

**Inspiring Housing
Community Led Housing**

**Allocation & Letting
Policy**



30 Sept 2021 V4

1. Introduction

- 1.1 This policy is designed to support Inspiring Housing Community Land Trust (IHCLT) outcomes as an ethical landlord and provider of affordable homes. We will ensure that our housing stock is allocated to applicants from Salford who have a housing need, and can reasonably be expected to afford and sustain a tenancy with us.
- 1.2 The following document sets out IHCLT approach to the allocation and letting of our Community Led Housing (CLH) model.
- 1.3 We will work in collaboration with Salford City Council (SCC) to agree our local lettings policies. Following SCC good practice guidelines we will:
 - Protect balanced and mixed communities
 - Reduce property void rates and tenancy turnovers
 - Improve community cohesion and stability
 - Tackle low demand areas
 - reduce anti-social behaviour

2. Community Led Housing

- 2.1 CLH provides a different approach to helping meet the current housing crisis and ensures that meaningful community engagement and consent occurs throughout the process. CLH can provide an important role in providing alternative accommodation options for those in most need. The approach can also contribute to wider public policy concerns such as the creation of a socially cohesive community, access to learning and engagement activities, health and wellbeing improvements and economic opportunities.
- 2.2 CLH requires a local community organisation to own, manage or act as Stewards for the homes in a manner of their choosing. The benefits to the local area and/or specified community must be clearly defined and legally protected in perpetuity e.g. through an asset lock
- 2.3 The national organisations representing the community-led housing sector have agreed on what constitutes a community-led housing scheme. It can be summarised as follows:

It is often small scale, set up and run by local communities, provides genuinely affordable homes for rent, shared ownership or sale, meet long term housing needs and are not for profit, involving considerable voluntary effort.

3. IHCLT (CLH) aims

3.1 Set out below are the key aims and objectives IHCLT have set themselves

Table 1

Aims	
1	Ensuring full and effective use of our housing stock: Providing genuinely and permanently affordable homes either for rent or low-cost ownership
2	Ensuring the widest possible access by offering people a choice of affordable accommodation: Providing equal opportunities of access for all eligible applicants and not discriminating on the grounds of race, gender, age, disability, religion, sexual orientation, pregnancy and maternity, gender reassignment or marriage & civil partnership
3	Ensure responsible lets through sensitive affordability assessments: Supporting people to live in a property suitable for their requirements and affordability
4	Ensuring sustainable tenure blind homes and communities where people choose to live: Creating social cohesion and resilient communities that support people to improve their own lives and help to create better places to live
5	Ensuring a holistic model of housing provision: Reducing reliance on public services, for example addressing health and wellbeing through building communities which mutually support the elderly and vulnerable
6	Ensuring complies with appropriate legislation, local policies and best practice: Supporting the sustainability of the community anchor organisation

4. Allocations Policy

- 4.1 We intend that our CLH programme will meet the needs of those with the highest priority for housing and will therefore work with Salford City Council who will have 100% nominations on all properties which are advertised via Salford Home Search - the Choice Based Lettings system (CBL). CBL allows applicants who are registered on Salford Home Search to express an interest in properties available to rent.
- 4.2 We also recognise that as we wish to become a Registered Social Landlord (RSL) we will have statutory and regulatory responsibilities to assist the local authority in the discharge of their duties under Part VII of the Housing Act 1996.
- 4.3 IHCLT will keep the process as straightforward as possible. We will work with new and existing tenants to identify the most appropriate accommodation that meets their housing needs. We will work with them to complete an application form and affordability assessment. If necessary, a meeting will be arranged for the individual to meet with our parent organisation (Inspiring Communities Together) Advice and Guidance Worker.
- 4.4 As a community led housing provider we also wish to recognise target groups we would like to provide quality housing options for and will therefore focus our housing options towards
- those in housing need who have strong local connections and an inability to meet the cost of purchasing a home or meeting the rent levels of the private sector or where we can assist in maximising the availability of affordable housing through rightsizing.

