

## ALLOCATIONS POLICY

### 1. Introduction

- 1.1 Ayrshire Housing is a voluntary organisation concerned with providing affordable rented accommodation to those in housing need throughout South Ayrshire. Through our development programme we aim to broaden the housing mix of the area, whilst also supporting rural and urban regeneration. We also take part in care in the community housing projects providing special needs housing for applicants with particular needs.
- 1.2 The principal aim of the Allocations Policy is to ensure the allocation of satisfactory housing to those with a clear and identifiable need at affordable rents. In formulating this policy the association has taken into account relevant legislation and guidance issued by Communities Scotland and the Scottish Federation of Housing Associations. The policy also takes account of the provisions outlined in the Housing (Scotland) Act 2001 and guidance issued by the Scottish Executive in SEDD Circular 1/2002 which sets out the statutory provisions governing admission to housing lists and the allocation of accommodation by local authorities and RSL's.

### 2. Objectives of the Policy

Ayrshire Housing will ensure that all lettings will be carried out fairly and in accordance with this policy document and in making any allocation will:

- take account of all legal requirements which affect the letting of the house
- be fair, efficient and non-discriminatory in allocating tenancies
- give priority to people in the greatest housing need, whilst ensuring accommodation is suitable for the applicant's housing needs.
- make the best use of the available stock and use the allocations process to assist in the creation and maintenance of balanced, stable communities. The association believes a balanced community encompasses a range of household types, backgrounds, ages and employment history.
- complement the housing provision of the local authority.

We will ensure that applicants have fair and open access to our housing list and assessment processes and we will work with others to maximise and simplify access routes to our housing.

### **3. Equal Opportunities**

Ayrshire Housing will not discriminate on the grounds of race, colour, creed, religion, ethnic or national origins, sexual orientation, or on the grounds of marital status or sex in allocating its houses. Applicants will be asked to provide details of their ethnic origin and any disability on the application form so that this can be monitored. Provision of the information is voluntary and at the applicant's discretion. Annual reports will be presented to the Board to coincide with the annual review of this policy's operation.

We will positively encourage housing opportunities for disabled people through the provision and development of suitable accommodation and adaptations.

### **4. Eligibility**

Ayrshire Housing accepts applications from any persons, or person aged 16 or over.

4.1 In the allocation of housing no account shall be taken of the following:-

- (i) the length of time for which an applicant has resided in the area; or
- (ii) any outstanding liability (for payment of rent or otherwise) attributable to the tenancy of any house of which the applicant is not, and was not a tenant when the liability accrued; or
- (iii) the applicant's tenancy of a house but which is no longer outstanding; or
- (iv) any such liability which is outstanding but where:
  - a) the amount outstanding is not more than 1/12<sup>th</sup> of the annual amount payable (or which was payable) by the applicant to the landlord in respect of the tenancy; or
  - b) the applicant;
  - c) has agreed an arrangement with the landlord for paying the outstanding liability;
  - d) has made payments in accordance with that arrangement for at least three months; and
  - e) is continuing to make such payments
- (v) We shall also take no account of:
  - a) non-housing debts; or
  - b) if the applicant has had arrears of rent or service charges which have since been paid; or
  - c) where the arrears of rent or service charges amount to no more than one month's charges.

- (vi) Providing an applicant is 16 years or over we will take no account of the age of the applicant except in the allocation of:
  - a) houses designed or adapted for occupation by applicants of a particular age group; or
  - b) houses to persons who are or are to be in receipt of housing support services (within the meaning of Section 91 of the 2001 Act for persons of a particular age group)

4.2 Where a married or co-habiting couple's relationship ends the association will normally seek proof that the Matrimonial Homes Act cannot meet their housing need.

4.3 Applicants who have been evicted for anti-social behaviour from a tenancy within the previous 3 years and tenants (or a member of their household) who have had an Anti-social Behaviour Order served on them will be considered for a Short Scottish Secure Tenancy.

4.4 Where a registered sex offender (as defined by the Sex Offenders Act 1997) applies for housing or is nominated the association will approach the Police and Social Work Department to ensure a risk assessment is carried out before making any decision to house the applicant. Where a registered sex offender refuses consent for the association to contact the Police and Social Work no offer of accommodation will be made.

## **5. Complaints**

5.1 Where an applicant is dissatisfied with the way this policy has been implemented, he/she will have the right to appeal. In the first instance, complaints should be made in writing to the Housing Manager. Should an applicant wish to pursue the complaint further, then the association's formal complaints policy should be followed.

