



# Allocations and lettings policy

## 1.0 Purpose and scope

---

This policy outlines the different ways in which we allocate and let our social housing homes. Our aims are to:

- Meet local housing need and prevent homelessness by working in partnership with local authorities and other agencies
- Create sustainable tenures and contribute to the development of stable communities by effectively and responsibly letting homes
- Ensure the allocations process is as transparent as possible
- Enhance mobility and choice for residents by facilitating transfers, including those between Care & Support and General Needs.

This is a high-level policy statement. Letting arrangements relating to specific schemes or resident groups are not detailed in this document. The policy does not apply to re-ablement accommodation where we provide accommodation and support on a short-term basis for respite or similar needs. The letting of this accommodation will be subject to criteria set out in specific contracts with our partners.

We are committed to giving staff the freedom to use discretion where needed to best meet customer needs and therefore this policy may be applied slightly differently in exceptional circumstances.

## 2.0 Definitions

---

**Allocation** refers to how we decide the suitability of a property for an applicant.

**Letting** refers to the process whereby we let a property.

**Social housing** refers to decent, secure housing let at a social or affordable rent.

**Social sector size criteria** refer to Government rules for the size of accommodation that Housing Benefit will cover.

**Move-on scheme** refers to moves from Care & Support to General Needs

Household members scheme refers to a Notting Hill Genesis (NHG) scheme that aims to relieve overcrowding by:

- Rehousing an adult member of an overcrowded household into a one bedroom property or

- Incentivising the release of family sized properties by offering separate smaller properties to the tenancy holder(s) and any adult household members.

## **3.0 Access to accommodation**

---

Access to housing is largely managed with partners using referral arrangements or choice-based lettings (CBL) schemes. We have a small number of schemes for which we accept direct applications.

Our annual lettings plan sets out how many properties will be allocated to our partners through the access routes outlined below.

### **3.1 Nomination agreements**

Nomination agreements are an arrangement whereby an agreed proportion of our homes are allocated to applicants proposed by another body, such as a local authority or Locata housing association members, for the purpose of an offer of housing.

We are committed to working with local authorities in order to assist them with their statutory duties in relation to the homeless and those in priority need.

### **3.2 Referral arrangements with specialist agencies**

A number of properties are made available to referral agencies with which we have an agreement. Agreements are made with both voluntary and statutory agencies in order to help residents with particular needs to secure housing. Agencies include homeless charities, domestic abuse support programmes, local health authorities, social services, adult social care and the police.

### **3.3 Transfers**

A small proportion of our properties are used to accommodate transfers for those with a recognised housing need according to our banding scheme or transfer schemes. We advertise these homes through CBL or make the transfer applicant a direct offer.

### **3.4 Reciprocal arrangements**

In exceptional circumstances, where we are unable to allocate a suitable property for a direct offer, we seek a reciprocal agreement with a local authority or another housing association. These arrangements are made outside of nomination agreements.

### **3.5 Alternative letting routes**

Where all other options for letting a home have been exhausted, we may consider advertising homes on the open market.

### **3.6 Discretionary tenancies**

In line with existing policies, we may grant a current occupant or a previous tenant who has had to be absent from their property a discretionary tenancy.

## **4.0 Eligible applicants**

---

We seek to provide housing for those who are not adequately served by the commercial housing market. Our aim is to let homes to those in most need. All applicants must meet our eligibility criteria set out below.

### **4.1 Eligibility criteria (new residents)**

Applicants must:

Allocations and lettings policy v1.0 October 2020

- Have a housing need
- Be over 18 years of age, however we will house 16- or 17-year olds where they have a guarantor in place or the service is contracted to work with them
- (if they are a non-UK national) either have leave to remain in the UK, have recourse to public funds and not be subject to immigration control or be a European Economic Area (EEA) national exercising their treaty rights
- Not hold another tenancy elsewhere
- not currently be serving a custodial sentence
- Be able to demonstrate that they can sustain a tenancy and manage risk, with support where required, including being able to afford the rent
- Be nominated, or bid, for the appropriate size property that they are eligible for using our bedroom standard.

In addition to the above eligibility criteria, General Needs applicants must:

- Not own their home or their own residential accommodation elsewhere
- Have not been previously evicted from a Notting Hill Genesis property due to a breach of tenancy, including anti-social behaviour, non-payment of rent or charges, tenancy fraud or misrepresentation.
- Not known to have or members of their household are known to have caused serious anti-social behaviour e.g. have been evicted or convicted due to antisocial behaviour.
- Not have outstanding debts to Notting Hill Genesis as a result of failure to pay rent, court costs, rechargeable repairs or any other debt.