- Salford people under 35 years of age who despite working cannot afford to rent or buy. Our model will offer housing for those already in low-paid employment (earning less than £25,000 per year)
- Salford people living in unsuitable housing including wrong size housing. Our CLH model will focus on people aged 50 years and over to enable people to have the opportunity to pro-actively move in relation to early older age life changes and ensure that the most deprived communities of older people with the lowest life expectancy are supported to age well for as long as possible within their own homes. This will include: ***individuals who currently live in the wrong size property which would provide access to a right size property for a family. Individuals who have a poor quality of life due to the condition of their current housing***

5. Property allocation

- 5.1 All properties will be allocated through Salford Home Search – Salford’s choice-based lettings scheme. The exception will be where a housing need fits our local lettings priority groups. We will work with the framework of Salford’s Allocations Policy which adheres to the legal requirements of Part 6 of the Housing Act 1996 (as amended), in addition to a range of other Acts, regulations and government guidance. Therefore, IHCLT policy meets all statutory requirements relating to eligibility and qualification for housing.
- 5.2 Salford’s Allocations Policy describes the types of properties eligible applicants can apply for, how eligible applicants will be prioritised, and the method of allocating homes.
- 5.3 Managed by Salford City Council, Salford Home Search aims to give new and current tenants greater housing choice. For more information about who can register for a home via Salford Home Search, along with: eligibility and qualifying criteria, how applications are prioritised, how special/extenuating circumstances are taken into consideration, how unacceptable behaviour may result in an applicant being disqualified from applying, appeals and bidding processes, please refer to Salford’s Allocations Policy at:
- <https://www.salfordhomesearch.co.uk/AllocationSchemeSummary.aspx>
- 5.4 Applicants can express an interest in a property either online, by text, on the telephone or in person at the Housing Options Service offices at 7 Wesley Street, Swinton, M27 6AD. Only at the close of the bidding period, are applicants prioritised (in line with the Allocations/local lettings Policy) for a particular property that they have expressed an interest in/bid on. All applicants will be able to see their final position in their expression of interest history on the Home Search website. Successful applicants will be contacted and given the chance to view the property prior to being made an offer of accommodation, subject to successful references.
- 5.5 If the tenant has an existing pet(s) or wished to have a pet, the tenant will need to notify IHCLT of this. Occasionally it may be appropriate to refuse the offer of accommodation, for example if an applicant has several large dogs and property is a small flat above ground floor.

6. Eligibility

6.1 IHCLT allocations are made in line with Salford's Allocations Policy. The Allocations Policy provides more details about eligibility for an allocation of social housing and interested applicants therefore should have reference to Salford's Allocations Policy for more information, available at:

<https://www.salfordhomesearch.co.uk/AllocationSchemeSummary.aspx>

6.2 Eligible households are currently those who:

- Can demonstrate they have been resident in Salford for a minimum of 2 years. To demonstrate a local connection to Salford customers need to be able to demonstrate one of the following:
 - already a resident of Salford and have been so for at least two years
 - have secured employment in Salford and have been in continuous employment for at least six months. If the work is occasionally in Salford, but the main place of work is elsewhere, the work would be excluded from the regulations. Voluntary work is excluded however Apprenticeships are included, provided the contract is for at least 12 months
 - have a family association such as parents, adult siblings or children who already have lived in Salford for at least two years
 - have special circumstances which could include the need to be specialist medical or support services which can only be provided in Salford and will be a long- term requirement to support your health and wellbeing.
 - Care leavers will be considered to have a local connection to Salford if they are under the age of 21 and lived in the area for at least two years before they were 16

6.2.1 Applicants aged 16 and 17 years of age are eligible to join the register but will have their application suspended until they reach their 18th birthday. Some applicants may have their application unsuspended prior to their 18th birthday following an assessment by the Housing Advice and Support Service.

6.2.2 We will house applicants who have permanent leave to remain in the UK. The following documents must be seen prior to offering a property:

- A copy of their passport;
- A copy of the documents they sent off with an application to renew their leave to remain with the receipt from the UKBA; and Immigration Status document they were given with the asylum decision; or Letter from the UKBA or Home Office confirming eligibility.

