

Housing Allocation Policy



**Maidstone Borough
Council**

This document sets out how we award priority and offer accommodation for residents of the Maidstone borough.

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1. Introduction

- 1.1. Maidstone receives many applications from people who want to be housed every year. However, there are not enough properties to meet demand. Therefore the Council has a system for prioritising the allocation of properties based on an applicants' housing need. The rule of the prioritisation is known as the Council's Allocation Policy, which is this document.
- 1.2 We want people to be able to choose the area and property they want to live in. We also want our policies and procedures to be more open and transparent to all people. This is why we have changed our allocation policy to a choice based lettings scheme called Kent Homechoice. In partnership with 11 other local authorities in Kent: Thanet, Dartford, Canterbury, Gravesham; Dover; Ashford; Sevenoaks, Shepway, Swale, Tonbridge and Malling, Tunbridge Wells Councils' we have joined forces to help applicants find a new home. With our partner Housing Associations named below, we are now giving people choice when we let social housing properties.
- Co-operative Development Society
 - English Rural Housing Association
 - Golding Homes
 - Homegroup Ltd (inc. Stonham Housing Association)
 - Housing 21
 - Hyde Housing Association
 - Moat Homes Ltd
 - Orbit Housing Group
 - Places for People
 - Riverside Group Ltd
 - Russet Homes
 - Sanctuary Housing Association
 - Town and Country Housing Group
 - West Kent Housing Association
- 1.3 A company, LOCATA, has been formed to work with us as a central lettings agency to advertise and match people to homes in this new and exciting way.
- 1.4 The Council is still responsible for the Housing Register. The Council or the appropriate Registered Social Landlord will advertise available properties on the Kent Homechoice website.
- 1.5 However each landlord checks that the applicant who matches successfully to each property is eligible to be offered it. Some social landlords may do this in accordance with their lettings policies and procedures or our policy.
- 1.6 LOCATA will monitor, evaluate and review the choice based lettings scheme and provide fortnightly information on bidding patterns.

- 1.7 All applicants currently on the Housing Register or on Golding Home's transfer list will automatically become members of LOCATA.

2 Aims and Objectives

The Choice Based Letting policies and key objectives are:

- Empower applicants by offering choice, through a range of housing options, choice and information which will enable them to make realistic decisions in relation to their future housing prospects
- Support Maidstone's Housing Strategy, which aims to develop pathways that support independent living as well as creating sustainable communities
- To challenge the perception that a homeless application offers the best route to re-housing, where possible creating active incentives for applicants to choose the Housing Register
- To achieve partnership working to meet housing need
- To target scarce resources to those in greatest need
- Deliver an allocations policy which is transparent and easy to understand for applicants, staff, Council members and stakeholders
- Deliver a scheme which anticipates the majority of housing problems so that the need for individual discretionary decisions are minimised
- Comply with the legal requirements and the Code of Guidance- Allocation of Accommodation: Choice Based Lettings (August 2008)
- To promote equality of opportunity in housing services

3 Equality and Diversity

- 3.1 The Council operates an equal opportunities policy and is committed to delivering fair and equitable service that are appropriate and accessible to all sections of the local community, as well as working to eliminate discrimination on any grounds.
- 3.2 The implementation of a clear and consistent allocations policy goes hand in hand with careful equalities monitoring. As part of the housing register application, we ask questions around ethnicity, disability, sexuality, religious beliefs, age, employment and support needs. The data provided by the applicant will help us to monitor that the scheme is operated in a fair and non – discriminatory manner as well as monitoring for service improvements.
- 3.3 It is important that the allocations policy is understood by all current and prospective applicants. Straightforward information through leaflets is available in a variety of formats and where appropriate, interpreters are used for applicants seeking advice and assistance, where appropriate. If an applicant prefers to be interviewed by someone of the same sex as themselves, please let us know in advance and we will aim to do this for you.

4 Confidentiality

- 4.1 Personal information provided to the Council by housing applicants is confidential. In normal circumstances, this information is only disclosed to landlords participating in the Choice Based Letting Scheme – Homechoice within Maidstone Borough to enable them to consider an application and to determine whether an offer of accommodation can be made. Applicants give their consent to this disclosure in completing the Housing Register form.
- 4.2 Personal information is only disclosed to other parties with the applicants' consent or in exceptional circumstances where disclosure without consent is warranted. These are defined as follows:
- Where there are over-riding legal, social or public interest considerations, for example there is a risk of seriously harm to the person themselves or to others if the information is not disclosed
 - Where the information is required by a local authority department to carry out statutory functions or external auditors
 - Where the information is required by the police as part of a criminal investigation.
- 4.3 Medical information obtained from an applicants' GP or other healthcare staff cannot be passed on without prior consent from the professional(s) involved.
- 4.4 At the short-listing stage, relevant information including details from the Housing Register may be copied to the new landlord where applicable.

5 Access to Personal Information

- 5.1 You have the right to see and to confirm the accuracy of information about you, which is held on computer.
- 5.2 In order to request access to personal information, applicants must put the request in writing to the Housing Options Team.
- 5.3 The Housing Options Team will collect and prepare the information within 40 days. Files may be edited where necessary, for example to exclude information restricted by law or evidence provided by a third party, for example a healthcare professional. In the latter case, information can only be released if the professional concerned has given their written consent. Applicants wishing to see information provided by third parties must seek consent from the professional(s) involved.
- 5.4 If the applicant considers the personal information they have received is inaccurate, they may request that it is amended or removed from their records. If the Housing Options Team agrees the information is incorrect, appropriate action will be taken to amend the records. In the event of a

disagreement, the information will remain and the applicants' comments will be recorded on file.

5.5 Disclosure of information may be denied by the Council in any of the following circumstances:

- The information could prejudice criminal proceedings
- Legal professional privilege could be claimed
- A care professional is of the opinion that disclosure could result in a risk of serious harm to the applicant or others as a result of disclosure.

We will not pass information to a third party without your consent unless they have a legal right to obtain it.

6 Enquiries

6.1 If you have any enquires relating to your application please contact us tel: 01622 602000. Alternatively if an applicant requires assistance in completing their application and if family or friends cannot help, please contact our Customer Services Team on the above number. You can also meet with a Customer Services Officer at :

Maidstone Gateway
King Street
Maidstone
ME15 6JQ

An Officer will be available Monday to Friday from 8.30 am to 5.30pm and Saturdays from 9.00am to 1.00pm.

6.2 If you are a Golding Homes' tenant and wish to enquire about your application, please contact tel: 0800 923 2700. Alternatively you can meet with an Officer at:

Whatman House
St. Leonard's Road
Allington
Maidstone
ME16 OLS

Shepway Housing Office
1 Northumberland Court
Northumberland Road
Maidstone
ME15 7LW

An Officer from Golding Homes will be available Monday to Thursday from 8.30am to 5.00pm and on Friday from 8.30am to 4.30pm.

7 Letting not covered by the policy

The following are examples of lettings not covered by, or specifically excluded from the allocation scheme, under the provision of the Housing Act 1996:

- Offers of non-secure tenancies to homeless households pursuant to any duty under Part VII of the Housing Act 1996
- The conversion of introductory tenancies into secure tenancies
- Offers of tied accommodation made to Council employees
- Offers or nominations of accommodation made at the Council's own instigation for example offers to tenants being decanted from their homes to allow major works to take place
- Transfer of tenancies made by a Court Order under the Matrimonial Causes Act 1973 or other family legislation
- Vesting or disposal of tenancies by order of a Court

8 Review of the Choice Based Letting Scheme

To ensure the continued effectiveness of the policy, certain improvements may need to be made to ensure the policy is kept up to date. Minor amendments can be made once approved by the appropriate Director. Elected members will be advised of the change with the opportunity to provide comments within 1 calendar month before the amendments are incorporated.

9 The Legal Framework

9.1 Maidstone Council keeps a Housing Register of people who want to be considered for affordable housing. The Council's allocation scheme operates in accordance with the statutory provisions contained in the Housing Act 1996 (as amended).

