

Lettings Policy (General Needs Housing)

1. Introduction

CHS GROUP (CHS) is a charitable Housing Association which has a duty to ensure its homes are allocated to people in housing need in ways which are fair, accountable and make the best use of CHS's housing stock. CHS also aims to provide high quality information to customers and to support people with support needs in seeking housing. CHS's policy is guided by current legislation and by Homes and Communities Agency Regulatory Standards. This policy applies to CHS's general needs housing stock.

2. Tenure Type

CHS offers Starter tenancies to those customers taking up a new tenancy, which become Assured tenancies after one year unless CHS decides that it is appropriate to end the tenancy or to extend it for a further six months. A separate Starter Tenancy policy covers this in more detail. Once the Starter period is completed, CHS would rely on normal grounds for possession where these are relevant.

The only exception to the normal tenure type is where CHS provides accommodation for households nominated to it by local authorities under the provision of Refugee Resettlement programmes. In such circumstances CHS offers a Fixed Term Tenancy usually for five years in line with families' Leave To Remain in the UK. The Tenancy will include a 12 month Starter period, and is reviewed at least 8 months in advance of the end of the fixed term in order that CHS can give 6 months' notice to the tenant of whether it will be renewed. The circumstances under which CHS may decide not to renew these fixed-term tenancies are:

- the property is adapted and no-one residing at the property requires adaptations;
- the property is under-occupied;
- the household's financial circumstances have changed so that other housing options are available such as home ownership, renting at full market value and other tenures;
- any breaches of tenancy or tenancy fraud are identified during the fixed term tenancy review process (which have or would result in enforcement action);
- the tenant and/or their advocate do not engage in the fixed term tenancy review;
- works are planned on a property in the next 5 years (which require its re-development or demolition);
- the tenant no longer has the right to reside or remain in the UK.

3. Applying for Housing

CHS does not keep its own waiting lists for housing. As a member of the HomeLink Choice Based Lettings Scheme operating across the Cambridge sub-region, and the HomeOption Choice Based Lettings Scheme for Uttlesford, we let all homes by advertising them through these schemes, except in a small minority of cases.

CHS is committed to supporting its current customers who wish or need to move home, and is signed up to the Homelink cross-partner Access Strategy. We will advise all customers who seek information on housing options, and in particular support our current tenants who need help in making the best of their options.

4. The HomeLink Scheme

To use the HomeLink scheme customers apply directly to Home-Link via its website, or to the local authority in which they live or have a connection with. The local authority dealing with the application will place it in one of four bands of housing need, depending on their circumstances. Uttlesford District Council's HomeOption scheme is very similar to HomeLink. CHS agrees to let its properties in accordance with the local authorities' lettings policies.

All landlords participating in the scheme advertise available homes through different media including the internet, and in displays in council offices. CHS displays its own vacancies at Endurance House. The homes are clearly labelled to state who can be considered for them. To be considered for a home, customers must make a 'bid' either via the internet, by text message, or through an automated telephone service. After the advertising period closes, a shortlist of eligible customers is produced. The shortlist identifies the order of customers based on who has been in the highest housing needs band for the longest time. Feedback on all lettings is available to customers who can use this information to make realistic choices on their housing options. In exceptional circumstances CHS may let a home directly to customers without being advertised through the scheme – these are known as direct lets (see section 6).

CHS will usually offer the tenancy to the bidder placed first on the shortlist, except in the circumstances set out below or if the property is clearly unsuitable (e.g. too large or too small, the customer is not in the age category required). As soon as the shortlist is available CHS makes contact with the top bidder to confirm their details, collect information needed to take up references and arrange a home visit.

5. Local Lettings Policies

In certain rural schemes there are legal agreements under section 106 of the Town and Country Planning Act 1990 (as amended) which mean that people having an existing connection with the immediate area have priority to be housed there. These are advertised with this requirement and local connection of those on the shortlist is checked and if necessary discussed with the relevant Local Authority.

CHS may also operate a "Local Lettings Policy" to encourage sustainable communities. For example we let one group of studio flats to women only, and often aim to have a range of children's ages within a newly built scheme. CHS will ensure that this is clear in any HomeLink advertisement so that customers make the most appropriate bids. Such local policies may also permit letting some properties to smaller households than would usually occupy them, in order to prevent long re-let times. See paragraph 7 below for more detail on the approach to under-occupation.

