



<b>Policy:</b>	Allocation Policy 2019
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<b>Approved by:</b>	Board

# Allocations Policy

## 1 Scope

1.1. This policy applies to Tuntum Housing Association's general needs homes and homes for older people. It does not apply to allocations to specialist housing which are subject to their own agreements with local authority and other external partners. It does not apply to market rent or intermediate rent products that are let directly and not through a housing register.

1.2. It sets out how we will allocate our homes and the eligibility and affordability criteria that apply to all tenants and applicants, including those nominated by local authorities. It explains our priorities and provides assurance to our partners and customers that where we directly allocate homes to tenants and applicants, we will do so fairly and transparently.

## 2 Policy Objectives

This policy aims to:

- make the best use of Tuntum Housing's available homes
- help tenants and applicants to access homes that meet their needs
- promote and sustain diverse and vibrant communities
- ensure that our eligibility criteria and allocations practice are fair and transparent for everyone who has an interest in how we allocate our homes.
- contribute to our local authority partners' strategic housing function and sustainable communities.

## 3 Policy Statement

Tuntum Housing Association Limited is a regional housing association that provides homes to over 1,400 households across 11 local authority areas in England, each with different nomination arrangements, allocations policies and varying levels of demand for properties. We aim to deliver consistent services across a wide area to achieve efficiencies and realise cost savings. By doing this and protecting our income streams, we can invest in improving the quality of life for our residents

and those in need of a home. Over the next ten years we are set to build 500 new homes as we are committed to helping to tackle the housing shortage and help those in housing need.

We want to make our homes places that people want to live, and the make up of our communities is crucial in achieving this. We are committed to meeting housing needs and supporting vulnerable people, but we believe that we can support people best in mixed, vibrant communities. We will use housing allocations to help create sustainable, more economically active communities and ensure that the needs of existing residents are balanced with those of new applicants, reflecting the needs of the wider community not just those in most need.

We recognise the importance of partnership working and will continue to work closely with partners in all areas and at all levels of our operation. We will continue to work with our local authority partners to assist them in fulfilling their statutory duties and allocations policies, but as a regional organisation we are not always able to adapt our policy and practices to meet all of the requests and requirements of individual local authorities. Many of our homes will be let at an affordable rather than social rent so we need to ensure that those who apply or who are nominated to us can afford the rent, so we will require all applicants to meet our affordability criteria as set out in this policy.

The type of tenancy we will offer when allocating housing will be in accordance with our Tenancy Management Policy and we will determine whether we advertise and let it with a social rent, an affordable rent or an intermediate market rent. How Tuntum sets its rents can be found in our Rent Setting Policy.

We acknowledge that Tuntum may have to use alternative methods of advertising when properties are hard to let. This will be monitored in order that we maintain our Service Level Agreements (SLA's) with partners. We may re-negotiate the SLA as and when is necessary.

## **4 How We Allocate Our Homes**

### **4.1 Choice Based Lettings (CBL) Schemes**

We have nomination agreements with our Local Authority partners, with properties generally advertised through their Choice Based Lettings systems.

We reserve the right to verify information concerning the nominees' identity, housing history and current circumstances, to ensure that they are entitled to and suitable for, the home for which they have been nominated. Where nominees do not meet our criteria or the local authority does not provide the relevant information required to fully assess the nominee, we may refuse the nomination and explain our reasons for doing so to the local authority.

### **4.2 Direct Lets**

In certain circumstances, Tuntum will allocate a property without advertising it first.

Examples of situations where direct lets will be undertaken are:

- Properties used for temporary decants
- Emergency transfers situations e.g. due to domestic violence or hate crimes (see transfer policy)
- Management moves following a succession or change to tenancy, approved by a Head of Service

The “*true void*” should be offered to the LA in all other circumstances.

#### **4.3 Local Lettings Plans**

Local Lettings Plans are time limited local plans agreed with local authority partners which set out additional agreements about who can be housed within a defined geographical area to meet specific local issues of that area. For example, to have more economically active people living in an area.

Where local lettings plans are in operation these will take precedence over our allocations policy for that particular area or neighbourhood.