#### **4.2 Eligibility criteria (existing residents)**

A transfer applicant must:

- Have a housing need
- Be able to demonstrate that they can sustain a tenancy in the new home, with support where required, including being able to afford to the rent
- Have no outstanding debts to Notting Hill Genesis, including rent, court costs or charges
- Be an assured, secure or fixed term tenant
- Have maintained the property in good condition
- Have complied with the terms of their tenancy
- Apply for the appropriate size property that they are eligible for using our bedroom standard.

In exceptional cases, we consider requests to transfer where a tenant does not fulfil the criteria set out here.

#### **4.3 Sensitive lets**

Where there has been a housing management issue at a property, we may decide to treat the letting of that property as a sensitive let. This is where further eligibility criteria are set before the property is advertised to ensure that the property is suitable for the applicant. For example, we may require that the applicant not have certain support needs that would make the property unsuitable for them due to the circumstances surrounding it.

Sensitive lets are not used to decide whether it is appropriate to house a serious offender. These decisions are made in line with our Serious Offender policy.

Details of any sensitive let are fully recorded on housing management files prior to the property being advertised or used for a direct offer.

**4.4 Local lettings plan**

We introduce local lettings plans to address housing management issues and to help develop a sustainable community in a specific area. We adopt tailored eligibility criteria for these lets, which take into account the needs of a defined area in terms of building a balanced and sustainable community, rather than concentrating on meeting housing needs alone.

We consult our partner organisations when adopting a local lettings plan to ensure that the plan reasonably balances the competing demands of local housing need and the aim to address specific issues in the locality. Local lettings plans are regularly reviewed to ensure that they continue to meet the initial aims.

**5.0 Transfers**

---

We consider transfer requests from tenants who meet the eligibility criteria set out in section 4.2 and whose current home is no longer suitable for their needs. Some residents do not have the right to transfer, including licenses and assured-shorthold tenants.

**5.1 Priority banding**

Tenants who are registered for a transfer will be awarded a priority banding based on how their housing affects their circumstances. A summary of the different bands is set out in the table below.

NHG – An applicant...
<b>Band A</b>
Has a life-threatening medical condition, which includes mental health conditions that is seriously affected by their current housing
Faces imminent personal risk which is life-threatening by remaining in their home
Is required to decant their property
Requires an adapted property or a property with wheelchair accessible features
Is releasing an adapted property, a majorly property that has been adapted or has wheelchair accessible features
Is under-occupying their home
Has been awarded a non-statutory succession on the condition that they move to a smaller home
Has been accepted as an adoptive or foster parent
There is a court order and/or social services have deemed the child at risk, which means that the child needs to live with the tenant and the tenant requires a larger property

Has an emergency situation and the move has been approved by two Housing Managers.
<b>Band B</b>
Has a medical need (including mental health) which is adversely affected by their current housing
Faces potential risk of violence or harassment by remaining in their property, but the risk is not considered life-threatening
Is statutorily overcrowded
Is moving-on from care or supported housing
Severe social hardship referral - an urgent need to move is agreed in liaison with social services, police, or another welfare agency
Severe social hardship – an urgent need to move is agreed by two Housing Managers
<b>Band C</b>
Is overcrowded according to our bedroom standard
Has a medical condition that is moderately affected by their current housing
A need to move has been identified in a Social Services care plan or has been agreed with Social Services as a means of relieving social hardship.
Has been approved for a move to sheltered accommodation
Needs to move for work or to relieve other none urgent social or economic factors.
<b>Band D</b>
All other tenants who have a desire to move, but do not have an identified need to move, as defined in the categories A –C above.

### **5.2 Direct offers (Management transfers – Band A)**

In cases where a tenant is awarded band A because they have been approved for a management transfer, we make one reasonable direct offer. A direct offer is a single offer of an available property made directly to the tenant, not through CBL. A reasonable offer is one that alleviates the imminent risk to the household by moving them to a different location.

The direct offer and the property the tenant moves from will be like-for-like, with the same number of bedrooms. We only consider housing circumstances such as overcrowding when making a direct offer when a more suitable property type is readily available. In cases where, due to unavailability, we have been unable to find a like-for-like property within three months, we consider offering a similar property.

We only make one direct offer. Where a tenant refuses a reasonable direct offer, we consider whether the transfer request can be awarded a lower priority band.

### **5.3 Direct offers (schemes)**

We use direct offers to accommodate transfer applicants who are moving as part of the following mobility schemes:

- Household members scheme
- Incentives scheme (under-occupation, releasing an adapted property)
- Move-on scheme

We may also make a registered transfer applicant a direct offer if we identify a hard to let property that is suitable to their needs.

