt of satisfactory references where requested. We will aim to ensure that council nominees and SNH transfer applicants are treated equitably **and in accordance with the provisions of the stock transfer contract with South Northamptonshire Council.**

Before allocating a property, we will consider the area the property is in, how many bedrooms it has, whether it has been specially adapted and whether it has been built for a particular group of people, for example, sheltered housing for older people with support needs.

We will usually only allocate a property to a proposed tenant who occupies it fully, however we acknowledge that in our district there will be instances where this is not possible – in these cases we will work with the Local Authority to create a chain of lettings where possible, or in the absence of such a chain, we will have a discussion with South Northants Council about how to best allocate to the empty property, including an evaluation of the households in a particular band on the list. For the purposes of this policy, 'fully' means that a couple or any other person over the age of 16 needs their own bedroom. Children of the same sex under 16 years of age would be expected to share a bedroom, as would children of the opposite sex under the age of 10. In certain cases, some properties may have smaller second or third bedrooms and in these cases it may only be reasonable for one person to occupy rather than two.

If we believe that a proposed tenant can afford to meet their own housing costs in the private sector, either by buying a suitable property by means of mortgage or using equity in a current property, they will not usually qualify for housing with SNH. In order to make this judgement we will look at the applicant's income, equity and the local housing market in the area they want to live. For example, if an applicant needs a 2 bedroom house in Brackley or surrounding villages and they are able to raise a mortgage to cover the cost of this kind of property without the mortgage payments exceeding 25 % gross or 33% net household income, they will not qualify. Similarly, if

an applicant needs more suitable accommodation, such as an older person requiring sheltered accommodation, but own their own property, and suitable property is available on the open market in the area they want to live or is appropriate for them to live, which would not require them to raise any extra money other than that held in their current property, we would not be able to house the applicant. We do accept however that there will be some exceptions, such as difficulties raising an adequate deposit, and as such we will treat each application on a case by case basis. In the case of older people who are owner-occupiers, we may be able to provide a warden service for them at a reasonable cost.

The quoted parameters of 25% gross and 33% net are figures quoted in the guidance given to local authorities and may change depending on market conditions. For affordability calculations we will use this guidance, any evidence contained in the Strategic Housing Market Assessment and current Local Housing Allowance rates.

The allocations process is open and accountable and records will be kept about all the decisions that are made.

Equality of opportunity

We are committed to promoting equality of opportunity in all that South Northants Homes does, therefore, no person applying for housing or re-housing from the association will receive less favourable treatment on grounds of age, cultural background, disability, ethnic origin, sex, marital status, nationality, race, religion, or sexual orientation.

We will monitor housing need and allocations in the context of Equality and Diversity and will report accordingly to our Customer Committee.

Local Lettings Policies – Balanced Communities

Wherever possible, SNH will contribute to the building of balanced and sustainable communities either through Grand Union Housing Group's development programme or its lettings and allocations practices.

Where the opportunities arise Grand Union Housing Group will develop mixed tenure housing schemes by providing both 'part buy-part rent' and rented housing.

SNH will also aim to agree with the local authority a local lettings plan for the first and subsequent letting of each new development to ensure that it starts and continues to be a viable and sustainable development. This will include maximising the opportunities for existing SNH tenants to be re-housed wherever possible. Most new schemes will be subject to the local authority having 100% nomination rights to the first lets of new properties, but where a 75/25 split is agreed, we will endeavour to adhere to any local lettings policy agreed by the local authority by applying the same local connection test as applied by the council's housing options team.

SNH will also consider a local lettings plan for existing schemes or estates where one or more of the following exist:

- The area is unpopular, as demonstrated by turnover of tenancies, the number of refusals, and the difficulty in finding nominees or applicants who will consider the area.
- There is a disproportionate number of a certain age or type of household in the area which is contributing to ongoing problems or issues.
- There is a need to build upon and develop a more active community.