For new developments, we may use local lettings plans to ensure a mixed community is achieved when the housing is first let, such as a mixture of different ages of children in family housing and a mixture of different needs where the local authority is making nominations. Wherever possible all new developments will contain at least 25% of tenants in work or those making a significant community contribution.

Local lettings plans may also include specific initiatives or incentives to assist with letting available homes in areas where we have greater turnover of properties and less demand.

#### **4.4 Hard to let properties**

A Hard to let property will have had two failed advertising cycles.

Properties that may be Hard to Let will be identified at termination and strategies for advertising and / or incentives will be agreed with the Senior Officer/Head of Service in order to secure a successful and timely letting.

Where a property is going to incur a substantial relet cost or is situated in a Hard to Let area, consideration will be given to its sale. There is a separate Disposal Policy.

If a property is to be retained but is still likely to prove hard to let the following list of incentives can be applied to the property in the advertisement, by agreement with the Senior Officer/Head of Service:

- increased decoration allowance
- Decoration by DTO/Contractor
- rent free weeks
- fitted floor coverings
- fitted blinds/curtains

Multiple viewings after shortlisting will be carried out wherever possible, assuming that there are sufficient applicants showing an interest in a property.

Re-advertisements of hard to let properties will be distributed more widely than is the case on first advertising.

#### **4.5 Mutual Exchanges**

We will consider requests from tenants to exchange their home with another tenant of Tuntum or another housing association or local authority. Incoming tenants will need to meet the eligibility criteria of this policy. A separate policy covers mutual exchanges in more detail.

#### **4.6 Succession and Assignments**

We may allow an existing occupier to succeed, take over the tenancy or become a joint tenant of the property that they currently live in. Other than the statutory right of succession (to a spouse or civil partner where there hasn't already been a succession) any person who is allocated a tenancy in this way must meet our eligibility criteria. A separate policy covers succession and assignments in more detail.

#### **4.7 Eligibility Criteria**

All applicants for a Tuntum Housing tenancy, whether applying directly or nominated by a local authority, must be eligible under this policy. If applying for a joint tenancy, both applicants must be eligible. If an existing tenant applies for a transfer they must still be eligible.

A tenant who has a starter tenancy or who has a probationary period within their tenancy must still be eligible at the end of the starter tenancy or probationary period. A tenant who has a fixed term tenancy must still be eligible at the end of the fixed term for another tenancy to be offered.

To be eligible for a Tuntum Housing tenancy, an applicant must:

- be over 18 years of age.
- be habitually resident in the UK and have the right to rent in the UK.
- not be exempt from holding a tenancy by their immigration status. In general, this means that they should either hold an EU passport, or have leave to remain in the UK.
- be nominated by a local authority.

OR

- be assessed by Tuntum as in housing need (according to this Policy)

OR

- be a Tuntum tenant who by moving, makes a home available to someone who is in housing need.
- not already, hold a tenancy elsewhere, unless they are giving up that tenancy as part of being rehoused. This also applies to their spouse or partner.
- not own or have a legal interest in a residential property in the UK, unless it is a home which is not suitable, in which case we will satisfy ourselves that the applicant is actively selling such a property. If an applicant is not actively selling a property we will satisfy ourselves that the intention is to sell the property. This also applies to their spouse or partner.
- have less than £85,000 equity to be eligible if an applicant owns a legal interest in a residential property that they are actively selling or intend to sell. Discretion may be applied if the applicant requires supported accommodation.
- not have a household income in excess of £31,000p.a. (including contributions to the weekly household budget made by non-dependents).

Applicants will not be eligible to be considered for a property if a combination of their gross income and savings/equity means they could afford to rent or buy a property on the open market, other than the exceptions outlined in this policy.

#### **4.8 References**

Tuntum Housing values tenants who pay their rent on time, look after their home and are not a nuisance to their neighbours. Where possible we will take up references from previous landlords for nominees and direct applicants. Where the applicant has not held a tenancy before we may look to obtain a character reference from an employer, college or other responsible body. Where the applicant has previously held a tenancy we will request references for the preceding five year period. If we are unable to gain a suitable reference we may withdraw our offer of accommodation. The decision to withdraw an application will be authorized by the Senior Housing Officer or Head of Housing and Sales.

