

Allocations Scheme Review 2018 – Key Changes

Qualifying & Non Qualifying Applicants

The points in bold demonstrate the key changes.

Local Connection

- Lived in the district for at least the last 2 years at the point of application, changed from 6 out of the last 12 months residency.
- **Applicants that are engaging with LDC to resolve their homelessness and owed a prevention, relief or full statutory homeless duty and meet the local connection criteria of living in the district for the last 6 out of 12 months included to ensure we can meet priorities under the HRA.**
- Lived in the district for 3 out of the last 5 years at the point of application.
- A young person who has been looked after, fostered or accommodated by the local authority and has been placed in the district for the last 2 years, or was previously resident in the district prior to this placement.
- Currently employed in the district; **either on a permanent or temporary contract running for a minimum of 6 months, usually those working less than 16 hours per week will be treated as non-qualifying.**
- Close adult relative(s) where a **meaningful relationship** exists who currently live in the district and have done so for the last 5 years.
- Any other special circumstances (these will be exceptional), such as domestic abuse, harassment or witness protection.
- Serving or former members of the armed or reserve forces will be allowed to apply with no local connection if they apply within 5 years of leaving.
- Existing social housing tenants who wish to move into the area for employment reasons (restrictions apply) will be allowed to join the housing register.

Unacceptable Behaviour

Includes behaviour which, should they have been a tenant of a RP at the time, would have resulted in a breach of tenancy conditions, such as:

- **ASB or noise nuisance.**
- **Harassment or intimidation.**
- **Violent or aggressive behaviour, including verbal, physical or intimidating behavior resulting to a referral to the police.**
- **Perpetrators of domestic abuse.**
- **Offending behaviour - e.g. drug dealing, racially motivated attacks or hate crime.**

List not exhaustive, each case dealt with on own merit.

Applicants, or members of an applicant's household, found guilty of such behaviour will be excluded from the scheme for a minimum of 6 months. Following this time, applicants can reapply where they can evidence a demonstrable change in this behaviour.

Housing Related Debt

Housing related debt over £100 where regular payments cannot be evidenced over the last 6 months will be unable to join the housing register. Housing related debt is defined as:

- **Rent arrears**
- **Service charge arrears**
- **Court costs**

- Reasonable rechargeable repairs
- Loans made by the Local Authority to an applicant in respect of a rent deposit scheme or prevention work.

Acceptance onto the list is on the condition that regular repayments are maintained, which will be checked prior to any offer being awarded.

Age

Applicants will need to be aged 18 or over, unless:

- Accepted by LDC as having a statutory homeless duty owed, or
- A young person who has been looked after, fostered or accommodated and has a duty of care accepted under the Children's Act 1989

In both cases applicants will have successfully completed pre-tenancy training and deemed ready for independent living and have a trustee to sign the tenancy on the applicant's behalf.

Sustainability

Applicants deemed unable to sustain a tenancy without support, and have refused this support are unable to join the housing register.

Financial Resources and Home Ownership

Those applicants who have the financial resources to resolve their own housing circumstances, including homeowners, will be unable to join the housing register. This is defined as:

- Households with a gross income (excluding non-dependants income) of over £60,000.
- Savings and/or assets over £16,000.

If homeowners are accepted onto the housing register, they must be able to prove at point of offer they are in the process of selling their home.

Exception Cases

In all cases of qualification the application will be assessed on its own merit, taking mitigating factors into account where the applicant can evidence them.

Priority Emergency Band

Current – Band A	Proposed – Emergency Band	Change	Impact
Owed a full homeless duty	Owed a full homeless duty	n/a	n/a
Short of 3 bedrooms	Statutorily overcrowded	Wording change	n/a
Prohibition order	Unsanitary/unsatisfactory housing	Wording change	n/a
Demolition order	Regeneration	Wording change	Only open to transfer applicants, private rented or owned would need to apply through homeless route.
Supported accommodation move on, including care leavers	Supported accommodation move on	n/a	Care leavers given own category for monitoring purposes
-	Care leavers move on	New	See above
Medical/disability	Emergency medical	Wording change	n/a
Domestic abuse/harassment	Domestic abuse/harassment	n/a	n/a
Under occupancy of LA, HA or private rent	Under occupancy of LA or HA where there is a financial impact on the tenant	Removed under occupancy in private rented sector, now only for transfer applicants who are in financial difficulties and cannot afford the under occupancy charge.	Under occupancy no longer recognised in the private sector, if there is a large financial impact of this, will be able to access housing options advice on unaffordability grounds. Priority remains high for applicants where there is a financial impact, other under occupancy falls to Band 1 to make best use of stock.
Releasing an adapted property in the rented sector	-	Moved into lower banding as not an emergency need, now for transfer applicants only	Lesser priority for those releasing adapted properties back into the stock and only applies to transfer applicants where we have a control of who is allocated the property on its return.
Significant social welfare	-	Removed	Only 4 applicants (0%) in this category of the waiting list, only 10 applicants in the last 3 years.
Significant hardship	-	Removed	No applicants in this category or for the last 3 years.
Leaving the armed forces	-	Removed	Currently no applicants on the waiting list in this category, and only 5 applicants in the last 3 years appearing here. Within the legislation have to award priority to armed forces in certain categories, we will do this by giving them additional preference in the bands they are placed in, therefore in some cases giving them greater priority than before.