7. Exclusions

7.1 In exceptional circumstances we will reject applications for re-housing. In doing so, we will be fair and transparent in our decision-making process and demonstrate our reasons for rejecting an applicant. Grounds for rejection include (but are not limited to):

- If a person is subject to immigration control or is a person from abroad, unless they meet the criteria of the 'habitual residence test' as defined in s.161 of the Housing Act 1996 and the allocation of housing regulations 1996(s1 1996 no:2753) as amended by the Homeless Act 2002. It is the local authority's responsibility to ensure a nominated applicant is eligible for rehousing.
- If an applicant fails our affordability test
- If the applicant or a member of the applicant's household or guests or visitors to the property have been perpetrators of anti-social behaviour, harassment or domestic abuse (including the previous eviction of an applicant or a member of their household). Any decision to reject an applicant will be made on a case by case basis
- We would normally expect all current and former rent and sub-accounts of the applicant to be clear before making an offer of alternative accommodation to them (including payment of any debts previously written off by IHCLT). All exceptions will be reviewed on a case-by case basis. Where we agree to offer a tenancy to an applicant that owes any money to IHCLT, a clause will be written into their new tenancy agreement creating a contractual obligation to clear the debt, according to an agreed repayment schedule.
- If the applicant is in breach of their current IHCLT tenancy conditions we will reject the application. All breaches must be rectified prior to an offer of alternative accommodation being made
- An applicant with any outstanding Notice of Seeking Possession (NOSP) may be rejected by IHCLT. However, all applications will be reviewed on a case-by-case before an applicant is rejected
- We reserve the right not to house any applicant who was previously evicted from either an IHCLT property or that of another social or private landlord. We will review each applicant on a case-by-case basis to establish whether the factors that led to the previous eviction remain an issue.
- If the applicant or local authority has not provided us with requested information or evidence within a defined period, we will reject the nomination.
- If information provided by the applicant in respect of their application is deemed to be inaccurate, fraudulent or incomplete, we will reject the nomination.
- We may decline to offer accommodation where there is evidence to suggest that the tenant would not be able to sustain the tenancy.
- We will not normally house applicants who own their own home (excluding mobile homes, caravans and canal boats) although exceptions can be made depending on the circumstances of the individual or individuals involved.
- If after assessing the applicant's suitability for a particular home, we feel that the applicant's household make-up is not appropriate for the property and would have an impact on IHCLT ability to properly manage or make best use of its stock we will reject the nomination.
- We will never knowingly let a property where doing so would lead to overcrowding of the household from the start of the tenancy

- 7.2 Before a final decision is made to reject a nomination, IHCLT will review, outline and agree the grounds for rejection alongside discussing any support that may be imposed as a condition of accepting a nomination, or relevant additional information that may be available from the local authority or individual that may influence our decision.
- 7.3 Applicants for housing who have applied through and been accepted by the Local Authority scheme will usually already have been confirmed as being eligible for social housing. There may be occasions where the Local Authority requires IHCLT to undertake checks prior to allocation to verify eligibility
- 7.4 IHCLT will complete all pre-allocation checks including seeking appropriate references, to determine if the applicant is still eligible and qualifying. If so a provisional offer of accommodation will be made.