9.2 In accordance with the statute certain groups are awarded reasonable preference. These include :

The Housing Act 1996 (as amended) requires all Local Authorities to introduce a lettings scheme to reflect the priorities defined by the Act, and to give reasonable preference to:

- People who are homeless (within the meaning of Part VII of the 1996 act (amended 2002))
- People who are owed duties by any Local Authority under Section 190(2), 193(2), 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any housing authority under section 192(3)
- People occupying unsanitary housing or who are overcrowded or living in unsatisfactory housing conditions
- People who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship (to themselves or to others)
- People who need to move on medical or welfare grounds including grounds relating to disability

<p>9.3 We are, however, able to take into account the financial resources available to the applicant to meet his/her own housing need by carrying out means testing. This enables us to give less priority to an applicant who is financially able to secure alternative accommodation for at least two years at market rent or to buy a home either outright, with the assistance of a mortgage or through schemes designed to assist applicants onto property ownership such as Shared Ownership.</p>
<p>10 Eligibility for allocation of Housing</p> <p>10.1 Certain persons subject to immigration control are not eligible for the allocation of the housing under s160A (1)(a), (3) and (5) under the Housing Act 1996 (as amended). This includes:</p> <ul style="list-style-type: none"> • Over-stayers and visitors to the country • Illegal entrants • Asylum Seekers • People in the country on condition that they have no recourse to public funds • "Persons from abroad" who fail the habitually residence test • "Persons from abroad" who are in breach of the European Community Right of Residence directive • "Persons from abroad" who have been subject of a sponsorship agreement for less than 5 years and whose sponsors are still alive <p>The above list provides examples. It should be noted that the statutory framework for eligibility is subject to alteration by the Secretary of State.</p>
<p>11 Ineligibility on the grounds of unacceptable behaviour (removal or not being allowed to register)</p> <p>11.1 Under sections 160A (7) and (8) of the Housing Act 1996 (amended by the Homelessness Act 2002), the Council can decide to treat persons as ineligible for an allocation of accommodation if they or a member of their household have been guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant.</p> <p>11.2 The Act says that the Council may only regard a person as unacceptable if the behaviour is sufficient to entitle the Council to a court order for possession under s 84 Housing Act 1985 on any grounds mentioned in Part 1, Schedule 2 of that Act (other than Ground 8) and if they are, at the time of the application, still unsuitable. There is no need for the applicant to have been a Council/Housing Association tenant when the unacceptable behaviour occurred.</p> <p>11.3 In making a decision about whether a person is unsuitable, the Council will consider each case individually and will have regard to the following circumstances :</p>

- The existence of any criminal proceedings for or convictions for criminal offences.
- The existence of any Civil Orders or Anti Social Behaviour Orders or pending procedures for such.
- Any Court Orders for possession or pending actions for possession.
- Any other matters relating to the behaviour of the applicant or a member of his household for example violence towards a partner or family member; allowing for the condition of the property to deteriorate; knowingly subletting a tenancy without the landlord's prior permission.

11.4 Reduction in priority due to unacceptable behaviour

Section 167 (2A) of the Housing Act 1996 (amended by the Homelessness Act 2002) allows us to alter the housing priority of an applicant whose behaviour or the behaviour of a member of their household has affected their suitability to be a tenant.

11.5 Behaviour

The Council may remove some points for a period of up to five years in the following circumstances. Where an applicant:

- Has gained or attempted to gain property by giving false information as part of their application
- Assaulted, threatened, verbally abused or harassed an employee, agent or elected member of the Council or Housing Association
- Have been convicted of financially defrauding a local authority

11.6 Worsening your housing circumstances

11.7 Where an applicant moves from accommodation that was available for their occupation, that was no more suitable for them than the accommodation they have moved to and which it was reasonable for them to have continued to occupy. This category also applies where they have left temporary accommodation provided by the Council under a duty arising via the Housing Act 1996 (as amended Homelessness Act 2002) to provide interim accommodation to homelessness households. For an applicant to have intentionally worsened their circumstances there must be evidence that it would have been reasonable for the applicant to have remained in their original accommodation.

11.8 An applicant is entitled to request a review of a decision that they have intentionally worsened their circumstances.

11.9 In the above cases less priority will be awarded for a period of one year.

Other types of behaviour the Council may take into account:

- Deliberately worsening your housing circumstances i.e. giving up

secure Council or Housing Association accommodation without securing settled accommodation since.

In the above case some or all points may be removed from the Housing Register.

12 **Debts (Rent Arrears and Former Tenant Arrears)**

12.1 We may also take into account, via s167(2b) of the Housing Act 1996, current or former tenancy arrears due to non-payment of rent, charges for use and occupation or due to damage to the property owed to us or to another Local Authority or social landlord, and claims made through the Council's Rent Deposit Bond Scheme

12.2 In such circumstances, the application will be registered but some points may be removed until the debt is reduced to a reasonable level. Each case will be considered on its own merits but a reasonable level is generally considered to be £400 or less, or the applicant can provide a repayment plan agreed with the applicant's landlord and can evidence payment against the plan for the last 6 months at the time of being shortlisted and being offered a property.

12.3 If the application is already registered and has been awarded points but falls into arrears which exceed £400, the applicant's priority for a property may be reduced in accordance with this policy.

12.4 If Court action is being taken to get an outright possession or a Bailiff's Warrant for eviction, no offers of housing should be made without the agreement from the Housing Services Manager.

12.5 Housing Associations participating in the CBL scheme may have policies which may prevent them offering a tenancy to an applicant who has former tenant arrears with another local authority or Housing Association.

12.6 Each case where an applicant would otherwise be offered a tenancy by a Housing Association should be considered on merit. In some cases a referral may be made to the Joint Assessment and Referral Panel with supporting evidence provided by any care service engaged with the applicant and the social landlord to whom the debt is owed.

12.7 **Notification**

12.8 A person whose points are reduced/removed will be notified of this in writing and the grounds for it. The applicant will also be advised of their right to request a review.

12.9 If it is decided that the application will be suspended and points removed or altered for a period of time, the applicant will be notified of this and given details of:

- Any conditions of which the Council is likely to require to be satisfied

in order to reinstate their points before the expiry of the period of suspension

- The applicant's right to a review of the decision and how the applicant can request a review of their suspended application.

12.10 The kind of factors of which the Council may consider, in order to be satisfied to reinstate points or consider an applicant as eligible upon re-application are:

- Reduction of rent arrears to a level below £400
- A change in circumstances or immigration status
- Improved behaviour verified by at least two independent professional bodies or neighbours who have resided beside the applicant for a reasonable period of time.

13 Nominations

13.1 The Council has a number of existing nomination agreements with Housing Associations as well as the stock transfer agreement with Golding Homes. These agreements detail the nomination rights from which the Council has in relation to accessing social housing

13.2 These agreements will continue as part of choice based lettings scheme.

- The impact of these agreements will be considered on an annual basis. Any amendments to the agreements will be agreed with the relevant landlord and approved by the Council's cabinet member.

14 Completing the Housing Register Application

14.1 To enable a proper assessment of an applicant's circumstances, a Housing Register form from Maidstone Council will need to be completed. Normally the applicant must be 18 or above to register on the Housing Register. The exceptions are 16 and 17 year olds who are owed a full housing duty by Maidstone Council under Part VII of the Housing Act 1996 (amended 2002).

14.2 If the applicant is a tenant of Golding Homes, they will not be able to apply for a transfer until they have completed two years at their current property. Although the Head of Neighbourhoods at Golding Homes has the authority to waive or reduce this requirement in accordance with the policy adopted by Golding Homes.