## **6. False Information**

6.1 Applicants will be required to sign a declaration confirming that the information provided in the application is true to the best of the applicant's knowledge.

6.2 Should it come to the association's attention that an applicant has provided false or misleading information to obtain a tenancy, action may be taken to recover possession of the property and to end the tenancy.

## **7. Membership of the Board**

7.1 Schedule 7 of the Housing (Scotland) Act 2001 places certain restrictions on the allocation of tenancies to Board members, staff and their close relatives. Allocations must meet the following criteria:

1. It must be demonstrated that the allocation complies with the association's Policy and Procedures.
2. Any decision to allocate a property must be approved by the Board and must be recorded in the minutes.
3. The association will enter details of any such let into a Register of Interest which will be held in the association's office. Each entry is required to be counter-signed by the Housing Manager or other senior member of staff.

All applicants will be required to declare whether to the best of their knowledge they are related to a Board or Staff Member.

## **8. Nominations Arrangement**

8.1 The association works in partnership with the local authorities in its area of operations and seeks to have effective nomination arrangements in place with the local authorities. The arrangements will normally allow for up to 50% of lets to be made to applicants nominated by the councils. All nominations will be assessed in accordance with Ayrshire Housing's Allocation's Policy to determine if a let can be made.

## **9. Waiting Lists**

9.1 Housing lists are currently held for each area in which the association has stock, according to the type and size of property required, and in order of priority as determined by the points system. The housing list will be reviewed annually. Applicants indicating a change of circumstances will have their application form reassessed and will be advised of their new points' level. Applicants who do not return review forms within the advised time will have their application form removed from the housing list.

### **9.2. Homeless Persons**

Applicants who have been assessed by the local authority as statutorily homeless and eligible for housing under homelessness legislation will be considered for housing by the association under the terms of the Section 5 protocol agreement i.e. by way of Section 5 Referrals. While applications will be accepted from such persons and will be added to the association's waiting list, offers of housing will routinely only be made under the Section 5 Referrals arrangements. Only in exceptional cases will statutorily homeless persons be selected for housing direct from the association's waiting list.

## **10. Reporting**

- 10.1 Monthly reporting on all lets and number of applicants will be made to the Board. Full analysis together with targets for the next year will be provided to the Board as part of the annual review of this policy's operation.

## **11. Lettings Plan**

- 11.1 The Board as part of its yearly review will set out a Lettings Plan. This will indicate targets to be met for each of the different categories of applicants. For example, the percentage of nominations from local authorities, direct applicants and transfers. This will inform debate about the extent to which demand can be met compared to the actual profile of need.

## **12. Administration and Procedures**

- 12.1 The association currently receives a large number of housing applications. We are committed to processing applications as quickly as possible. The target timescale for processing applications will be set annually by the Board.
- 12.2 The association shall provide information regularly regarding the points ranges of applicants who have been re-housed by the association to assist applicants make informed choices regarding where they wish to be re-housed.
- 12.3 Each Housing Officer will be responsible for allocations within their areas. Any allocation decision will be subject to approval by the Senior Housing Officer or Housing Manager. A register of all lets will be maintained. Board members are not involved in the allocations procedure particularly with reference to the selection of applicants.
- 12.4 Where possible, every applicant who is likely to be offered a property will be visited at home before an offer is made. The association will consider asking local housing associations or the local council to visit if the applicant lives out with our area of operation. The purpose of the visit is to check that the details on the application form are correct and that points have been correctly awarded.
- 12.5 As well as home visits, a tenancy report will be obtained from previous and current landlords. Applicants are required to sign a mandate authorising the association to contact landlords to obtain information about the conduct of a tenancy.

12.6 All offers of tenancies will be made in writing. The applicant will be invited to view the property before signing a tenancy. An applicant will be given two days to respond to the offer of a tenancy. Where an applicant refuses two offers, his/her application will be suspended for a year.

### 13. Points System

#### 13.1 Lacking Amenities

No bath or shower	20 points
No hot running water	20 points
No inside WC	20 points
No kitchen	20 points

#### 13.2 Property Condition

Where an applicant's house is affected by rising and/or penetrating dampness.	20 points
Where the property is affected by serious condensation/mould growth	5 points will be awarded per room affected
Where major repairs are needed such as roof renewal or rewiring	20 points

NB. Points can be awarded for one category only.