Band 1

Current – Band B	Proposed – Band 1	Change	Impact
Homeless households where no duty is owed, including non-priority and intentional cases/	Homeless households where no duty is owed	Removed intentional households from priority banding, now in Band 2	Households who are deemed as intentionally homeless (have done or failed to do something to cause their homelessness) will be awarded Band 2 where they qualify for housing.
Short of 2 bedrooms	Overcrowded households	Change from 2 categories of overcrowding in Band B and Band C to one in Band 1	Some applicants will remain the same priority, others will increase.
Move closer to employment	Local workforce earning under £23,000	Wording change	Priority only given to those applicants working in the area on a low income.
Loss of tied accommodation	-	Removed	Not required as would deal with under the homeless legislation.
Relationship breakdown	-	Moved to Band 2	Lesser priority to reflect pressures on the waiting list.
Leaving prison	-	Removed	Not required as would deal with under the homeless legislation.
Mortgage affordability	-	Removed	Not required as would deal with under the homeless legislation if deemed as unaffordable.
Children under 10 in upper floor flat	-	Removed	Removed due to pressures on the housing waiting list, in addition applicants being rehoused where housing need still remains. This will affect 5% of the waiting list, or 52 people. This will need to be managed well to avoid complaints.
-	Releasing an adapted property in demand	Lowered from Band A	Moved down priority list as not considered an emergency band, however remains as making best use of stock.
-	Under occupancy of LA/HA	Lowered from Band A, removed private sector	Moved down priority list as not considered an emergency band unless impacting upon financially however remains as making best use of stock.
-	Homeless relief duty	New	To reflect new duties under the HRA.
-	Urgent medical	Moved from Band C	Priority increased to reflect demands for adapted properties and on DFG's, lesser medical priority will no longer be recognised.

Band 2

Current – Band C	Proposed – Band 2	Change	Impact
Short of 1 bedroom	-	Moved to Band 1	Increase of priority
Sharing facilities	-	Removed	23 applicants (2%) currently on the waiting list within this category, and 63 over the last 3 years. Current Government rulings for under 35's based on LHA rate is shared accommodation, seems counter intuitive to have a priority banding for this under these circumstances.
Minor disrepair/poor property condition	-	Removed	Currently no people on the waiting list in this category, and none over the last 3 years. Minor disrepair and property condition should be completed by the owner or landlord of the property and should not mean the applicant requires a move.
Move closer to family or friends for care/support	Move to area to be near family/ friends for care/support, access specialised facilities or employment	Enhanced	New categories added to include welfare and hardship reasons.
Lower levels of hardship, medical or social and welfare needs	-	Removed	Most of this category is encapsulated in the above, however for those experiencing urgent medical, there will be an increase in priority.
Approved as foster or adoptive parents and require an additional bedroom	-	Removed	Increased priority as will now be dealt with under the overcrowded conditions.
-	Homeless prevention	New	To reflect new duties under the HRA.
-	Relationship breakdown	Moved down from Band B	Lesser priority to reflect pressures on the waiting list.
-	Intentionally homeless	Moved from Band B	Lesser priority to reflect pressures on the waiting list, only applies where applicants qualify for rehousing, e.g. no unacceptable behaviour or housing related debt.

Band 3

Current – Band D	Proposed – Band 3	Change	Impact
No identified housing need	-	Removed	Due to pressures on the waiting list this banding will be removed. This will be the greatest group of people affected by the changes at 37% of the waiting list or 368 people, however it is important to note we do not have a legal duty to rehouse people with no identified housing need, and this needs to be balanced against the cost (both financially and in resources) of managing the waiting list and assessing applicants with no housing need
Worsened circumstances	-	Removed	Will no longer qualify for rehousing, equates to 4 applicants (0%) of the waiting list.
Previous or current housing debt	-	Removed	Will no longer qualify for rehousing, equates to 18 applicants (2%) of the waiting list.
-	Applicants who qualify and expressed an interest in 2 bed upper floor flats or are over 50 and seeking specialist accommodation.	New	To manage the allocation of stock that is harder to let and minimise void loss for providers.

Additional Priority

- Given for serving or former members of the armed or reserve forces when awarded a priority under the scheme.
- Given for applicants who have successfully completed the pre-tenancy training scheme when awarded a priority under the scheme.

Offers

- Those placed in Emergency Band will only be entitled to 1 suitable offer of accommodation only (except regeneration). Refusal of a suitable offer will result in their application being reviewed and re-banded or cancelled.
- Those in Band 1, 2 and 3 will be entitled to 3 suitable offers of accommodation before re-banding or cancelled.
- Priority for adapted properties or bungalows to those people that best suit needs.

Bedroom Entitlement

In line with benefit rules unless:

- 24 weeks pregnant.
- Two children cannot share due to a disability, evidenced by DLA middle/high rate care or PIP daily/enhanced living.
- Couple cannot share due to a disability, same disability benefits apply but also include Attendance Allowance.
- Disabled person requiring regular overnight care, same benefit rules apply.
- Foster parent or approved to adopt if they are awaiting placement for up to 52 weeks prior.