#### **4.9 Pets**

We will usually not allow pets to live within our properties where there are shared communal facilities. Certain pets are only permitted where properties have their own entrance and private garden. Tenants will be required to seek permission from Tuntum in order to keep a pet in their property.

#### **4.10 People subject to immigration control**

People who are subject to immigration control and who are not eligible for housing under the allocation of housing regulations 2002 cannot be housed. Tuntum will ensure it complies with the requirement of the Immigration Acts of 2014 and 2016 for landlords to only allocate a property to those that have a 'right to rent'. Those that do not meet the requirements of the Act will have their application refused.

#### **4.11 Anti-Social Behaviour**

If the applicant, or any member of their household, has been evicted for anti-social behaviour or breach of tenancy, has a current harassment or non molestation order, Injunction, or Anti-Social Behaviour Order, Notice of Seeking Possession or any other Court Order against them, which makes them currently unsuitable to be a tenant, this will usually mean that they are ineligible for housing.

#### **4.12 Rent Arrears**

Anyone who owes money to a former landlord will not usually be eligible to be allocated housing unless they have an agreement to pay the money back to the landlord, and have maintained the agreement to the satisfaction of Tuntum.

To help reduce former tenant debt, any tenants or housing applicants with debts higher than £250 will not be re-housed by Tuntum.

Tuntum will only consider re-housing former tenants or housing applicants with debts of £250 or less where there is evidence of vulnerability and/or that both a regular payment plan is in place and that the debt is being reduced

#### **4.13 Criminal Convictions**

Applicants will be asked to confirm that they have no history of criminal convictions (apart from minor motoring offences). This does not apply to those convictions that are legally spent or are covered by the Rehabilitation of Offenders Act 1974. Tuntum will seek advice and information from police and the probation service on any applicants that have been convicted of serious criminal offences, in order to assess whether it is safe to house them in a particular location. There may be occasions, due to the nature of the offence and the risk assessment, where housing cannot be offered to the applicant

#### **4.14 Grounds for Refusing an Application**

If any of the following apply to an applicant or a member of their household, and/or we consider that the allocation of housing would be to the detriment of the neighbours or local community, Tuntum Housing may refuse an application:

- they have had a conviction or a caution in the past 3 years for an offence, which makes them unsuitable to be a tenant. For example, assault, selling drugs, carrying offensive weapons, keeping dangerous dogs, causing damage to property, burglary, soliciting, keeping stolen goods etc. All unspent convictions must be declared on the housing application form (as defined by the Rehabilitation of Offenders Act 1974).
- they have been evicted or had a possession order (suspended or outright) or an injunction made against them in the past 5 years, for serious anti-social behaviour including harassment, intimidation or domestic violence and/or criminal or immoral behaviour while a tenant with their previous landlord.
- the applicants, a member of their household or guests or visitors to their home have perpetrated antisocial behaviour, harassment, domestic violence, or other unacceptable behaviour including a history of causing serious nuisance or annoyance to neighbours and had tenancy enforcement action taken against them in the past 3 years.
- Tuntum or another landlord has commenced legal action for breach of tenancy within the past 3 years and a Court has made an order against the applicant.
- there are current or former arrears of rent or service charges, or other housing debt owed to Tuntum or any other landlord. Exceptions to this are where we have given approval to move to a smaller property because a reduction in welfare benefits has made the current home unaffordable. Current tenants must have had a payment plan in place for at least 3 months and less than £250.00 arrears or a clear rent account for at least 3 months at the time of application. Former tenant arrears older than 6 years will not be considered.
- To help reduce former tenant debt, any tenants or housing applicants with debts higher than £250 will not be re-housed by Tuntum. Tuntum will only consider re-housing former tenants or housing applicants with debts of £250 or less where there is evidence of vulnerability and/or that both a regular payment plan is in place and that the debt is being reduced.
- there is evidence of violence or threats of violence, harassment or intimidation towards a staff member or contractor of Tuntum or any other social landlord in the past 5 years.