Where a local lettings plan for an existing scheme or estate is agreed with the local authority, it may include a limited advertising or marketing campaign dependent on the success of the local lettings plan.

Affordability

Some new schemes will be let under an 'affordable rent', which is calculated at 80% of the local market rent. In these cases, given that the proposed rent could be significantly higher than the usual 'target' rent, it will be necessary, in conjunction with South Northants Council, to conduct an affordability check. Using current guidance given to strategic housing authorities, if the rent on one of these new properties exceeds 25% of the household's gross income, or 33% of net income, the property is not affordable and as such an offer of accommodation cannot be made. We will, however, assess each application on a case-by-case basis, and those entitled to housing benefit to cover the rent in full will not be subject to the affordability calculation.

Schedule 1 of the Housing Act 1996

The Association's staff and board members, and their families are entitled to apply for a South Northants Homes property in the same way as all other people. While it is acknowledged that Schedule 1 of the Housing Act of 1996 has been repealed, until such time as alternative legislation is available, the principles of the legal obligations contained in the former Schedule 1 of the Housing Act 1996 will be considered prior to an allocation being made and consideration given to any exemptions permitted by the Tenant Services Authority.

Persons unders 18

Applicants aged 16 and 17 will be assessed for general needs housing but will not be offered a tenancy without a guarantor.

Where necessary, the Association will ask South Northamptonshire Council to undertake a joint assessment with Social Services of the applicant's housing, care and support needs to ensure that adequate support is available.

Unacceptable Behaviour

The law states that the Association can decide that an applicant is to be treated as ineligible if it is satisfied that:

- A person or member of the person's household, has been guilty of unacceptable behaviour serious enough to make the person unsuitable to be a tenant of the

Association **and**, in the circumstances at the time the application is considered the person is unsuitable to be a tenant of the Association by reason of that behaviour.

Unacceptable behaviour includes factors such as:

- Making a false statement to obtain a tenancy
- Failing to pay the rent
- Breaking a condition of the tenancy
- Causing nuisance to neighbours
- Being convicted of using the home for immoral or illegal purposes
- Causing the condition of the property to deteriorate by a deliberate act or neglect

A person being treated as ineligible may become eligible if:

- 12 months have elapsed since the applicant or any member of their household gave false information to obtain a tenancy.
- all rent or charges are paid in full
- they demonstrate good behaviour for at least a year

Starter Tenancies

Section 179 of the Housing Act 2004 amended the Housing Act 1996 to give Social Landlords the powers to use Starter/Introductory tenancies.

SNH will grant starter tenancies to all new tenants except those who have, at the point of allocation, held an assured or secure tenancy with another social landlord for 12 months or more. In this case we will offer an assured tenancy.

A starter tenancy is an assured shorthold tenancy. Providing that a tenant with a starter tenancy has not broken any of the terms and conditions of the tenancy, the tenancy will automatically become a full assured non-shorthold tenancy after twelve months.

During the term of a starter tenancy, the tenant has fewer rights than an assured tenant. Starter tenants do not have the rights to exchange, transfer, assign, take in lodgers, sublet or buy the property under the right to acquire.

It is also easier for SNH to take action to evict starter tenants as the legislation and associated guidance provides clear procedures for dealing with breaches of the tenancy agreement internally. This means that if SNH wishes to evict a starter tenant for a breach of the tenancy agreement, providing that SNH can demonstrate to the County Court that it has followed the internal procedures correctly, the Court must grant possession. **However eviction is a last resort and we will work with our starter tenants and with South Northamptonshire Council in order to try to prevent homelessness.**

Special Cases

In very exceptional circumstances, we will, with the agreement of South Northants Council and SNH Board of Management, operate outside of this policy in order to meet

the housing needs of an applicant who would otherwise suffer exceptional hardship if the allocation did not take place. In these circumstances we reserve the right to offer sub-market tenancies and operate outside of the target rent regime where appropriate.