An application can be obtained from the following places:

- Customer Contact Centre by telephone : 01622 602000
- Maidstone Gateway
King Street
Maidstone

ME15 6JQ

- By downloading a form from: www.maidstone.gov.uk
- From your local office if you are a tenant of the Trust:

Whatman House
St. Leonard's Road
Allington
Maidstone
ME16 OLS

Shepway Housing Office
1 Northumberland Court
Northumberland Road
Maidstone
ME15 7LW

14.3 Applicants must ensure they complete the registration form fully. Some important points to remember:

- Do not skip questions – we need all the information asked for on the form to see how we may be able to assist. If an applicant is successful in a bid for a property and has not provided all the proof(s) / supported information then the application will not be verified and will not be successful in any bids placed.
- Please provide all the information requested on the form. This is needed to verify an application. If there are any medical conditions that the applicant or member of his/her household experience, which is effected by where the applicant is currently living, then a medical assessment form will need to be completed.
- There is a section within the application form asking whether the applicant requires supported housing or has special needs. For example young people who are currently in the care of Social Services or an applicant with disabilities currently living in a residential care home but will need independent accommodation eventually.

14.4 We may also carry out a credit reference check to establish if information given is correct. We or a Housing Association partner may also carry out a home visit to verify the details provided before or during the shortlisting of an applicant

14.5 A tenancy granted on the basis of information subsequently found to be false or because material information has been withheld, may be terminated and legal action taken by the landlord to recover possession of the property. In addition the applicant may commit a criminal offence if:

- He/she knowingly or recklessly makes a statement which is false and may lead the Council to award priority for housing if the statement was relied on when assessing the application
- He/she knowingly withholds information which the authority has reasonable required him/her to give in connection with their application for housing

A person guilty of an offence, as stated above, is liable on summary conviction to a fine not exceeding 5 (currently £5,000) on the standard scale.

In circumstances where fraud or misrepresentation is suspected, this should be brought to the attention of the Housing Options Manager to consider what action is appropriate

14.6 Joining Maidstone's Housing Register

14.7 Once an applicant has applied to join our Housing Register they will become a member of Kent Homechoice. The registration will be confirmed by LOCATA who will also give the applicant an identification number i.e. 'HIL' followed by their Housing Application number.

14.8 People who can be considered part of an application

14.9 **Partner:** A partner who is living with the applicant or tenant and has done so for at least 12 months or is married/civil partnership.

14.10 **Children:** Born to the applicant(s) under 18 years of age or where the applicant has legal care and responsibility.

The test of normal residence as a member of the family will require residence as opposed to "staying" or "staying access" even in cases of joint custody or joint residence or similar orders. The Council in applying the test will consider whether there is a sufficient degree of permanence or regularity to constitute normal residence as a member of the household. Account may be taken of whether the child is dependent upon the applicant. The Council may also take into account the supply and demand for accommodation in the Maidstone Borough and any under-occupation that may result where a child spends part of the week with one parent and part of the week with another parent.

In cases of children, the test of normal residence as a member of the family will require residence as opposed to "staying" or "staying access" even in cases of shared responsibility or joint residence or similar orders. The Council in applying the test will consider whether there is a sufficient degree of permanence or regularity to constitute normal residence as a member of the household.

14.11 **Relatives:** Where a dependent relative has joined the household because they are unable to live independently and there are no other options for the family.

14.12 **Other members of the household:** Persons who are part of the household at the date of registration and are still in occupation.

14.13 **Carers:** Where an applicant can demonstrate that a live in carer is essential.

14.14 **Tenants:** Children born since the start of the tenancy and dependent children (under 18) joining since the tenancy started, who now reside with the tenant as part of that household. The tenant may be required to provide proof that the child resides with them and that this arrangement

is reasonable.

14.15 **Your Housing Need Assessment**

Once the Council has received an application the Housing Service will assess the housing need based on the information provided to us. The Council will then write to the applicant to let them know the outcome of the assessment that will include:

- application reference number
- how many points have been awarded
- if any points have been deducted and the reason why
- the date the application was registered
- the number of bedrooms required
- whether an adapted property is required
- Whether the applicant are a Home-seeker or a transfer applicant

15 Choosing a property

15.1 In choosing which property to bid for, an applicant may wish to consider a number of things :

- **Is there an age restriction on the property? Example: Sheltered Housing**

Some properties have a minimum age requirement, for example, in some cases only people aged over 60 can apply. Sheltered housing properties are usually for people aged 60 or over. However, Golding Homes accepts applications from people aged 50 plus. The Council or the Housing Association assesses the applicant's suitability for sheltered housing first. If the applicant has not been assessed and is interested in Sheltered Housing, they should contact the Housing Options Team.

- **Properties with a mobility sign**

This is intended to provide a guide for people who need an adapted property. Unless it says so in the advert, it does not restrict people without mobility problems from bidding for these properties however the applicant would have less priority than disabled applicants.

- **Pets**

Most landlords will not allow tenants to keep a dog or a cat unless the property has its own garden. Where there is any doubt the applicant should clarify the situation before bidding.

- **Transfer Applicants**

In accordance with existing nomination agreements, some properties will

be advertised solely for transfer applicants by the Housing Association who owns the property.

16 Keeping applications Up to Date

16.1 Applicants are required to renew their housing register application every 12 months. The Council will write to applicants on an annual basis, reminding them of the requirement to renew, in order to remain on the Housing Register. However this does not preclude applicants from choosing to renew their application themselves, without having to wait for an invitation. An applicant must do this in writing and confirm that their circumstances have not changed.

16.2 If an applicant fails to renew their application within the time allowed by the Council, their application will be cancelled. When a new housing register form is submitted after a cancellation the applicant will be treated as a new case. This means the applicants' application will not be backdated and they will lose their previous waiting time points and date order position on the Housing Register.

16.3 Change of circumstances

16.4 Applicants are required to inform the Council in writing of any change in circumstances as and when they occur. The applicant will then normally be required to complete a new housing register form.

Relevant change of circumstances include:

- Any additions to the household or a confirmed pregnancy
- Any household member who does not wish to be considered on the application
- A move to new accommodation

17 Assessing your application

17.1 Housing Register application will be awarded points in accordance with the Council's allocations scheme. Therefore it is important that applicants fully complete the application form. Any questions not answered will result in a delay in assessing their application.

17.2 Applicants will need to provide supporting information/documents such as proof of identify. The documents required are listed as part of the Housing Register form. Applicants must provide original documents. These will be photocopied and returned.

17.3 In considering an application, the Council may undertake a home visit to confirm the details provided. The Council may also undertake a credit reference check to confirm details.

18 Finding a Home through Choice Based Lettings

18.1 All social landlords participating in Choice Based Lettings are committed to advertising their properties via the Kent Homechoice website. The website address is www.kenthomechoice.gov.uk. The website is updated fortnightly and properties can be viewed on a Friday each fortnight.

18.2 It is also possible to view and bid on properties using digital TV services.

18.3 Once an applicant has viewed available properties, up to three bids for properties can be placed per fortnightly advertising cycle. The bids must be placed before the closing date. The closing date for each bidding round can be found on the website.

18.4 Property description

Properties advertised through the website will include details of:

- Location including name of the road
- Local facilities i.e. shop, school, bus route
- Type of property including who the landlord is
- Number of bedrooms and number of people suitable for the property
- Any adaptations for people with mobility problems/wheelchair users
- Services provided
- Heating type
- Rent for the property and where applicable an estimate of the service charge
- Any criteria for letting the property

18.5 Placing Bids

18.6 Bids for properties can be made on the website: www.kenthomechoice.or.uk ; digital TV; text from your mobile phone, by telephone or by contacting our Customer Services Advisor on 01622 602000. The list will be available from 8am on Friday of the bidding cycle and closes at 1pm on the following Wednesday. It is a fortnightly cycle.

18.7 Information is also available through the Kent Homechoice website and the Scheme Users Guide booklet, explaining the variety of ways in which a bid can be placed for a property.

18.8 Once a bid has been placed, the Council or the landlord will consider the bids placed for each property advertised. A list in priority order is produced of those applicants who are eligible to apply for each property.

18.9 When bids are considered for properties, priority will be given to bids from applicants with the highest points. If applicants with the same level of points bid for a property, priority will be given to the applicant who has been registered the longest.