8. Exception housing allocation

- 8.1 IHCLT will consider housing/rehousing customers outside of the CBL system subject to council approval, in exceptional circumstances as outlined above (4.4) and also include:
 - 8.1.1 **Down-sizing:** To support customers (who claim housing benefit) to downsize when they are under-occupying a property under the housing benefit regulations and where they are struggling to meet their rent obligations as a result of the spare room subsidy.
 - 8.1.2 **Victims of very serious harassment and/or victimisation:** including Anti Social Behaviour (ASB).
 - 8.1.3 **Serious health issues and disabilities:** When there is an urgent need to move as remaining in the existing home may cause serious hardship.
 - 8.1.4 **Domestic Violence Cases:** Where there are Safeguarding Issues and concerns
 - 8.1.5 **Emergency Health and Safety Issues;** such as Fire/Flood or where work is required on a home that requires the tenant to move out
- 8.2 All requests for a management move will be assessed by and be made at the discretion of designated managers employed by IHCLT (in consultation with relevant multi-disciplinary teams i.e. Police, Health and Social Care services) on merit and should be supported by appropriate evidence such as police reports or medical evidence.
- 8.3 Customers granted a management move will be made one direct offer of suitable accommodation.
- 8.4 Depending on the reason why the management move was agreed, the designated managers may insist that the applicant moves outside of the locality where a risk has been identified.
- 8.5 Customers seeking to transfer to another IHCLT property who are not eligible for a management move may still apply for housing through the Local Authority scheme.
- 8.6 Where IHCLT is seeking to rehouse customers as a permanent decant IHCLT will work with the customer to identify a suitable alternative property to be offered directly, either within IHCLT properties or another landlord's stock where possible. Customers may also be advised to register with the Local

Authority allocations scheme. Transfer applicants will be prioritised for available homes over permanent decants due to the urgent nature of the need for rehousing

8. **Affordability**

- 8.1 IHCLT is committed to ensuring that they do not contribute towards placing people in financial hardship and indebtedness. Therefore, as a responsible landlord IHCLT will only let properties to people who are able to demonstrate that they can afford them
- 8.2 Ensure any applicants who are economically active must have a disposable income of £30 or more per week after all essential outgoings have been taken into consideration
- 8.3 We will look at the applicant's monthly income with the monthly rent for the property they are interested in using the DWP's 'entitled to' calculator. If their outgoings are more than one third of their income, we deem the property is not affordable.
- 8.4 If an applicant's initial assessment is between one third and 50% of their income, an additional affordability assessment will be made by Inspiring Communities Together Advice and Guidance Worker. The aim of this assessment is to ensure that an applicant is receiving all the welfare benefits they are entitled before their application is rejected.
- 8.5 If an applicant fails our affordability test, we may still agree to grant a tenancy if they can demonstrate that moving to our home would reduce their housing costs. We will take into account any entitlement to housing benefit and the applicant's current circumstances in making a decision to proceed with an offer of accommodation.
- 8.6 IHCLT will use the same property size eligibility criteria used by Salford Home Search (equivalent to that are used to assess benefit eligibility for assistance with housing costs). Using these rules a separate bedroom is required for;
 - a couple (aged 16 or over) who live together as partners
 - a single adult
 - two children under 10 who are part of the same family
 - two children of the same sex under 21 who are part of the same family
 - any remaining children who cannot be paired according to the rules above.
- 8.7 Where a property is adapted IHCLT will seek to identify a household that requires the adaptations installed. Those with a need of ground floor accommodation as a result of mobility issues will be prioritised for ground floor flats and bungalows.
- 8.8 Decant allocations will be made on a housing need basis i.e. the right sized home based on the households needs, rather than on a like for like basis where for example a resident may be under occupying.

9 Allocations decisions

- 9.1 IHCLT will reject or suspend a Salford Home Search application where an applicant is deemed ineligible using the above criteria. We further reserve the right, in exceptional circumstances, to restrict offers of accommodation that are considered to be inappropriate in relation to any information obtained via a risk assessment or support needs assessment.
- 9.2 IHCLT will only consider high risk offenders where appropriate and robust support and risk assessment plans are in place and will continue after re housing has occurred. We will need to be satisfied that such an allocation complements our approach to safe, secure and sustainable communities.
- 9.3 IHCLT will take action against any customer: attempting to fraudulently obtain accommodation, found to have deliberately lied, provided IHCLT with false information, or withheld information as part of the application process. Housing fraud is a criminal offence and IHCLT will take action against tenancy fraud. A property obtained by deception will be repossessed. If IHCLT discover this type of irregularity at the offer stage we will withdraw the offer.
- 9.4 Before any offer of accommodation is made, all applicants will be required to provide IHCLT with references from their current landlord where they have one. Where the applicant does not have a current landlord, alternative references will be sought