We may make exceptions to the above criteria if we receive a recommendation from a current landlord or relevant support agency (e.g. probation officer) which demonstrates the applicants/nominees current suitability to hold a tenancy, and we are satisfied that there is a care and/or support plan in place that provide sufficient support to them to maintain the terms and conditions of the tenancy. In these cases, a starter tenancy or probationary period will be used.

Nominations may be rejected if the local authority does not provide sufficient information required to fully assess an applicant for a particular property, or failed to supply the nominations in time in line with the nominations agreement.

Housing Association accommodation is in short supply, therefore where an applicant's income level or capital suggests that they have other housing options, eg. shared ownership or outright purchase, they will be given appropriate advice regarding other options.

#### **4.15 Housing Ex Offenders (including Sex Offenders)**

Tuntum aims to create safe, secure and sustainable communities, and will have regard to the best interests of our existing residents in that community when taking such a decision. We reserve the right to restrict offers of housing that are considered to be inappropriate in relation to any information obtained via a risk assessment or support needs assessment process.

Where high risk offenders that are subject to a multi-agency public protection arrangement (MAPPA) are being nominated by a local authority, then the local authority must confirm that they have investigated the risks associated with re-housing the applicant and demonstrate that the property and area is suitable before a nomination is made. In addition the local authority will need to provide:

- A detailed risk assessment and details of a care package together with any monitoring arrangements
- Contact details of members of the inter agency risk management panel including the police, for easy access to the property should a problem arise during the life of the tenancy.
- We reserve the right to reject nominations if we consider that their support needs make them unsuitable for the home being offered to them.

#### **4.16 Housing Fraud**

Social housing fraud is a criminal offence, and anyone found to have deliberately lied, provided false information, or withheld information as part of an application will not be accepted as an eligible applicant by us. A tenancy obtained by deception will be repossessed. If we discover this type of irregularity at the offer stage, we will withdraw the offer.

### **5 Affordability**

Applicants may be offered properties with either a 'Social' or an 'Affordable' rent. Both rents are below the local market rent and are intended for people who cannot afford to rent or buy on the open market. Affordable rent levels can be up to 80% of local market rents, whereas social rents are often around half of market rents.

We may carry out an affordability assessment on applicants, including transferring tenants, direct applicants and those nominated by local authorities. Where a home is unaffordable (which we define as where the rent and service charges will be more than 45% of the household income) we may have to refuse the application or nomination.

All applicants will be required to undergo a thorough assessment process to be able to fully consider their suitability to the property. This includes an affordability assessment which gives consideration

to an applicant's economic/financial status, support needs and other factors which may determine suitability. The assessment process will take into account any benefit restrictions that may be in place, as well as any future changes to benefits. Landlord references will be sought for all former tenancies held by the applicant for the previous five years. Applicants may also be asked for permission to conduct a credit check.

Tuntum will attempt to identify customers who will require support at the point of application or otherwise at the pre-tenancy assessment before they sign up for a property. Where support needs are identified, the Tenancy Sustainment Assistant will provide advice and support and/or refer the applicant on to a more suitable support agency for ongoing support.

## **5.1 Social Rents**

For most social rent properties we will conduct an initial assessment of income (including benefits), and in some circumstances where there are indicators that the home could be unaffordable we will carry out an affordability assessment. For example where:

- the applicant/nominee is being considered for a home, which is too large and may not be eligible for full housing benefit. This may affect foster carers who do not have children resident at all times;
- the size of the applicant's household means they are affected by overall benefit caps (for Universal Credit). We will work with local authorities to provide advice and assistance;
- the applicant's age means that they may not qualify for housing costs entitlement.

## **5.2 Affordable Rents**

We are committed to providing clear information about housing options available to customers. Where a property is to be let at an affordable rent we will ensure that this is clearly specified as part of the advertisement. The type of tenancy to be issued will be confirmed at the point of offer. We will also ensure that customers are given appropriate advice and assistance around affordable rents, and the importance of checking affordability of such properties.

For affordable rent properties, we will use our affordability calculator to look at the applicant's monthly income against the monthly rent of the property. If the rent and service charges are more than 45% of the household income we deem the property is not affordable.