18.10 **Offer**

18.11 If an applicant's name appears at the top of the priority list, the Council or the landlord will check the applicant's circumstances to make sure the applicant is still eligible for an offer. If an applicant refuses an offer, the next person on the priority list will be invited to view the property. Applicants' are not penalised for refusing properties (some exceptions apply, i.e. if an applicant has been accepted as homeless, which is detailed in this policy) they have chosen. However checks about an applicants' housing need might be made if several properties have been refused.

18.12 In many circumstances more than one person may be invited to view the property at the same time. This will help with the letting process, although the property is still offered to the member with the highest points that attends the viewing.

18.13 The applicant may also be asked by the Housing Association to bring proof of identity documents to the viewing or sign up interview so that the applicant's identify can be verified.

18.14 **Feedback**

18.15 All properties let are listed in future bidding cycles on the Kent Homechoice website. Members will be told how many people bid for each property, as well as the points and registration date of the successful bidder. This will detail how long the successful bidders have been waiting.

18.16 If an applicant has any queries about applying for properties, fully trained Customer Service Advisors and voluntary agencies are available to support the applicant. Transfer applicants should speak to their landlord.

18.17 **Becoming a tenant**

18.18 The successful applicant will be asked to view the property. They will then be asked to attend a sign up interview. The interview could take place at the applicant's home or at the Housing Association's office. During the interview the conditions of the tenancy agreement will be explained to the prospective tenant before they sign the tenancy agreement.

18.19 An applicant may be asked to pay rent in advance; this will vary between landlords and upon your financial circumstances. At the sign-up interview, information will be provided on how to report a repair and details on how an applicant can contact their Housing Officer in case there are any problems with the tenancy.

18.20 Once the tenancy begins an applicant is legally bound by the terms of the tenancy and must (a) pay their rent on time and (b) ensure that they or any family and visitors to the home do not cause a nuisance to neighbours or breach any conditions of the tenancy. Either of these could cause a tenant to lose their home.

18.21 Ineligible for an offer

In some circumstances, applications are registered but may not be offered a property or invited to view. This will apply when:

- There are rent arrears
- There are issues of anti social behaviour
- The applicant's eligibility for housing cannot be verified
- An applicant's circumstances have changed since the most recent assessment
- The applicant has applied to buy their property through their Housing Association landlord
- The applicant is actively considering other options i.e. shared ownership.

These circumstances are set out in this policy. But we will let applicants know if it applies them.

19 Local Connection

19.1 Points will be awarded on a one-off basis to applicants who have a local connection with the Borough. A local connection can be obtained with Maidstone:

- If the applicant has been residing in the Borough as their main and principal home
- If the applicant or member of their household who is part of the Housing Register application has paid employment in the Borough (this must be for a minimum of 16 hours per week)
- If the applicant lives outside the Borough but have close family i.e. parents, brother, sister, children who have lived in the borough for the last 5 years
- If the applicant has lived outside the Borough but have lived in the Borough for the last 5 years prior to moving out.
- If the applicant needs to move to the Borough to give or receive support from an immediate family member. This includes parents, children, siblings, husband/wife or partner. Details from a third party i.e. Doctor or Social Worker may be obtained to verify this.

Applicants without a local connection to the Borough can still apply but due to high demand and limited housing stock, the number of points awarded will be reduced.

For members of the armed forces, the local connection criteria will be met if they could have been complied with at either the time of application or the time of enlistment.

19.2 How could you lose your local connection?

- The applicant moves outside the Borough and no longer meets the other local connection criteria
- The applicant is no longer employed in the Borough and no longer meets the other local connection criteria

Should an applicant lose their local connection, any points awarded will be withdrawn.

20 Economic Circumstances

20.1 Applicants will receive priority if they have difficulty in buying or renting a property for economic reasons. Therefore points will be awarded to applicants who claim income support, tax credits or others means-tested benefit.

21 Means Testing

21.1 Section 167 (2A) of the Housing Act 1996, allows the Council to give less priority to an applicant who has financial resources available to them to meet their own housing need. This is by having the financial resources to purchase a property, rent privately or access shared ownership for a period of two years or more.

Income and resources considered are:

- A single or joint income which falls within the criteria of one the HomeBuy schemes, taking into account the ability to obtain a mortgage and the mix and type of property required
- Savings, sufficient to pay for private rented accommodation for a period of two years. (if an applicant has owned a property in the last 5 years and has sold it, the Council will ask for proof of sale and any proceeds of sale which the applicant still holds will be taken into account.
- Sufficient equity in an applicants' current home to enable them to repurchase a suitable home.

21.2 At the initial interview/assessment stage of an application we would discuss the options available and would take into account any high priority debts i.e. rent arrears; Council tax; gas and electricity and maintenance.

21.3 Where an applicant has a need for supported accommodation and owns their own property the Housing Options Team Leader will decide whether a reduction in points should apply on the grounds of means testing.

21.4 Home Owners

21.5 Home Ownership is where a person legally owns a property either outright or with the assistance of a mortgage. This includes Shared Ownership as well as having a legal interest in a property even if the person doesn't live

there.

21.6 Ownership of an interest in a property, whether locally or elsewhere (within or outside the United Kingdom) is a financial resource that will be taken into account in determining an applicant's ability to meet their housing costs.

21.7 Home owners may receive less priority on the Housing Register. Unless it is unreasonable for them to remain in their property and/or their housing problems cannot be resolved by adapting their present home; through the assistance of any mortgage rescue scheme in partnership with a Housing Association; or by selling the property and possibly purchasing another suitable property. In considering the above, the Council would take all/some of the following factors into account:

- The whole of the applicant's circumstances and, where relevant, the circumstances of the other members of the household.
- Whether adaptations to the present property is a viable option
- Whether the property is suitable for a mortgage rescue scheme
- Whether the property could be sold and if so, the expected equity arising from the sale
- Whether the applicant requires supported accommodation i.e. sheltered housing
- The applicant's financial circumstances, commitments and mortgage potential
- The supply and cost of private rented accommodation suitable for the applicants specific needs
- Whether the applicant could be expected to move outside of the borough.

22 Medical and Mobility Grounds for Housing

22.1 If an applicant or any other member of his/her household included to their application have any medical issues which are affected by where they currently live, the Council will ask for a medical form to be completed. The Council awards medical points from 5–low to 20 medical points for urgent medical issues.

22.2 Low priority will be awarded where there is a medical or mobility issue which may be improved by re-housing

22.3 Medium priority will be awarded where the applicant's current housing has a detrimental effect on their, or a member of their household's medical condition and their health is likely to deteriorate unless early re-housing takes place or where mobility issues prevents access to the whole accommodation such as upstairs rooms.

22.4 High points are awarded where there is an emergency medical condition or mobility issues requiring swift re-housing

- 22.5 Urgent points will be awarded where is medical or mobility issues to move a household which is validated by another agency, such as Social Services or a hospital consultant
- 22.6 The Council will make a judgement as to whether further advice is required to determine whether medical/mobility grounds exist and the level of priority this warrants. The Council will seek further advice through arrangements with medically qualified persons who are independent of the Council.
- 22.7 Where other members of the household who are on the application have medical problems, the Council will add together all the medical points to give a total which does not exceed 20 medical points.

23 Cumulative need

- 23.1 Where an applicant or a member of his/her household have a range of needs which, when considered separately, would not provide the priority for housing that would be deemed appropriate, will be considered for cumulative points. This would include applicants whose household includes two or more people with medical needs of an urgent nature.
- 23.2 Where such exceptional circumstances exist and a higher priority is thought to be appropriate, the Housing Options Team, having fully considered the details of the case, will forward their recommendation to the Housing Services Manager to seek authorisation that the applicant be awarded 100 points.

24 Applicants in Prison

If an applicant is due to be released from prison, the normal local connection criteria would apply. Where an applicant who is in prison does meet the local connection criteria set out in point 19 (19.1 to 19.2), a reduction in points for lack of local connection would apply.