10. Discretionary decisions

- 10.1 If an exceptional case arises that is not covered within this allocations policy, we may use our discretion. Discretion decisions will be taken by IHCLT and include the following definitions:
 - a) To make an offer to an applicant other than the one whos application was first
 - b) Not to make an offer to you if there are special circumstances
 - c) To waive the allocations policy in exceptional circumstances
 - d) To refuse or restrict an application because of previous anti-social behaviour
 - e) To waiver debit requirements in exceptional circumstances

11 Letting to employees

- 11.1 Employees are invited to apply for homes in the same way as any applicant not working for the organisation. However, employees are required to discuss their intentions with their manager before applying for or expressing interest in a IHCLT property. This will enable managers to advise and support the employee and manage their expectations.
- 11.2 By utilising Salford's Allocations Policy and Salford Home Search to allocate all homes IHCLT seeks to ensure that allocations are fair, transparent and appropriate.

- 11.3 Employees applying for accommodation will be subject to the same refusals criteria as any other applicant. IHCLT reserves the absolute right to refuse an offer of accommodation to an employee outside of the standard refusals criteria if the offer is deemed to be inappropriate.
- 11.4 If an offer for housing is refused the reason for the refusal will be explained to the applicant

12 Tenancy duration

- 12.1 All new IHCLT tenants will initially be awarded a:
- 12 month starter tenancy at sign up stage.
 - At the end of the 12 month starter tenancy the tenant may be offered a further 5 year fixed term tenancy. (**3 months prior to the end of the initial 12 month starter tenancy a review will be conducted**).
 - As long as the tenant is able to demonstrate a good tenancy history during the initial 9 months then IHCLT would be minded to grant a 5 year fixed tenancy. (**6 months prior to the end of the 5 year tenancy a further review will be undertaken again to consider the client's change in circumstances and their tenancy history**).
 - Dependent upon any changes in circumstances and a good tenancy history in the preceding 5 years IHCLT will be minded to offer/or not another 5 year tenancy to the tenant.
- 12.2 Changes in circumstances might include (but this list is not exhaustive):
- Residency status within the UK so that the applicant no longer has a legal right to social housing (as described in Salford's Allocations Policy)
 - Ability to afford the property
 - Development of support needs which could not be met within the tenancy
 - Change in household composition
 - All three tenancy review contacts have been made and had a satisfactory outcome
 - Good compliance with rent payments, or if there are arrears an agreement is in place and is being maintained and the income team are satisfied that a reduction in the arrears will continue.
 - Reports of ASB
 - Unspent criminal convictions including being subject to a non-molestation order, an injunction order, an occupation order or a restraining order.
 - Reports of the accommodation being used for immoral or illegal purposes such as drug dealing.
 - Neglect, damage or abandonment of the property including allowing furniture, fittings and other installations to deteriorate due to ill treatment.
 - Behaviour which could be considered to be a serious fire risk
 - Abusive or threatening behaviour towards members of staff

- 12.3 IHCLT reserves the right to not renew the tenancy agreement at the end of the initial 12 months and then at the end of each 5 year tenancy period if the review evidences that the tenant has had a change in circumstances or a tenancy history which indicates that they are no longer suitable to be a tenant of IHCLT. The decision on the review will be made by designated managers employed by IHCLT.
- 12.4 A change in household composition which results in the home being under or over occupied may not result in refusal to offer a further 5 year tenancy. However (dependent upon individual circumstances), the tenant may be required to move to a smaller / larger property more appropriate to their new household composition.
- 12.5 If a decision is made that the property will not be re-let to the tenant, the tenant will have a right to review of that decision. The request for a review should be submitted in writing to the decision maker within 21 days of the decision date. The review request should explain the reasons why the tenant disagrees with the decision made and additional evidence to support the request review should be submitted by the tenant.