If an applicant fails our affordability test, we may agree to grant a tenancy if they can demonstrate that moving to our home would reduce their housing costs.

A separate policy covers Affordability Assessments & Rent in Advance in more detail

## **6 How We Determine Best Use of Stock**

Tuntum aims to make the best use of its stock. Tackling any cases of over-crowding and under-occupation of our properties will help us to achieve this. Where a tenant is under-occupying their home and wishes to move, we will give advice of housing options for their area, this includes applying to the relevant Local Authority, applying to Homeswapper and/or for a Mutual Exchange.

Tuntum will also work closely with local authorities to encourage tenants who are under-occupying their homes to move into more suitable, smaller, accommodation.



## **6.1 Under occupation and Overcrowding**

Tenants who are under occupying their current accommodation will receive a priority transfer status and will be given advice and assistance to help them to move to a more suitable property, either by transfer, mutual exchange or via their local CBL scheme.

We will provide support to current tenants who are overcrowded. Where we do not have available properties within our own stock to transfer them to, we will support them to submit an application for rehousing via the local authority choice based lettings scheme and we will support this application with a request for priority rehousing.

## **6.2 Appropriate Property Size and Type**

For social housing, we will allocate the size of property the household needs although for very large households (needing a home of four beds or larger) we may allow the household to over-occupy by one room (i.e. to move into a house that is smaller than they need – but larger than where they are now).

We may let properties in areas, where supply is greater, to applicants with one bedroom more than they are assessed to need as long as they are employed and our affordability check shows that they can afford to pay the rent on a long term basis. The full criteria on who is eligible to apply for these specific properties will be set out in our property adverts.

For housing that is designated for older people we will allow a single person or couple to be considered for a 2-bedroom property if it is affordable for them. Applicants with a 2 bedroom need will always be considered first.

## **6.3 Calculating Property Requirements**

We will consider a property to be an appropriate size by allowing one bedroom for each of the following

- the applicant and their spouse or partner
- each person in their household aged 16 or older (adult children, grandparents and others, but not lodgers)
- every pair of children under 16 of the same sex
- every pair of children less than 10 years old regardless of their sex
- any other child aged under 16. Babies will only be taken in to account once they are born.
- a resident or non-resident carer, if they need care overnight and this can be confirmed by a social care assessment.

This means that a single parent or couple with two daughters (or two sons) aged under 16 is entitled to a 2 bed home, but a family with one son and one daughter is eligible for a 3 bed home once the eldest child is ten years old.

Where parents live separately and have shared care of children, the children will be counted as part of the household that provides their main home. If a child spends equal amounts of time in both parental households or there is a question about who they normally live with, they will be treated as living with the person who is receiving child benefit for them.

We may make exceptions and allow an extra bedroom in specific circumstances. For example, we may consider allowing an extra room on medical or disability grounds, for example for a disabled person who has large equipment, or who needs care in the night and cannot therefore share a bedroom. We will assess these cases in line with the current Government Housing Benefit and DWP Guidance and require medical evidence. The affordability of the spare bedroom will be taken into consideration in the decision making.

In assessing the number of bedrooms in a house, a living room can be counted as a (downstairs) bedroom if there are two separate living rooms. Tuntum Housing will determine the number of bedrooms in a property as part of the allocations process and this will be indicated on the tenancy agreement.

## **6.4 Adapted Properties**

We will try to let our properties that have been purpose built or specially adapted for wheelchair users for people with mobility issues, including any household members.

Where we advertise through local authority choice based letting schemes and nominations from the local authority we will clearly stipulate that priority will be given to applicants who are wheelchair users or who have the relevant mobility needs.

We may also advertise such properties with adult social care services and relevant voluntary sector or charitable organisations.

Purpose built properties can be offered to nominees and applicants without mobility needs only where other avenues for potential applicants have been exhausted and will be on the basis that the adaptations remain in place throughout the duration of their tenancy.

Adapted accommodation is in short supply therefore where an adapted property becomes vacant and there are no transfer applicants in need of this type of accommodation the advertisement for the property will show the full extent of the adaptations and will specify that it is offered for the use of people whose disabilities match the adaptations provided.

