

Common Allocations Scheme – Procedure Guide

This document is available on request in alternative formats (e.g. Large print type/Braille/on tape).

Introduction

Applicants will be advised how to access the Common Allocation Scheme Policy and given guidance on why it should be read when making contact with Powys County Council to apply for housing.

An application form is not completed - all information is gathered at the interview, usually over the telephone, and is recorded onto a Person Record form.

An initial interview will be conducted and if there is an indication that the applicant may be eligible for the Common Allocation Scheme, the case will be referred to a case worker who will take ownership of the case and pull in the necessary resources to ensure all options are considered.

The Housing Act 1996 can be found at
<http://www.legislation.gov.uk/ukpga/1996/52/contents>

The Homelessness Act 2002 can be found at
<http://www.legislation.gov.uk/ukpga/2002/7/contents>

The Welsh Government's Code of Guidance for Local Authorities on Allocation of Accommodation and Homelessness can be found on their website at
<http://gov.wales/topics/housing-and-regeneration/services-and-support/managing-social-housing/allocate/?lang=en>

Powys County Councils Housing Options website can be found at
<https://www.powyshousing.co.uk/>

Powys Housing Services website can be found at
<http://www.powys.gov.uk/en/housing-and-land/>

Housing Options

Social housing is just one of many housing options, all of which should be considered to increase applicants' chances of finding the right solution to their housing requirements.

Although not exhaustive, the following options are alternative solutions to social housing that may fulfil applicants' requirements.

- Maintaining existing accommodation:

16+ Team involvement
Mediation with parents or family
Mediation with landlord/lender
Spend to Save

Discretionary Housing Payments
Provision of support to maintain accommodation
Independent advice e.g. Shelter, CAB
Money Advice e.g. Money Advice Service, Credit Union
Mortgage Rescue
Adaptations/Home Improvement Scheme
Environmental Health

- Alternative Accommodation

Discussion with family/friends
Spend to Save
Discretionary Housing Payments
Gwalia Bond Scheme
Exploring private options
Low cost home ownership
Homeswapper/Mutual Exchange
Social Lettings Agency
Powys CHR
Other Local Authority/Housing Association
Shared Lives
Supported lodgings
Sharing accommodation
Supported Accommodation

Depending on the applicant's circumstances, a variety of housing options will be explored, some of which may mean the applicant remaining in their home or referring them to other landlords and/or agencies.

Affordability will be discussed as it will be very important to establish an applicant's ability to cover all costs; eligibility for welfare benefits will also be considered.

Aspects to be considered include the following:

- Being able to afford moving expenses
 - Removal expenses if necessary
 - Essential furniture required for the new home
 - First weeks' rent in advance (may be necessary, even if in receipt of housing benefit)
 - Redecoration expenses
 - Any rental overlaps

- Being able to manage a tenancy
 - Budgeting
 - Applying for benefits/grants
 - Paying bills
 - Ability to compare prices for utilities, mobiles etc

Unacceptable behaviour

Any past or current behaviour which may have a bearing on an applicant's tenancy, should be disclosed at the interview and will be taken into account when considering their housing options.

Applicants, or members of their household, who have been guilty of unacceptable behaviour serious enough to render them unsuitable to be a tenant of a partner landlord will be deemed to be ineligible for the allocation of housing accommodation.

The only behaviour that can be regarded as unacceptable is behaviour by the person that would have entitled a local authority to an outright possession order, if the person had been a secure tenant of the local authority at the time.

In assessing whether an applicant is ineligible due to unacceptable behaviour, the partner landlord will consider:

1. Where there is evidence of unacceptable behaviour, was it serious enough for a possession order to have been granted (which includes consideration of the statutory discretionary grounds for possession and questions of reasonableness)?
2. Was the behaviour serious enough to render the applicant or household member unsuitable to be a tenant (which involves consideration as to whether an immediate possession order was made or might have been made as opposed to a suspended order)?
3. Does the behaviour continue to be unacceptable at the time of application?

Each application will be considered on its merits and the applicant's personal circumstances (and those of the applicant's household) will be taken into account, including any health and medical needs, dependents and any other factors relevant to the application. Previous unacceptable behaviour may not justify a decision to treat the applicant as ineligible where the applicant can show that the behaviour has improved. As a guideline only, where the unacceptable behaviour relates to rent arrears, for single persons a possession order would be granted if there were arrears of approx. £1000 and for families £2000.

Applicants deemed ineligible for housing will be provided with advice and guidance regarding their housing options when they contact the service.