24.1 High risk Offenders

The housing of high risk offenders will be carried out as part of a multi-agency arrangement with the Police, Probation, Social Services and other appropriate agencies. An area or type of property acceptable to the Council will be agreed in partnership with the agencies involved. High Risk offenders will be offered limited choice through the Choice Based Letting Scheme. Where there are urgent issues, the Housing Services Manager may consider a direct offer.

24.2 National Witness Mobility Scheme (NWMS)

The NWMS is funded and managed by the Office of Criminal Justice Reform in the Home Office for Criminal Justice in the Home Office and works with police forces and housing authorities to assist with the re-housing of seriously intimidated witnesses.

The scheme enables witnesses to relocate outside their area to a place of safety.

NWMS work with Maidstone Council. The Council will investigate whether we would have a duty to assist with accommodation because they are threatened with homelessness and it is not reasonable for them to return.

The individual will need to complete a housing register form and the Housing Options Team Leader may consider awarding additional priority. Applicants awarded points under this scheme will be limited to 2 nominations per financial year.

25 Homeless applicants

25.1 This applies to homeless applicants owed a duty under s.193 or s 195 (s) of the Housing Act 1996 (as amended)

25.2 Where an applicant has been accepted as statutory homeless, in priority need, and not intentionally homeless, they will be awarded 130 points. Evidence required of repossession proceedings or possession order being granted by the courts or homeless from family or friends (home visit to be undertaken). Evidence required of bailiff's warrant or eviction by family or friends. With the exception of any medical points, applicants will not be awarded further points under those sections which cover size, standard and nature of accommodation occupied. Neither will additional Move On points be awarded.

25.3 Homeless applicants will be expected to actively seek a property via the choice based letting scheme. If an applicant does not successfully bid for a property, which would have been suitable for the household size, within the first 2 months, their application will be passed to a designated officer to bid on their behalf.

25.4 An offer of an assured tenancy via Choice Based Lettings to an applicant will constitute a final offer of accommodation for the purpose of 193(7) Housing Act 1996 which is intended to cause the homeless duty to cease.

- Should such an offer of suitable accommodation be refused then the duty owed under the Housing Act 1996, s193 (5) (as amended) will be discharged. Any temporary accommodation provided would be terminated.
- As a result, the additional priority awarded to the application as a homeless applicant will be withdrawn

25.5 Intentionally homeless

For a period of 1 year only, less priority would be awarded to an applicant who has been found intentionally homeless under Housing Act 1996 Part VII.

25.6 **Homeless Prevention**

25.7 As part of the Housing Options process in all circumstances the Council would first look to prevent the homelessness. Where it has been identified by the Housing Advisor that an applicant can remain at their current accommodation, 100 points will be awarded. Where there is evidence of repossession proceedings or possession order being granted by the courts or homeless from family or friends (home visit to be undertaken) an additional 20 points will be awarded. This applies to applicants who would have a prima facie duty under homeless legislation. No other points will be awarded unless there are any medical issues.

25.8 If an applicant has not successfully bid for a property, which would have been suitable for the household size, within the first 3 months, their application will be passed to a designated officer to assess whether the additional priority awarded still applies. If the additional priority is no longer required these points will be removed. The applicant can still remain on the register and the application will be assessed in the normal way under this allocations policy.

Where the homeless prevention priority continues, applicants will have up to 6 months from the date of being awarded the homeless prevention points to bid for accommodation. If an applicant fails to bid for a property, which would have been suitable for the household size, within the 6 months, their application will be passed to a designated officer to bid on their behalf.

- An offer of an assured tenancy via Choice Based Lettings will constitute a final offer of accommodation. Should the applicant refuse the offer of accommodation, the additional prevention points awarded would be removed and the housing register application assessed in the normal way under this allocations policy.

25.9 **Threat of homelessness**

The Council recognises some applicants may be threatened with homelessness including those who do not meet a priority need group under homeless legislation. Additional points will be awarded where an applicant is in receipt of a valid:

- Section 21 Notice/Possession Order/Bailiffs warrant
- Notice from a parent/family member you currently reside with
- Notice to leave from a resident landlord
- Notice to leave tied accommodation
- Discharge from forces accommodation

26 **Waiting time on the Housing Register**

The number of years an Applicant has waited on the Housing

Register is acknowledged in the assessment of their housing need under the Points Scheme. Where more than one applicant has the same number of points and have placed a bid on a property, priority will normally be given to the applicant who has been registered on the Housing Register for the longest continuous time

27 Rough Sleepers

27.1 The Council recognises the need of applicants sleeping rough. All attempts will be made to ensure the applicant is provided with some form of private rented accommodation with floating support or supported hostel accommodation to assist with long term rehabilitation.

27.2 Where alternative accommodation cannot be secured and if the status of rough sleeping is verified by Maidstone Day Centre or any other registered agency working within the Borough for this client group, then standard rough sleepers' points will be awarded only plus any medical points.

28 Split Households

The Council recognises that some households may not be able to reside as one family unit due to overcrowding circumstances or other reasons. Where a household is split, details will need to be provided including the reasons why. The information will be checked and where appropriate additional priority will be awarded.

29 Supported Accommodation for People with Special Needs

There a number of supported housing projects in Maidstone that are suitable for people with support needs. This includes:

- Young people
- People with mental health problems
- People with substance misuse problems
- People with other vulnerabilities
- People who are roofless

The Council has nomination rights to certain schemes managed by Housing Associations or other agencies. Some of the schemes provide long-term accommodation whereas others assume that there will be a requirement for the resident to move on either after a certain period or when they are capable of living independently.

29.1 Selection criteria and priorities for Supported Housing

29.2 Applicants who may require supported accommodation or support to be

provided to sustain the tenancy will be referred via the Single Assessment Protocol by their care provider or support service.

29.3 All clients are assessed according to their needs and support requirements at the time of the referral, together with any potential risk they may present to themselves and others.

An assessment is made to determine the most appropriate type of accommodation for the applicant, the level and type of support respective priority compared to other applicants.

Where a vacancy arises in supported accommodation:

- Normally overall priority is given to homeless applicants that are assessed as suitable, to whom the Council has or may have a statutory duty to secure accommodation, unless there is a suitable applicant with a higher need for supported accommodation at that time.
- Where there is more than one suitable applicant for the vacancy and the applicants are assessed as having a similar level of need for housing and support (given that there is a shortage of supported accommodation in the Borough), priority will be determined on the basis of the applicant's local connection followed by their application date. (An applicant with a local connection will normally be given priority over an applicant without a local connection even if they have an earlier application date).

29.4 Where a social or support service is provided in conjunction with the accommodation, only applicants who are considered to require and benefit from that service will be considered for that accommodation. Examples of this type of accommodation would include sheltered housing for older people, housing designated for special needs such as young people, people with mental health problems, or those known to be sleeping rough or roofless.

Some General Needs accommodation will be allocated to those in need of floating support. Allocation to such properties will be agreed in partnership with the social landlord concerned and the support provider via the Single Assessment Protocol process. Such Applicants may be selected for an allocation of that accommodation regardless of whether, under the Points Scheme, they are assessed as having the greatest housing need compared to other applicants

30 Processing Applications from Older People

30.1 Applicants over the age of 60 will be considered for sheltered Housing Accommodation only via one of the Council's housing partners. Golding Homes will accept applicants aged 50 plus. Applicants can also bid for designated sheltered accommodation through CBL. They may also be referred by relatives, social workers or doctors, or the Council's Medical

Advisor may recommend sheltered accommodation. If contact is made by a third party the applicant will need to be contacted and asked to complete an application form.

- 30.2 Once a bid is placed through Kent Homechoice, the visiting officer from the Housing Association recommends whether the applicant is suitable for sheltered or not and if so whether extra care or enhanced extra care is thought to be appropriate. Those who appear to need a higher level of support and or care may be referred to Social Services. A recommendation for enhanced extra care will also be dealt with through the housing register. Social Services may make a referral direct to the Council.

31 Move on from Supported Accommodation

- 31.1 Where an applicant is considered suitable for independent living, additional priority will be awarded within the agreed quota with the service provider.