#### **5.4 Like-for-likes**

In exceptional cases we consider transfers to help resolve neighbour disputes.

## **6.0 Property allocation**

---

When allocating a property, we take into account the household size of the applicant, their support needs and the type of property being let to determine whether the property is suitable for them.

#### **6.1 Bedroom size**

When allocating homes, we observe part X of the Housing Act 1985 in relation to statutory overcrowding. We take account of the number and floor area of rooms available for sleeping and allocate properties to the appropriate sized household.

#### **6.2 Bedroom standard**

Our bedroom standard reflects the Department for Work and Pension social sector size criteria, ensuring that households do not under-occupy their homes when they move in and risk facing housing benefit reductions.

We allow one bedroom for each single adult or couple and an extra bedroom for:

- Any other person aged 16 years or over
- Two children of the same gender under the age of 16
- Two children who are under the age of 10 regardless of gender
- Any other child aged under 16
- A child or adult who requires overnight care from a non-resident carer
- A child or adult who is unable to share a bedroom because of a disability
- Storing disability-related equipment, where this space is needed
- A foster or adopted child.

We agree to allocate a property that has fewer bedrooms than the applicant is entitled to if this would relieve statutory overcrowding.

We verify household members, which includes requiring proof of residency for anyone over 18 or not listed on the original tenancy agreement.

#### **6.3 Adapted properties**

Properties that have been specially adapted for use by those with disabilities are, wherever possible, re-cycled to applicants with a disability or support need to ensure the best use of stock.

## **7.0 Accepting and refusing applicants**

---

We seek to let our homes in a responsible manner. We aim to create sustainable tenancies and communities to avoid establishing tenancies that will fail. We may refuse a property where an applicant is unable to demonstrate their ability to manage their tenure or where the applicant needs a level of support which we or another provider cannot facilitate. Where we withdraw an offer of accommodation, we give clear reasons why.

### **7.1 Nominations and referrals**

We request and accept nominations from our partners in accordance with nomination agreements and the eligibility criteria set out in this policy. Each nomination is carefully considered before an offer of housing is made in order to ensure that the property is suitable for the proposed occupier. We may need to request additional information to support the nomination, which could include: medical evidence; a risk assessment; an occupational therapist report; tenancy record from the previous landlord; and eviction dates (for those facing homelessness).

On some occasions we may need to reject a nomination. Grounds for rejection vary but may include: submission of inaccurate or insufficient information; unsuitability of property for the applicant's needs; or the applicant's inability to demonstrate that they can sustain the tenure. We do not take into account factors such as perceived housing management difficulties when deciding whether to accept or reject a nomination.

We have a separate policy covering the housing of serious offenders. This seeks to ensure that everyone has fair and equal access to housing but also enables us to manage the potential risk posed by serious offenders, and hence protect resident and local communities from offences.

## **8.0 Accommodation available for letting and letting standards**

---

We only allocate empty properties that are physically fit for long term human habitation in accordance with our lettings standard, which can be found on our website.

## **9.0 Appeals and complaints**

---

An applicant can appeal a decision if they are dissatisfied with the way their application, selection, offer or allocation have been handled. Appeals are considered by the lettings panel.

An applicant can make a complaint if they are dissatisfied with a service received or a service failure by us.

## **10.0 Our approach**

---

In writing this policy we have carried out assessments to ensure that we are considering equality, diversity and inclusion. Our assessment did not indicate that any group had been adversely impacted by our approach to allocations and lettings.

We have also carried out a privacy impact assessment as information regarding applicants is sensitive. However, responsible information sharing plays a key role in the letting of our homes. We follow information sharing protocols with local authorities and partners where they are in place.

To request a copy of the of these assessments, please contact [policy@nhg.org.uk](mailto:policy@nhg.org.uk).

## 11.0 Reference

---

- Housing Act 1985
- Housing Act 1996
- Local Government Act 2000
- Homelessness Act 2002
- Housing Act 2004
- Equalities Act 2010
- Housing Regulator's Tenancy Standard
- Localism Act 2011
- Welfare Reform Act 2012

---

### Document control

Author	Iona McHugh, Policy Officer
Approval date	30 September 2019
Effective date	27 October 2020
Approved by	Policy Group



Policy owner	Regional Head of Housing
Accountable Director	Director of Housing Management

### Version Control

Date	Amendment	Version
27/10/2020	New Notting Hill Genesis policy	V1.0
23/11/2020	Clarified that a single child or any remaining children has right to a bedroom	V1.1