Applicants deemed ineligible for housing will be notified of the decision and grounds of this in writing. They will also be informed of their right to request a review and their further right to appeal any decision upon review.

For further guidance, please refer to the Code of Guidance to Local Authorities on the Allocation of Accommodation and Homelessness 2015

Eligibility

Proof of eligibility includes:

- Passport
- Birth Certificate (full)
- Marriage Certificate
- Driving License
- Immigration Documents
 - Immigration Status (if applicable)
 - Most recent letter from Home Office
 - S.A.L.1 (Standard Acknowledgement Letter)
 - S.A.L.2
 - LS 96 forms for everyone on the application
- Applicants from the A8 countries must provide workers registration card. (Further information can be found on the Welsh Governments code of guidance)

Assessment

Ready to move

Ready to move means we will take the following into consideration and offer advice and assistance to help the applicant achieve these steps:

- Being able to afford moving expenses
 - Removal expenses if necessary
 - Essential furniture required for the new home
 - First weeks' rent in advance (may be necessary, even if in receipt of housing benefit)
 - Redecoration expenses
 - Any rental overlaps

- Being able to manage a tenancy
 - Budgeting
 - Paying bills
 - Complying with tenancy agreements
 - Being emotionally ready to move

- Being packed and boxed up within a week or two

Prior to the letting of a property, an affordability check will be carried out with each applicant. Some landlords have policies which expect an applicant to make a payment of a weeks' rent to secure the tenancy, and where the affordability check has found this to be appropriate a week's rent will be expected. Where the affordability check has revealed it would not be appropriate to charge the tenant a week's rent, the housing association will not levy this charge.

For applicants who are current tenants of social landlords we will request a report from their current landlord in respect of the conduct of the tenancy to assess whether they are ready to move.

For those who are not ready to move yet but who may be anxious about the future, the necessary advice and options will be provided to ensure peace of mind.

Housing Need Criteria

Proof of circumstance may be required. This might include

- Medical Circumstances
 - Proof of pregnancy (letter from GP or Anti-natal file) stating EDD (Expected date of Delivery)
 - Letter from GP or Specialist concerning any serious health problems and details of any treatment received
 - Disabled Badge

- **Proof of Homelessness**

- Possession order
- Bailiff's warrant
- Notice requiring / Seeking Possession i.e. Section 21 and Section 8
- Letter from employer terminating employment (if accommodation is provided with job) accompanied by employment contract
- Letter from relative/friend, asking applicant to leave (this letter should be signed, addressed and dated, providing a phone number and, ordinarily, giving at least 28 days' notice to vacate the premises)
- Letter from solicitor/police/other organization referring to the Housing Needs Section
- Divorce papers (including property settlement and/custody matters)

What Type of Property can an Applicant Apply for?

In order to make the best use of family accommodation only adults with dependent children or those who are expecting a baby, will be allocated a house (except for 1-bedroomed houses). To be classed as a dependent a child they must be in receipt of child benefit.

Parents with access arrangements in place can be allocated a house provided the child / children stay over at least once a week.

How many Bedrooms can an Applicant Apply for?

The Department of Work and Pension (DWP) property size criteria is explained below, and is applicable to those of working age:

What is a Spare Room?

Under the new rules if a household has more bedrooms than the Government says is needed, housing benefit will be reduced. One bedroom is allocated for:

- each adult couple
- any other person aged 16 or over
- two children of the same sex under the age of 16
- two children under the age of 10 regardless of their sex
- any other child
- a carer (who does not normally live with the family) if a family member needs overnight care.

It does not matter how the 'spare' bedroom is used, the new rules will apply even if:

- the tenant and their partner need to sleep apart because of a medical condition
- the main residence of any children is another address, but there is a spare room for when they stay over.

What happens if there is a 'spare' bedroom?

If there is one 'spare' bedroom housing benefit will be cut by 14% of the rent due each week. If there are two or more spare bedrooms, housing benefit is cut by 25% of the rent due each week.

If housing benefit is reduced, it is the tenant's responsibility to their landlord to find the difference between housing benefit received and rent due.

In some instances the partner organisations may allocate a property with one bedroom more than deemed necessary by the DWP. Examples of this are:

- Children on access
- A couple expecting / wishing to have a baby
- Medical requirements

However, affordability is key and for any additional bedroom to be allocated the applicant must demonstrate they can / could afford a reduction in housing benefit by completing an affordability assessment. Applicants may be asked for proof of income and they may be requested to seek financial advice.