#### 13.3 Overcrowding Points

The number of apartments needed by a household is calculated as follows:

1. 1 living room and bedroom for applicant and spouse
2. 1 bedroom for 2 persons of the same sex under 16 years
3. 1 bedroom for 2 children of mixed sex under 8 years

One bedroom short	20 points
Each additional bedroom short	15 points

#### 13.4 Under-Occupancy

Under-occupancy points are awarded to householders in the following cases:

One bedroom extra	15 points
Each additional bedroom extra	10 points

#### 13.5 Sharing Amenities

Where an applicant is not the householder, but shares the use of the facilities the following points will be awarded:

Shared use of cooking facilities	10 points
Shared use of living room	10 points
Shared bathroom	10 points
Shared facilities with more than 1 household i.e., multiple occupied property	25 points

### 13.6 Tenure

Imminently Homeless	75 points
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Applicants who can demonstrate that they are in imminent danger of losing their own accommodation i.e. through ending of a short assured tenancy; have no other satisfactory housing available to them and do not fall into one of the priority groups under the homeless person's legislation contained in the 1987 Housing (Scotland) Act.

Nominations via Homeless Person's Unit	50 points
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Applicants accepted nominated to Ayrshire Housing by South Ayrshire Council and accepted as being in priority need under the Homeless Person's Legislation.

Insecurity of Tenure	20 points
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Where an applicant has no legal right to stay indefinitely in their accommodation i.e. tied accommodation or a short assured tenancy.

Living in a Caravan	10 points
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Where an applicant lives in a caravan all year round.

### 13.7 Medical Priority

Medical points may be awarded either to the applicant or to any individual who is part of his/her household. Where two members of the household are awarded medical points, only the highest priority points will be taken into consideration in calculating the overall number of points of the housing application.

Priority A: Where an application has accommodation which is potentially life threatening or causing severe aggravation to his/her medical condition and where re-housing is extremely urgent.	40 points
Priority B: Where an applicant's accommodation is causing serious aggravation to an applicant's medical condition.	20 points

Priority C: Where an applicant's accommodation is causing a significant degree of discomfort to the applicant's medical condition.	10 points
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Applications for medical points are assessed on the basis of a self-assessment form completed by the applicant. This indicates the applicant's need for re-housing. The association may also seek medical advice in certain cases such as HIV/AIDS.

#### 13.8 Environmental

Where an applicant is aged 60 years and over and is seeking ground floor accommodation, then the following points will be awarded:

Resident on 1st floor	5 points
Resident on 2nd floor	10 points
Resident on 3rd floor	15 points

Points in this category will only be awarded where no medical points have been awarded for the same reason.

Elderly pensioners unable to manage a large garden	10 points
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#### 13.9 Support

Where support is required from or offered to a relative on medical grounds or in order to provide care in the community support	20 points
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Documentary evidence will normally be required.

#### 13.10 Social Points

Social Points are awarded only in extreme cases where an applicant requires urgent re-housing. Although physically their current property may be suitable, there may be other reasons why the applicant requires to be re-housed.	75 points
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An example, where social points can be awarded is where an applicant requires re-housing following an incident of sexual abuse against them or a family member, and the perpetrator continues to live in the area.

In these cases, documentary evidence such as Police reports or Social Work reports will normally be required.

#### 13.11 Racial Harassment

The association is committed to encouraging racial equality. Where an applicant has experienced racial harassment the application will be granted 75 points. The association will require supporting evidence.

#### 13.12 Domestic Violence/Abuse

The association recognises that people have a right to a life free from violence and abuse. Accordingly, where an applicant has experienced domestic violence the applicant will be awarded 75 points. Where possible the association will seek supporting evidence.

#### 13.13 Access to Children

Where an applicant requires a property larger than his/her needs due to access arrangements to his/her children, documentary proof will be required. This will be either a copy of a Custody/Court Order. Informal arrangements will not be sufficient.

#### 13.14 Unborn Children

Where an applicant is expecting a child, and the birth of the child will result in overcrowding, the appropriate points will be awarded when the application is submitted or revised. This will require confirmation by a doctor or hospital consultant.

### **14. Transfer Policy**

14.1 Ayrshire Housing operates a Transfer Policy. Tenants can apply for a transfer to another association property. The condition of the property vacated must be suitable for immediate re-let.

14.2 Transfer applications will be assessed on the basis of housing need using the same criteria and points system as all other housing applications. A separate Transfer List will be maintained for each development. The Board as part of its annual review will determine the percentage of lets available for transfer applicants.

14.3 Transfer allocations will not be considered to tenants who are in breach of their tenancy, except in exceptional circumstances e.g. where the tenant has been awarded maximum medical or social points. No account will be taken of rent or service charge arrears of less than one month.