6. Other Nomination Agreements

For some rural schemes nomination rights are held by Parish Councils (and occasionally independent charities) in addition to the local authority, to help meet local housing needs. CHS will agree with the parish council/charity how its nomination rights will be used – through the HomeLink system, or by direct nomination. Where parish councils hold their own waiting lists to be used for nomination, CHS asks them to promote this within the parish to ensure equality of access.

CHS reserves the right to reject a nominee if they would not otherwise have qualified under CHS's policy.

7. Who qualifies for Housing

CHS applies the Allocations policies of the local authorities in which it operates. The local authorities assess housing applications and decide what housing needs band they should be placed in. The Bands for the sub-regional scheme are:

- Band A: Urgent Need (urgent medical, overcrowding, homeless, multiple needs, under-occupying by two or more bedrooms)
- Band B: High Need (high medical, harassment/abuse, lacking **one** bedroom, homelessness prevention, under-occupancy by 1 bedroom)
- Band C: Medium Need (medium medical, social reasons, shared facilities)
- Band D: Low housing need / financially able to resolve housing need

Exceptionally CHS may carry out a 'direct let' if there is an urgent need, without advertising within the HomeLink system. Typical reasons for such a move may be harassment, a severe medical condition, severe overcrowding, domestic abuse or fire damage. This may also be due to under-occupation resulting in a reduction in housing benefit where the customer is struggling to meet the shortfall in housing benefit/Universal Credit.

CHS will not normally make an offer to :

- (a) A person who is unable to sustain a tenancy without additional support and is unable to obtain a commitment from an outside body to provide that support.
- (b) A person who has outstanding housing debts to CHS, another Social Housing Provider or Local Authority or private landlord unless they have kept to an agreement to pay such debts for a reasonable period. An exception may be made for CHS customers where housing benefit has been reduced as a result of under-occupation and they have been unable to keep up with rent payments as a result.
- (c) A person who within the two years before their application has seriously breached the terms of their current or previous tenancy with CHS or another landlord (e.g. nuisance, anti- social behaviour, harassment, illegal use of property).
- (d) A person who does not have a local connection with the village or parish, where that is required by formal agreements with local authorities. In these cases the customer with a lower priority on the shortlist but having the required local connection may be offered the property.
- (e) A person who would be under-occupying the property under the definition of the Welfare Reform Act 2012 and who is likely to be dependent on housing benefit/Universal Credit to meet their rent payments.

8. Under-occupation

The Welfare Reform Act 2012 introduced a provision where occupiers claiming housing benefit/Universal Credit will have such benefit reduced if they are deemed to under-occupy the home. It is not CHS Group's policy to allocate properties that tenants will not be able to afford.

Where it is known that certain properties tend to generate low demand, CHS may allow applicants to 'bid' who would under-occupy the home, in order to avoid long re-let times. Where

there are no such suitable households on the shortlist officers will discuss and assess the financial circumstances of the top shortlisted 'bidder' to ensure that they have adequate financial arrangements in place to pay rent and service charges. All new tenants are contacted by CHS's Money Matters team to offer advice which may help with the costs of moving and settling in, and an overall financial healthcheck. Where the pre-tenancy visit by the Housing Officer raises concerns about affordability or resources (e.g. with furnishings) the Money Matters involvement will be brought forward to a date before the tenancy begins, in case assistance can be given to help with moving in e.g. an application for the Cambridgeshire Local Assistance Scheme.

Underoccupation by somebody reliant on housing benefit will be allowed in a number of limited scenarios, where that is known to be a temporary situation for up to six months in the knowledge that circumstances will change during that period to remove the penalty (e.g. a child is due to become 16 or the tenant will reach pension credit age).

Other Home-Link applicants who would not be reliant on housing benefit (and are at low risk of becoming reliant on it) may be offered accommodation that would be regarded as underoccupied (by one bedroom only).

Any Starter tenancy includes a condition that CHS may seek possession if the property is under-occupied by two or more bedrooms and that suitable alternative accommodation is available to the tenant. Where there is such under-occupation CHS will work closely with the tenant to find suitable alternative accommodation, however if the tenant declines to move CHS may seek possession to make the best use of housing stock. The tenant will have the right to request a review of such a decision within 28 days of receiving a Notice of Seeking Possession and CHS group would then initiate the same procedure as for the Starter Tenancy Appeal Procedure. This procedure presents an opportunity for the tenant to ask CHS Board members to review the reasonableness of the decision to begin possession proceedings.