## **7 How We Support Vulnerable Applicants**

### **7.1 Disabled applicants**

If a tenant or a member of a tenant's household has a disability, Tuntum will offer help in two ways:

Firstly, we may be able to adapt a property, subject to funding being available, to better meet the person's disabilities. This may involve fitting special equipment to help with mobility issues and other works to ensure that the tenant can use the fixtures and fittings at the property.

Secondly, if the tenant's existing home cannot reasonably be adapted to meet the needs arising from the disability, they may be considered for a transfer to a more suitable property (e.g. ground floor accommodation) where they will be given a degree of priority under the transfer policy or given assistance and support with other housing options.

In order to achieve this, properties which have been adapted will be flagged/recorded on the IT system by the Maintenance and Technical Services department, so that vacant adapted units can be put to the best use.

Local Authorities will also be aware of applicants to their CBL schemes who require adapted accommodation. Where a disabled applicant or one with other support needs has a live-in carer Tuntum will treat the application as a request for two bedroomed accommodation, subject to the requirements of the Welfare Reform Act being met.

Further information on how we deal with Adaptation request can be found in our Aids and Adaptations Policy.

## **7.2 Management Transfers**

Occasionally there are exceptional circumstances that result in a Tuntum Housing tenant needing to move urgently and so we may agree to give the applicant priority. These types of transfers are called management transfers and will only be approved based on written evidence provided by the Police, other agencies such as a local authority environmental health officer or medical evidence. A management transfer will only be considered in the following circumstances:

- as a result of a serious risk or threat to the tenant or a member of their households safety due to serious anti-social behaviour, harassment or domestic abuse; or where they have been a victim of a serious crime that is putting or is likely to put their life at risk if they continue to live at the property.
- where Tuntum decides that given the *exceptional* circumstances it is in the tenants or Tuntum's interest to transfer the tenant to alternative accommodation. This must be approved by a Head of Service/Director.

We can only try to assist tenants who are willing to move to an area where Tuntum Housing is able to allocate properties directly. In other areas where the local authority has 100% nomination rights we will refer the tenant to their local Council's Homeless Persons Unit for assistance.

We will try to take account of the tenants' preferences in respect to the areas we will consider for rehousing, but the priority is to move the tenant and their family to a place of safety away from the imminent threat / risk to their life. In cases of harassment, the offer of alternative accommodation will always be outside of the locality in which the person has experienced harassment and away from areas where there is an identified risk of further harassment, for example locations where the perpetrator/s frequent or associate.

## **7.3 Conditions applying to a Management Transfer**

The following conditions apply to all management transfers:

- they are with the tenants' agreement and will be on a permanent basis.
- where we are unable to assist straight away, we will consider additional security at the property if that is appropriate or refer them to their local council's homeless person's unit/department.
- if the tenant has to move immediately to emergency temporary housing, this will not affect their priority for a permanent management transfer.
- we will generally offer the first suitable property that meets the household requirements as the priority is to move the tenant.
- only two offers of a 'like for like' property will be made unless they are under occupying. In those cases we will consider the availability of suitable properties, the tenants' ability to pay

and whether they have maintained a clear rent account in considering whether to offer a smaller property.

- the new tenancy will be in line with the current Tenancy Management Policy.
- if the tenancy is still within their probationary period, they will start the probationary period again. If they have a starter tenancy another 12 month starter tenancy will be offered.
- we will not generally rehouse tenants with debts higher than £250.00. Tuntum will only consider re-housing tenants with debts of £250 or less where there is evidence of vulnerability and/or that both a regular payment plan is in place and that the debt is being reduced.
- In all other cases, we will refer the tenant to the local authority homeless person's unit/department for assistance and continue with recovery and possession action unless the arrears are cleared or significantly reduced with a repayment plan agreed.

We reserve the right to refuse a management transfer despite the criteria being met where the tenant or a member of the household is actively involved in criminal activity and anti-social behaviour and we are concerned that the move will have a significant and adverse effect on the community the tenant/ household is moved to.