32 Care, Support and Welfare Points

- 32.1 The care and support needs of an applicant will be assessed by the Council, with the help and liaison with Social Services and other relevant agencies, where appropriate.
- 32.2 'Care and Support grounds' for re-housing would apply to an applicant whose household includes someone who has an established need for care and support in order for them to manage in their own home within the community. It might also apply to a care leaver or other vulnerable person who needs a secure base from which they can build a stable life.
- 32.3 'Care & Support grounds' for re-housing may include an Applicant needing to move to a different locality to give care and support to another person and this will entail a needs based assessment.
- 32.4 'Care & Support Points' will be awarded where a member of the household has an established need for care and support in order for them to live in their own home in the community and they require suitable and settled accommodation in order that these needs can be met and support services arranged and provided. Points are discretionary and awarded in 5 point increments, up to 20 points maximum are available.
- 32.5 Priority under this category will only be awarded where Maidstone Borough Council is satisfied that the person has:
- Been assessed by the Health Service or Social Services as requiring a significant level of care and support;
 - Where specific provision has been or would be made by the Health Service or Social Services as requiring a significant level of care and support;

- Where specific provision has been or would be made by the Health Service or Social Services or a specialist provider to provide this assistance.

32.6 In some circumstances it may be established, in the case of a disabled child or an older person for example, that the care and support is to be provided by a family member.

32.7 In order to be considered for these points, applicants must complete the Medical Assessment Form, the Mobility Self Assessment Form and the Support Needs Section. The receipt of such benefits as Invalid Care Allowance, Attendance Allowance, Disability Living Allowance and Severe Disablement Allowance may be used as indicators when Care and Support Points are assessed. In addition, if applicants are in receipt of outreach support from Social Services or a specialist provider, or if they are regularly visited by a CPN, this may indicate that they should be considered for 'Care and Support Points'.

32.8 The types of applicant or household to be considered for 'Care and Support Points' are as follows:

- Frail older people who are in receipt of a significant package of 'Home Care' from social services or who are cared for by a household member.
- People who are physically disabled or those with a long term medical condition who are in receipt of 'Home Care' from social services or are cared for by a household member.
- People with learning disabilities who require care and support in order to manage in their own home who have been assessed via the single assessment process.
- People with severe mental illness who are established as requiring care and support in order to manage in the community who have been assessed via the single assessment process.
- Young people who are considered to be 'at risk' or have been accommodated by Social Services and who have been assessed as a 'child in need' through the provisions of the Children Act 1989.
- Such applicants will have been jointly assessed by the Council's Housing Options staff and Social Services if they are homeless or threatened with homelessness. In order to receive the 'Care and Support' points, provision must have been made by Social Services or a specialist provider for the young person to be provided with on-going support to enable them to manage their own accommodation in the community.
- Some families with children who have a specific need for suitable and settled accommodation because of a particular risk to their health, welfare or development which other families do not face. This may include families where the children are on the Social Services 'At Risk' Register or where the family are homeless due to demonstrable domestic violence or harassment and this has resulted in particular problems affecting the parent or child. In order to qualify for Care and

Support points such families will need to be in receipt of an ongoing package of care and support from Social Services.

- An applicant that may need to move closer to be able to give care and support to someone who is identified within the categories above. These points will only be awarded to either provider or recipient and not to both parties.

33 Adapted Properties

33.1 Where the accommodation has been designed or adapted to provide facilities which are intended specifically for use by a disabled or older person, only applicants whose household includes a person who is considered to require those facilities will be able to bid for that accommodation. This might include a property to wheelchair standard or a property which has been substantially adapted. In the event that there is no suitable applicant requiring the facilities then the property may be re-advertised to allow applicant to bid for the property who does not need it.

34 Disrepair

34.1 The Housing Act 2004 Part I provides a system for assessing housing conditions and enforcing housing standards called the Housing Health and Safety Rating System (HHSRS).

34.2 Where an applicant has been assessed by the Council's Private Sector Team as having disrepair issues, the Team may award additional points on a sliding scale.

34.3 The aim of the Team is to prevent homelessness, by assisting a landlord to carry out necessary work to enable a tenant to remain in their home

34.4 Minimum points would be awarded where a property is considered a Category 2 hazard and received a score between D-F (not including overcrowding).

Mid range points would be awarded where a property is considered to meet at least one Category 1 hazard (not including overcrowding)

High points would be awarded where an applicant meets 3 or more hazards under Category 1(not including overcrowding)

34.5 Once the work have been carried out to a satisfactory standard by the landlord and confirmed by Private Sector Housing, any points awarded due to the condition of the property will be removed.

35 Rent (Agriculture) Act 1976 cases

35.1 The Rent (Agriculture) Act 1976 requires the Council to use its best

endeavours to provide accommodation for displaced agricultural workers who meet the criteria of the Act and to whom the Council have accepted a duty to re-house. Applicants to whom this applies are given 20 points under the Points Scheme to reflect the priority they must be given.

36 Essential or Key Workers

- 36.1 Certain developments are designed for particular categories of person whether or not they fall within the reasonable preference categories. Essential Key Workers such as teachers, nurses or police officers may be awarded priority within the points scheme of an additional 10 points for consideration for such developments to meet the objectives of the Council's Housing Strategy.
- 36.2 All Maidstone Key Workers interested in housing opportunities specific to them should also register with the Homebuy agent, Moat Housing Association

37 Local lettings policies

37.1 Achieving balanced communities

Local lettings plans are letting policies which form part of the housing letting process. They apply to a limited part of the housing stock where the Council has nominating rights. In consultation with relevant Housing Associations and Tenant Associations, the Council may adopt a local letting policy. This is to achieve a balanced community on a new estate or a new area to rectify problems on an existing estate where there are management problems and the properties have become difficult to let. The principals agreed within the Kent Housing Group Sustainable Communities Protocol will form the basis of local letting plans

37.2 The Council will monitor the impact of any lettings plan that may be introduced in order to ensure that overall, the policy as a whole provides reasonable preference to applicants entitled to it under Housing Act Part VI.

Where the accommodation is subject to a planning agreement or other restrictions, whether legally enforceable or not, only applicants who can meet the terms of the agreement or restriction will be allocated accommodation. This may be the case for housing in some rural areas which is intended for occupation by local people.

The Council at times may consider direct offers for properties subject to a local lettings plan or planning agreements.

38 Low demand properties

Where there are no eligible bids placed for particular property, a property will be re-advertised and applicants who would under-occupy the

property may be considered.

39 Under-occupying accommodation

- 39.1 In the interests of freeing up family-sized accommodation for those in need, it is appropriate that existing social tenants who wish to move to smaller accommodation are given the priority to do so under the Points Scheme.
- 39.2 Additional priority in the form of 'Under-occupying Accommodation Points' is given to tenants of Registered Social Landlords who have exclusive occupation of bedrooms in excess of the standard set out in Section 40 (below) and express a wish to move to smaller accommodation appropriate to that standard.
- 39.3 The applicant's landlord may provide assistance with removal expenses to move to a new home. Applicants should check with their landlord if they have this in place.

40 Selection Criteria for a particular size of accommodation

- 40.1 Bidding for a suitable property will depend on the size of an applicant's household and age of dependents. The following guidelines on size of accommodation will be applied in the selection of an applicant for allocation of accommodation:

[Note: in these guidelines a child includes a baby who is expected within 12 weeks.]

- a. Single Person - *Bedsit or 1 bedroom*
- b. Couple without children - *1 bedroom*
- c. Couple or single person with one child – *2 bedrooms (this includes a box room)*
- d. Couple or single person with two children where the eldest child is under 12 or the age difference between the children is not greater than 7 years – *2 bedrooms*
- e. Couple or single person with two children where the eldest child is over 12 or the age difference between the children is greater than 7 years – *3 bedrooms*
- f. Couple or single person with three children – *3 bedrooms*
- g. Couple or single person with four or more children – *3 or 4 bedrooms*

Please note – a three bedroom parlour property which has a separate living and dining room would be classed as a four bedroom property. The

only exception is where either of the rooms has a door leading to the kitchen/bathroom and there is a back boiler. In these cases, the property would be considered three bed- roomed only.