9. Transfers

Existing tenants who wish to move should register with Home-Link (or Uttlesford District Council). The Banding system works in the same way as for other applicants. Our support for existing customers includes helping them to present supporting information to local authorities who manage waiting lists, helping customers to access HomeLink information and make bids, and helping customers to find suitable mutual exchanges.

CHS agrees with Local Authorities in whose areas it operates to take at least 50% of its new tenants of publicly funded homes as nominees from the Local Authorities' waiting lists. The proportion is usually much higher. Most of CHS's schemes have an agreed percentage of nomination rights (i.e. the proportion of lettings which will be made to nominees). By using the Home-Link scheme we ensure that we meet these obligations as all customers registered with HomeLink have the opportunity to express an interest in the homes we advertise. However where a local authority nomination would not be due, CHS may advertise a vacancy as being available only to customers who hold a tenancy with a member landlord and wish to transfer. This increases the opportunity for CHS's tenants to move, and may be a tool to improve tenancy sustainability in an identified scheme.

10. Mutual Exchanges

Existing Assured/Secure tenants of CHS have the right to exchange homes with another tenant, whose landlord may be another Registered Social Landlord or a local Authority. Both landlords must give permission for the exchange, which can only be refused for certain reasons (e.g. property size, or there is a s.106 agreement that requires the incoming tenant to have a local connection). This is a particularly useful option for tenants who do not qualify as a high priority for a transfer. CHS subscribes to the national "HOMESWAPPER" scheme for mutual exchanges so that it is free for our customers to use. HomeLink also has its own free mutual exchange matching service that offers help finding exchanges across the country.

11. False Information

If a customer is found to have given false information to raise their position on a shortlist, their application will be bypassed and the local authority will be informed. If the customer has already been housed after giving false information CHS may seek to evict them using the ground for possession introduced in section 102 of the Housing Act 1996.

12. Pets

CHS recognises the positive value of pets and will give approval for people living in houses and bungalows so long as pets do not cause a nuisance for neighbours. With flats, it is often difficult for pet owners to easily ensure their animals have access as needed to outside areas, and therefore we are unlikely to give approval unless there is separate access to the home.

13. Diversity and Equal Opportunities

CHS is intent on fairness and transparency when considering housing applications and allocating housing. CHS sets targets for lettings to BME (Black Minority Ethnic) households and reviews these annually in line with the percentage of BME applications to Homelink. Where an applicant or existing tenant has a need for adaptations to make the property suitable, CHS will act positively within available resources to meet that need and seek grants from other sources. CHS will provide interpreting/translation facilities for those who need it, and will provide documents in other formats or languages as required, to make our services fully accessible to the full range of actual and potential tenants.

14. Monitoring

CHS's Operations Committee receives an annual report on lettings in the first meeting following the end of its financial year. The annual report will include the number of lettings by local authority, the number of transfers and mutual exchanges and whether BME targets were met.

15. Appeals

If a customer is dissatisfied with a decision taken by CHS in respect of their application, they may appeal to the Head of Housing Management within 28 days of being informed of the decision. If the applicant is still dissatisfied with that decision after the initial appeal, they may make a formal complaint. Such complaints are dealt with by the Operations Director. If an applicant exhausts CHS's own Complaints Procedure they may ask the CHS Complaints Panel for assistance, and/or make a complaint to the Independent Housing Ombudsman.

16. "CORE"

CHS participates fully in the CORE (COntinuous REcording) system for monitoring the characteristics of new tenants. Any information sent to the CORE system is entirely anonymous.

17. Access to Information

All customers have the right to see information held about them by CHS or provided about them or by a third party (e.g. GP, Social Worker), if the third party agrees.

18. Lettings to Staff/Committee Members/their relatives

CHS may offer accommodation to its employees, former employees, or their relatives, or Board or Committee members or their relatives. However such a person would receive exactly the same consideration as any other customer and would be given no priority because of their connection with CHS. They would also have no involvement or influence over the decision making process. Such lettings are reported to and monitored by the CHS Board.