Decision Making and Appeals Process

A decision to allocate to a nominee is made initially by the Allocations Officer, which is counter-signed by the Housing Officer. In the case of a potentially problematic or contentious allocation, it must also be authorised by the Housing Manager.

The nomination agreement drawn up on transfer allows SNH to reject a nominee who is not eligible for housing under this policy. The initial decision to reject a nominee based upon all the criteria mentioned in this policy, including under-occupation, unacceptable behaviour and having the means to meet their own housing needs, will be made by the Allocations Officer.

Before rejecting a nominee on the grounds of under-occupation, the Allocations officer will check if there is a suitable chain of lettings available, resulting in a smaller property for the proposed nominee. If no chain is available, they will discuss with the Council the needs of larger households within the same band. If there is an allocation available which would make better use of stock within the same needs banding, the nominee will be rejected and the Officer will inform both the Council and the applicant.

If a nominee wants to appeal this decision, they must do so within 5 days of the decision being communicated to them by the Allocations Officer. It will be referred to either the Housing Manager or Assistant Director, Housing Services, depending on availability. In considering the appeal, the Manager/Assistant Director will consider whether or not the Allocations Officer has adhered to the Policy and if any proposed alternative allocation was appropriate.

If the applicant wishes to further appeal, they must do so within 5 days of the decision being communicated to them. The matter will be referred to a panel of at least two Board Members, who will review the decisions taken by the Officers and Manager/Assistant Director. Consideration will be given by the Board Members to this Policy and the reasoning behind the decisions made by the officers involved.

If the applicant is unhappy with the decision of the Board Members, s/he is free to complain to the Housing Ombudsman, but in the interests of letting properties quickly and efficiently, the property will be offered to another applicant.

Access to Information

Applicants have the right to see any information about them held on either manual or computer records. Applications to see records should be made in writing addressed to South Northants Homes.

Confidentiality

Any information provided as part of the application process will be treated in the strictest confidence and in accordance with current data protection legislation. The Association's statement on confidentiality is printed in full within the housing application form.

Customer Care

We will provide a caring, polite, helpful and efficient service, which will respond to customers needs and comply with Grand Union Housing Group's Access and Customer Care Strategy.

POLICY OBJECTIVES

The policy aims to meet the following objectives:

- To ensure that properties are let as quickly and efficiently as possible and make best use of the housing stock.
- To ensure that properties are let to those in housing need and that the accommodation offered is appropriate to their needs
- To work in partnership with the local authority in seeking to meet housing need **and in order to make the best possible use of the housing stock in the district.**
- To both promote and maintain sustainable, balanced communities and reduce social exclusion.

SCOPE OF POLICY

The policy applies to all SNH rented housing.

OTHER RELATED POLICIES

Nomination Rights Arrangements between South Northants Council and South Northants Homes.

Transfer Policy

Starter Tenancy Policy

Tenancy Changes Policy

Anti-Social Behaviour Policy

Access & Customer Care Strategy

Equality & Diversity Strategy

MONITORING AND REVIEW

The Customer Committee will receive a regular report which sets out information in respect of void times, the numbers of properties let, type of tenant being housing, e.g. family, single person etc, their ethnicity and their access route e.g. nomination or transfer and also the type of housing offered. Key response times will also be shown in relation to targets.

In accordance with our contractual obligations under the stock transfer agreement and in order to ensure effective partnership working, data on properties available and allocations made will be submitted to South

Northamptonshire Council on a weekly basis, in addition to any ad hoc reports requested

RESPONSIBILITY FOR IMPLEMENTATION

The responsibility for implementation lies with the Housing Services Manager and the Assistant Director of Housing Services.

Customer consultation: Housing Management Forum
September 2011 and January 2012

Equality Impact Assessment carried out: initial screen

Person responsible for review: Housing Services Manager

Date of review: February 2012