Applicants for 2 bed 4 person houses

So that best use is made of these larger two bedroom properties, whilst also giving priority to urgent housing need, applicants meeting the following criteria can bid for accommodation when a property is designated a two bedroom but suitable for four person house:

- The highest pointed applicant with two children – if no applicant is available, then the property will be offered to:
- The highest pointed applicant with one child.

Selection of Applicants for 3 Bed 6+ person houses

So that the best use is made of these larger three bedroom properties, whilst also giving priority to urgent housing need, Applicants meeting the following criteria can bid for 3 Bed 6+ Person houses:

- The highest pointed applicant with four or more children – if no suitable applicant is available, then the property will be offered to:
- The highest pointed applicant with three children.

Over occupancy in an emergency situation will be discretionary and in consultation with the housing provider concerned.

40.2 Where there is a medical need for a separate bedroom, supporting evidence from a Consultant will be required. This will be considered by the Council's independent medical advisor

41 Reciprocals

41.1 In certain cases, the Council may negotiate a reciprocal letting arrangement with another local authority.

Authority to proceed with a reciprocal must be obtained from the Council's Housing Services Manager (in their absence delegated to the Housing Options Team Leader). 100 Management points will only be applied following written confirmation from the other local authority that they will reciprocate with an urgent priority offer to a nominee of our choice and when required.

41.2 All reciprocals arrangements are agreed on a discretionary basis and the Council retains the right to decline a request for a reciprocal if it is not considered to be in the interest of the Council

41.3 Where an applicant has rent arrears, which exceeds the amount set out

under Section 12, the request for a reciprocal will usually be refused.

41.4 Reciprocals can only be agreed when there is no material loss to the Council in terms of available housing stock. In most cases this means the Council will expect back a property of equal or larger size than the unit offered. The unit must also be comparable in terms of quality and type.

41.5 In exceptional circumstances the Council may agree to accept two smaller units in exchange for a larger unit of the same number of bedrooms.

42 Area Preferences

42.1 Applicants can bid for accommodation in their area of choice.

Applicants should be aware that whilst their area preference will be respected, they may have to wait longer for accommodation if they restrict the areas of the Borough too narrowly.

42.2 The Council provides information on the whereabouts of social housing stock in the Borough, broken down by area. It is hoped that applicants will use this information to make an informed choice about where they wish to live. In addition the Kent Homechoice website will provide details of bidding activity including details of successful bids. Because applicants can identify areas of the Borough where many or few vacancies of the size they require become available, they can make a calculation as to the likelihood of a property becoming available in that area.

43 Transfer Applicants

43.1 In addition to the above, the following would also apply to Golding Homes transfer applicants.

43.2 Right to Buy applications

Where a Golding Home tenant has submitted a Right to Buy Application, an offer of re-housing can only be made if the tenant has not accepted their Section 125 Offer Notice, after which time their application will be suspended.

43.3 Rent Account

Tenants who have maintained a clear rent account during the twelve months prior to registration will be awarded one off 5 points. Tenants should provide a copy of their rent account statement with their housing register form to receive these points

43.4 Tenancy Points

1 point will be awarded to Golding Home tenants for each year completed at their existing property from the time registering their transfer application.

43.5 **Assistance with Remedial Works**

Assistance will be provided by the Housing Association to move tenants on a temporary basis to undertake remedial work. This includes disconnection and reconnection of services. Any temporary accommodation secured will be outside the CBL letting scheme.

43.6 **Mutual Exchanges**

If an applicant is a secure tenant they have the right to exchange their home with another tenant or from a housing association or another council. Exchanges can involve more than one household.

43.7 A mutual exchange is a useful way for people to be re-housed where they have low points, and would therefore face a considerable waiting time before finding suitable alternative accommodation.

43.8 The applicant must obtain written permission from their landlord before they exchange. The other tenants involved must also get written permission from their landlords.

43.9 In some cases an exchange may be refused. For example:

- An applicant is subject to an Order for Possession
- Repossession proceedings have started against the applicant, where a notice for such proceedings has been given and is still in force
- The existing property is much larger than the new occupier would require
- The existing property would not be reasonably suitable for the new occupiers and family i.e. they would be overcrowded or cause mobility problems
- The property has special features making it suitable for someone who has a disability or is a sheltered housing scheme and the incoming tenant and family do not need these facilities
- There are any rent arrears

43.10 There are a few other grounds that may apply. An applicant should contact their housing officer to discuss further.

43.11 An applicant must not accept remuneration in a mutual exchange. The Housing Association has the right to go to Court to ask an applicant to leave their home as a result.

43.12 Any existing transfer application will be cancelled when the mutual exchange is completed, unless the tenant re-applies immediately from their new address.

43.13 If the applicant is a tenant of Golding Homes, they can apply free of charge for a mutual exchange via www.homeswapper.co.uk. Once the

applicant has entered their details into this system the Home Swapper website is able to look for potential matches. If a tenant of another Housing Association, please check if they meet the cost of registering for a mutual exchange

44 Joint tenants and Relationship Breakdown

- 44.1 Where there has been a relationship breakdown or other instances where a joint tenancy has come to an end, following a notice to vacate by the other tenant, Golding Homes may consider awarding the same property to the remaining tenant. This would apply where the applicant meets a prima facie priority need group under the Housing Act 1996, Part VII (as amended). Such an allocation should not have an adverse implication for the good use of housing stock and meeting housing need.
- 44.2 This type of letting is authorised as an exception to normal letting arrangements under s167 (2e) of the Housing Act 1996 and would allow the remaining tenant to apply for a fresh tenancy to be granted.
- 44.3 Where it is considered that an allocation of a property would not be a good use of housing stock and would affect our ability to meet a housing need, the existing tenant will be allowed eight weeks to bid for a property considered suitable in accordance with this policy. This period can be extended only if a property of a suitable size does not become available on the Kent Homechoice website during this period and if Golding Homes approves of this. Standard 100 points will be awarded to the applicant plus any medical priority.

45 Succession/Assignment

- 45.1 A person is qualified to succeed the tenant under a secure tenancy if she/he occupies the property as her/his only or principal home at the time of the tenants death and either:
- Is the tenant's spouse or civil partner, or;
 - Is another qualifying member of the tenant's family and has lived with the tenant throughout the period of 12 months ending with the tenant's death.
- 45.2 Under the Housing Act 1985, where a statutory successor succeeds to a property larger than they require, Golding Homes can require the successor in this position to move to another suitable property. To facilitate such a move, the tenant must complete a Housing Register form and will be awarded 100 standard points plus any medical points.

45.3 Discretionary Tenancy Succession where no rights exist

- 45.4 This situation arises where a statutory succession has already taken place. If the person wishes to become a social housing tenant they will need to complete a Housing Register form. A standard 100 points may be

awarded plus any medical points, If the applicant was living in the accommodation as his/her only or principal home at the time of the death of the tenant and either:

- Has been living with the tenant 12 months prior to the tenant's death and
- Is a close family member, partner or carer OR
- The applicant has accepted responsibility for the tenant's dependents and need to live them to continue to provide support
- The tenant must meet a prima facie priority need group under the Housing Act 1996 (as amended)

45.4 The applicant will be given a time frame of eight weeks to bid for a property considered suitable in accordance with this policy. This period can be extended by Golding Homes only if a property of a suitable size does not become available on the Kent Homechoice website during this period. Standard 100 points will be awarded to the applicant plus any medical priority.

46 Management Transfer

46.1 In exceptional circumstances Golding Homes may approve a management transfer. Golding Homes will notify the Council in writing to authorise a standard 100 points plus any medical points.