13. Review Process

- 13.1 Applicants have the right to request a review of the decision to suspend their application and should first contact IHCLT designated manager who dealt with their application to discuss the reasons for our decision.
- 13.2 The receiving Manager will then appoint and instruct a Review Panel consisting of two senior managers/Directors who have not been involved in the original decision. A minute taker will be assigned.
- 13.3 The Review Panel will consider if the allocation has been made in accordance of the Policy and procedures. Unless the Review Panel finds against the original decision, then no corrective action will be identified. The customer will be sent a letter detailing the Review Panel's decision and appropriate next steps.

14. Complaints and Appeals

- 14.1 An applicant who is dissatisfied with IHCLT service may make a complaint in accordance with our Complaints Policy.
- 14.2 An applicant who is dissatisfied with a policy decision may appeal against our decision.
- 14.3 Whilst an appeal is being considered by IHCLT, we will not hold the property until the outcome of the appeal has been decided.
- 14.4 Depending on the outcome of the appeal, IHCLT may accept a future nomination from the same applicant, as each nomination is considered on its merits. However, if a future nominee has been previously rejected by IHCLT and the factors that determined our decision are still an issue, we will reject the applicant.

15. General Data Protection Regulations

15.1 The Data Protection Act 1988 and General Data Protection Regulations (GDPR) are designed to protect personal data about living individuals (Data Subjects). The Act also places obligations on those organisations that process personal data (Data Controllers). As a Data Controller, Inspiring Communities Together are committed to complying with this legislation by applying the Principles of the Act and GDPR.

16. Monitoring, Review and Evaluation

16.1 This policy and connected procedures will be reviewed by IHCLT staff and approved by the Board of Directors as a minimum every 3 years or in response to regulatory changes. The policies will be subject to an annual health check. The review will ensure that all operational, strategic and regulatory changes are compliant

Reference material

The following reference material has been used:

This policy has been developed with regard to the codes of guidance issued to local housing authorities in England, in exercising the functions under 167(1A) and 167(2E) of the Housing Act 1996 and Homelessness Reduction Act 2017.

IHCLT will ensure that the policy is compatible with obligations imposed by other existing legislation, in addition to Part 6 of the Housing Act 1996 as detailed below; this list is not exhaustive.

- The Race Relations (Amendment) Act 2000
- The Disability Discrimination Act 1995 (as amended 2006)
- The Human Rights Act 1998
- The Freedom of Information Act 2000
- Children Act 1989
- General Data Protection Regulation (GDPR)
- Crime & Disorder Act 1998
- Homelessness Act 2002
- The Equality Act 2010
- The Localism Act 2011
- The Welfare Reform Act 2012
- The Homelessness Reduction Act
- Tenancy policy
- Rent policy
- Right to Rent

This policy also takes into consideration the following guidance:

- Commission for Racial Equality (Code of Practice on Racial Equality in Housing – September 2006)
- The Housing Green Paper - Quality and Choice (A Decent Home For All - July 2000)
- Code of Guidance (Choice Based Lettings - January 2007)
- Shelter's Good Practice Report (A Question of Choice - June 2005)
- Communities and Local Government (Allocation of accommodation: guidance for local housing authorities in England – June 2012)
- Draft Homelessness Code of Guidance for Local Authorities (October 2017).

DEFINITIONS

Eligibility: Applicants have to satisfy certain criteria to be eligible for an allocation of accommodation and support services, and to be allocated certain property types.

Local Lettings Policies Local Lettings Policies (LLP) are used to enhance the sustainability of defined communities by giving preference for offers of accommodation to particular customer groups. This may include customers outside of the housing needs categories. Local lettings policies will be evidence-based, and be approved for defined geographic areas.

Local Connection to a particular area within a local authority boundary because of residency, employment, close family or a main source of support.

Advert Criteria Advertisements of properties may have an age criteria for older person homes or have a preference to certain size households/ groups. This will be described within the advert details.

Nomination A type of allocation defined in the Housing Act 1996, where a Local Authority puts forward (nominates) an applicant from the Local Authority Housing Register to Registered Providers for re-housing.

Registered Provider (RP) A housing association or housing company registered with the HCA