Proof of Income / Affordability

Proof of income includes:

- Completed income and expenditure sheet
- Last 5 weeks' payslips or last 3 months payslips
- Income Support award letter
- Jobseekers Allowance Booklet / award letter
- Child Benefit award letter confirming entitlement
- Proof of any other Benefits such as Disability Living Allowance, Child Tax Credits, Pension Credits, Carers and Attendance Allowance, War Disablement
- Pension and War Widow's Pension
- Certified copy of business accounts if self employed

Banding

Band 1

With emergency cases, each will be considered individually and on its own merit. .
Examples of situations that may constitute an emergency are:

- Management moves
- Where the applicant, or member of the applicants' family, may suffer harm if they are not re-housed.
- Witness protection
- To prevent adaptations needing to be done in the current home

Band 2

See above guidance on DWP property size criteria and the allocations policy regarding Armed Service personnel.

Band 3

This is for all applicants who are not eligible for bands 1 or 2, but do fulfil the housing need criteria listed in section 5 of the Policy document, are ready to move and have a local connection.

Local Connection is when a person or persons

- have lived in, volunteered in or studied in the local Community for a period of at least 12 months at the time of application OR
- have previously lived in the local Community for a period of at least 3 consecutive years and wish to live there; OR
- have a firm offer of employment in the local Community or be currently employed in the local Community; OR
- wishing to provide full time care to a resident in the local Community who would otherwise be unable to because the lack of affordable housing; OR
- satisfy any of the above criteria, in relation to an adjoining local community if the supply of affordable housing is insufficient.

The definitions of terms e.g. "local" correspond to those contained in the current planning policies of the Council. In the unlikely event of the type and size of property not being available in the adjoining local community we would apply the cascade defined in planning policy.

Serving members of the Armed Forces, and other persons who normally live with them as part of their household, do establish a local connection with an area in Powys by virtue of serving, or having served, there while in the Forces irrespective of the length of time spent in that area.

This is in line with the Powys Armed Forces Covenant.

Band 4

This is for all applicants who are not eligible for bands 1, 2 or 3, but do fulfil the housing need criteria listed in section 5 of the Policy document.

Band 5

This is for all applicants who have no housing need.

Change of Circumstances

If an applicant has a change of address this generally means a change in their housing need and so they must be re-assessed with a new date. If an applicant wishes to add new areas, change size of accommodation required etc. then the same date will be used.

Difficult to let properties

Occasionally, there may be a property for which there are no eligible applicants. In these instances the size and type of property criteria would be relaxed.

Examples:

Empty property = 3 bed home, no applicants fitting that size, so applicants eligible for a 2-bed home would be considered

Empty property = 2 bed house, no applicants fitting that type of property, so could be offered to a couple (policy states no couples / singles in family houses)

If still no suitable applicants the property will be advertised by way of e-mail, posters, websites etc.

Formal Offers

Formal offers will be made by telephone, text or email and applicants will be given 48 hours to respond. If no response is received to this offer within 48 hours it will be withdrawn and a review letter will be sent to the applicant giving them 7 days to make contact. If there is still no response the applicant will be removed from the Scheme.

Examples of unreasonable refusals may include:

- Not liking the area (if not previously discounted by the applicant)
- Not liking the décor / property condition
- Not liking the neighbours
- Stating the property is too small (a single person refusing a bedsit)

Priority Need Homeless

If an applicant is priority need homeless a first and final offer will be made in writing.

Reviews

This will initially be done by telephone, text or email. If no response within 48 hours a review letter will be sent. Failure to respond to this within 7 days will result in the

application being removed from the Scheme.

Older Persons' accommodation

If the partner organisations are unable to allocate a property designated as suitable for occupation by older persons (over 55 for Housing Association and 60 years and over for Council), consideration will then be given to allocate via the Accessible Homes Register.

Amending Existing Tenancies

Where the request to amend a tenancy is agreed by all parties (existing tenants, applicants and the Council/RSL) as stated in the Policy document a new tenancy may be allocated and the existing tenancy terminated.

Tenants may be asked to sign an agreement with regard to any issues relating to the existing (previous) tenancy e.g. Rent arrears.

Tenants and applicants should contact their local area housing office regarding the current procedure and guidance.

Local Lettings Policy

Examples of circumstances when a landlord may wish to introduce a local lettings policy are:

- Age restrictions applied to general needs allocations if in the vicinity of older persons' accommodation.
- Allocating properties to a specific household type (couples with no children) to ensure a mixed community.