46.2 Where management move points have been awarded, the additional priority will be awarded to your application. The applicant will have up to three months to bid for a property via Choice Based Letting Scheme. Golding Homes will review if the tenant has been bidding for suitable properties. If the tenant has not made a bid for any suitable properties, then Golding Homes will consider removing the points and will notify the Council. If a suitable property has not become available to bid for then Golding Homes may consider extending the time you can bid for a property and notify the Council of this.

Consideration for a management move will only be considered in the following circumstances:

46.3 Domestic Violence

Domestic violence can be defined as violence from an associated person, which includes partner, siblings, and parents. The violence may include physical, sexual, emotional and financial abuse.

Maidstone Council employs a Domestic Violence Officer, who works with victims of Domestic Violence to offer help and guidance and to try to resolve housing issues

Where a case of Domestic Violence has been established and no other options are available/ appropriate, including the Council's Sanctuary

Scheme, then a standard 100 management points will be awarded plus any medical priority.

46.4 Racial Harassment

Racial Harassment can be defined as violence/ harassment based on an individual's race/ethnicity.
The harassment may include physical and verbal.

Where a case of Racial Harassment has been established and no other options are available/ appropriate, then a standard 100 management points will be awarded plus any medical priority

46.5 Crime and Disorder

Where an applicant is a victim of a serious incident of crime or disorder in their home, Golding Homes (if their tenant) / Maidstone Council will work with the Community Safety Unit to enable them to stay in their home. However, if this is not possible and where the Community Safety Unit make a recommendation, Golding Homes or the Council's Housing Services Manager, respectively may authorise management move points.

47 Refusal of properties

47.1 Applicants under Choice Based Lettings can bid up to three properties per fortnight. Applicants can refuse properties without any sanction.

47.2 However, where an applicant refuses a direct offer, or where additional priority has been awarded i.e. homeless prevention or homeless acceptance cases, then the Council may remove those points.

48 Reviews

Housing Register applicants

48.1 An applicant has a statutory right of review in cases where the Council decides there are ineligible for housing. Such a decision would arise as a result of an applicant's immigration status or as a result of unacceptable behaviour.

48.2 The request for a review must be made within 21 days of the date on the letter informing the applicant of the relevant decision. The request should be in writing. The review will be considered by the Housing Options Team Leader, who will undertake the review and will notify the applicant of their decision within 8 weeks of the request being made or such longer period as may be agreed.

48.3 Reviews of decision requested under Part VII of the Housing Act 1996 (as amended Homelessness Act 2002) are outside the scope of this allocations policy.

Transfer applicants

48.4 If you are a tenant of Golding Homes or other Social Landlord, you will need to contact your landlord directly if you wish for your application to be reviewed.

49 The Points Scheme

49.1 The Council's Housing Register works on a points system. When you apply for housing your application will be assessed according to your present circumstances which you have told us about on your application form including:

- Your present home
- Your economic circumstances
- Medical or Mobility
- Care and Support
- Time on the register
- Rough Sleeper

50 The Points Scheme - Details

	Points
Security of Tenure	
Registered Social Landlord or Protected/ Assured Tenancy in the private rented sector	0
Owner Occupiers or you have a legal interest in a property in the UK or abroad	0
Assured Shorthold Tenancy	4
Living in a boat, caravan or mobile home	6
Licensee with a resident landlord	6
Living with parent or other family members	6
Condition of Property	
Minor disrepair where the property would meet a category 2 hazard from D,E,F under the HHSRS rating system	5
Medium disrepair – where a property meets a category 1 hazard (at least 1 hazard)	10 to 15
Where a property meets 3 or more hazards under category 1	20
Facilities	
No internal toilet	9
Sharing toilet	3

No bath/shower with hot water	7
Shared bath/shower with hot water	3
No piped hot water (other than bathroom/shower)	7
Shared piped hot water (other than bathroom/shower)	3
No separate kitchen	7
Shared kitchen	3
No separate living room	6
Shared living room	3
Overcrowding/under occupying	
Person 16 years or over or cohabiting couple	20
Child 10 – 15 years	15
Child up to 10 years	10
Where a bedroom is share by children of the opposite sex, where one is 5 years or over	5
Where a member of the household is pregnant and there is no separate bedroom for the baby when it is born	5
Under occupation – points are awarded for every bedroom under-occupied and the tenant is willing to move to a smaller property. (This applies to Housing Association properties only)	20 per bedroom
Access to a garden	
For each child under 16 years, who does not have access to a garden (this does not mean self contained garden and therefore communal gardens provided to tenants of flats will not attract these points)	2
Economic	
Means tested benefit	5
Golding Homes Tenants – clear rent account for 12 months prior to registration	5
Financial means to rent privately for up to 2 years	minus 30 (2 years only)
If you are a home owner and alternative housing options are available	minus 30
Local connection	
Applicants residing in the Borough as their main and principal home	30
Applicants who reside outside the Borough and have close family members who have resided in the Maidstone district for the last 5 years from the date of application i.e. parents, brother, sister, children)	20
You or a member of your household who is part of your Housing Register application has paid employment in the Borough (this must be for a minimum of 16 hours per week)	15

You need to move to the Borough to give or receive support from an immediate family member. This includes parents, children, siblings, husband/wife or partner. Details from a third party i.e. Doctor or Social Worker may be obtained to verify this as well as the Council's own independent medical advisor.	15
If you live outside the Borough but you have lived in the Borough for the last 5 years	10
Applicants without a local connection to the Borough can still apply but due to high demand and limited housing stock, the number of points awarded will be reduced	5
Waiting time	
For each year registered to the Council's Housing Register	2
Housing Association Tenants – points for each year spend at your current accommodation from the time of your transfer application	1 per year
Homelessness	
Accepted as homeless under Part VII of the 1996 Housing Act (as amended) Homeless Duty s.184 accepted duty under s.193 or s.195 of the Housing Act 1996 (Amended) Repossession proceedings or Possession Order being granted by the courts or written threat of homeless from family or friends. Bailiffs Warrant or eviction by family or friends or Homeless Duty s.184 accepted duty under s.193 or s.195 of the Housing Act 1996 (Amended) Under Choice Based Lettings the customer is able to bid on suitable properties. However, if the customer does not bid, or place bids that are inappropriate, a Housing Officer will bid on behalf of the customer. If the customer has been successful in bidding then a representative from the relevant Housing Association will contact them with further details. The customer will therefore, receive one offer of suitable accommodation. Should this offer be refused by the customer under Section 193 (5) which is the housing duty itself or Section 193 (7) which is an offer made under Part VI of the Housing Act 1996, Maidstone Borough Council will discharge its homelessness duty to the customer and no further offer of accommodation will be made, if under both Sections the Council is satisfied that it is reasonable for the customer to accept it.	130 points (plus any medical points)
Homeless Prevention	100 (plus any medical priority)
Repossession proceedings or Possession Order being granted by the courts or written threat of homeless from family or friends.	20

Threat of homelessness (notice served)	10
Rough Sleeping	80 (plus any medical points)
End of a Joint Tenancy (Golding Homes tenants only)	70 (plus any medical points)
National Witness Mobility Scheme	100 (Maximum of 2 applications agreed per year)
Move on from supported accommodation	
Move on from supported accommodation within the agreed quota with the service provider	100
Medical	
Low	5
Medium	10
High	15
Urgent	20
Cumulative needs	
Cumulative needs	100
Care, Support and Welfare	
Points can be awarded based on individual circumstances and supporting information	5 to 20
Rent Act 1976 (Displaced Workers)	
Displaced agricultural workers, who meet the requirements of the Act	20
Essential Key Workers	
For example, teachers, nurses, police officers etc	10
Split Household	
Where a household genuinely cannot reside as one family unit i.e. over crowding	20
Succession	
Statutory succession to move to a more suitable property	100 plus medical
Discretionary succession	100 plus medical
Management transfer	100 plus medical
Reciprocal	100 points

Reduction in points	
Anti Social Behaviour/Fraud	Minus 50 for 5 years
Deliberately worsened your housing circumstances	Minus 50 for 1 year
Have been found intentionally homeless	Minus 50 points for 1 year
Former Tenant Arrears	Minus 50 points for 1 year