

## **Common Allocations Scheme – Procedure Guide**

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

### **1. 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. This form must be verified and signed by each applicant at point of offer together with the requisite proof of ID as detailed in the ID verification leaflet.

It must be made clear to the applicants at registration stage which ID will be required if they are to be allocated a property to allow them time to obtain the necessary documents.

Failure to provide the required documents may result in the offer being withdrawn.

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 caseworker who will take ownership of the case and pull in the necessary resources to ensure all options are considered.

The Housing (Wales) Act 2014 can be found at <http://www.legislation.gov.uk/anaw/2014/7/contents> 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/>

### **2. 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:

Children's Services, Flying Start or Team Around the Family 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

### **3. 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

#### **4. 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

### 5. 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

We will endeavour to carry out an affordability check with each applicant, prior to the letting of a property. A weeks rent at the commencement of a tenancy will be expected for each letting and the importance of this will be stressed to the applicant at registration stage to enable them to budget accordingly. Where the affordability check has revealed it would not be appropriate to charge the tenant a week's rent in advance, an alternative arrangement may be made at the discretion of the individual partner organisation.

For applicants who are current tenants of social landlords a report may be requested 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.

### 6. 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)

## 7. How many Bedrooms can an Applicant Apply for?

In order to make best use of housing stock and encourage sustainable tenancies, applicants in receipt of partial or full housing benefit may only apply for housing in line with the Department of Work and Pension's (DWP) property size criteria. This rule may be relaxed in exceptional circumstances following approval from a Housing Management and Options Team Leader.

Applicants who are in work and able to afford a larger property will have the option to apply for one additional bedroom. Where joint access arrangements are in place, the same rulings apply.

The Department of Work and Pension (DWP) property size criteria is explained below,

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.

## **8. Proof of Income / Affordability**

Affordability is a key component of a successful tenancy. For all lettings the applicant must demonstrate they can / could afford a property by completing an affordability assessment. All applicants will be asked for proof of income and evidence that they have a bank account. Applicants of working age will be asked to provide an active e-mail address. Should an applicant not provide this information within two weeks of their date of application their application will be cancelled.

Some applicants may be requested to seek financial advice.

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

## **9. Children above ground floor**

In order to make best use of property, the policy takes a flexible approach with regard to allocating flats to households with children. Where it is deemed the property is inappropriate then use may be made of local lettings policies to restrict the allocation of these properties to households with children.

Aspects to bear in mind may include the type of entrance – communal or private, the

type of flooring and how soundproof the property is, number of steps, age of children etc.

Similar consideration will be given when assessing whether a family with children living in a property above ground floor is in housing need.

## **10. Banding**

### **Band 1**

With Band 1 cases, each will be considered individually and on its own merit. A decision will be made by at least two senior officers including Housing Management and Options Team Leaders, Homelessness Prevention and Housing Options Lead, Housing Policy and Strategy Officer, Service Manager Landlord Services, Service Manager Housing Solutions.

This band will only be used in exceptional circumstances.

Examples of situations that may be considered include: :

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

### **Band 2**

The under-occupation of social properties in Powys applies to both those in receipt of housing benefit and those who are not. Please see 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

- wish to provide full time care to a resident/or need to receive full time care from a resident in the local Community who would otherwise be unable to because the lack of affordable housing; OR
- have close relatives who have lived in the area for the last 5 years continuously, and both the person and the locally residing relative indicate a wish for them to be near them. Close relatives are usually defined as parents or children, however, consideration may also be given to other family members in certain circumstances; 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.

### **11. 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. It remains the responsibility of the applicant to inform Powys County Council immediately of any changes in circumstances.

### **12. Difficult to let properties**

Occasionally, there may be a property for which there are no eligible applicants. In these instances the size criteria may be relaxed. For example applicants who can afford it may be allocated a property with two bedrooms above what is needed. If still no suitable applicants the property will be advertised by way of e-mail, posters, websites etc.

### **13. Formal Offers**

Formal offers will usually be made by telephone (if no reply followed up by a text message), or email and applicants will be given 48 hours to respond. If no response is received to this offer within 48 hours it will count as an unreasonable refusal 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)

### **14. Homeless Duty**

If an applicant is owed a duty under the Housing (Wales) Act 2014, a first and final offer will be made in writing.

.

### **15. 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.

**16. 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 may also be given to those of a younger age with health issues.

### **17. 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.

## **18. 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.