If a suitable property is not readily available, the on-going need for a management transfer will be reviewed on a three month basis. Where it is assessed at a review stage that there is no on-going justification for the transfer, any priority or agreement to transfer may be withdrawn. In these cases the resident will receive a written explanation of the reasons for the decision.

If a tenant is approved for a management move, they will receive up to two reasonable offers and the Management Move request will remain valid for a period up to six months.

## **8 Older Persons Accommodation**

For Tuntum Housing general needs properties and sheltered housing schemes that are designated for older people we will only accept nominations and applications from people over a specified age. The age requirement varies between schemes but will be stated in the property advert.

Tuntum has a number of properties for older tenants which have the benefit of a link to the local authority's central control service. In this way emergencies can be dealt with by the tenant alerting the central control operator who will make sure that steps are taken to deal with any problems.

The Senior Sheltered Housing Officer will carry out a needs assessment for this category of people to ensure that the accommodation and support offered fulfils the needs of the applicant.

We will seek to provide a maximum of 5% of all lettings in any given year for rehousing tenants into supported accommodation.

## **9 Specialist Housing**

We have a number of schemes such as refugees, young mothers, a women's refuge, and homeless young people. Applicants for these schemes must need the support provided and will undergo a separate support assessment.

We will seek to provide a maximum of 5% of all lettings in any given year for rehousing tenants from Specialist Housing accommodation.

## **10      Voids management and lettable standard**

In order to relet properties as quickly and efficiently as possible, Tuntum has a void property management policy and an established set of procedures when dealing with empty properties.

The Tuntum re-let procedure and lettable standard can be found within the Void Property Management Policy.

## **11      New build developments - nomination rights and Section 106 Agreements**

With any new build scheme it is standard practice for the local authority to request 100% nomination rights on first tenancies. Thereafter, under the terms of the various CBL service level agreements in place the usual arrangement is for 50% of all subsequent letting to be made through the CBL scheme (i.e. 50% nominations on relets).

We will approach the local authority at least 3 months in advance of handover to discuss nomination rights and the process of advertising and letting the vacant units. The overriding objective should be to achieve back to back handovers and lettings with no vacant period in between. Strong links are required with local authority staff to ensure that effective communication is in place so that we are able to deliver on our obligations.

Section 106 Agreements are designed to help make sure that new developments enhance local communities. They can help to create better quality environments in, and around new developments by creating requirements for improving roads and building new community facilities, or creating open spaces and improving local schools. They can also require that a percentage of the housing stock on a new development is reserved for affordable units, which are then typically managed by a housing association.

When a Planning Application dictates that a Section 106 Agreement is required on a particular development site, a Section 106 Agreement will be negotiated between:

- The local authority
- The private developers and/or Tuntum
- The landowner

The Local Authority will identify the type of enhancements which are required to make sure that the Section 106 development will boost the local area. This can range from:

- Making sure that the proposed development has the correct amount of public open space.
- Making sure that the proposed development could deliver affordable housing in partnership with Tuntum for rent or Newbuild Homebuy (Shared Ownership)
- Making sure that the right infrastructure (such as roads, bus stops, cycle paths etc.) are provided.

Where Section 106 Agreements are in place Tuntum will be under an obligation to ensure that all tenants of affordable rented housing association stock on the new site should be nominated by the local authority and should also have a local connection to the area where the development is located.

This is to ensure that a percentage of new build development in the locality is reserved for local people in need of affordable housing. This type of housing is often in short supply due to the effect on the housing market of commuters who wish to purchase properties outright.

Section 106 agreements will be strictly adhered to and copies of all agreements (where available) will be retained at all times for reference by the lettings team.

## **12 Allocation to Tuntum Housing Employees, Board members and their relatives**

Tuntum will not accept direct applications from its employees, Board members and their relatives or any individual with a significant personal relationship with an employee or Board member. For the purpose of this policy, this is defined as a spouse or partner; mother, brother, sister, daughter, aunt, uncle, grandparent, son or daughter. Any application for social housing with Tuntum must be made through a local authority nomination scheme. It will be subject to a greater degree of scrutiny and approval.

In order to ensure probity:

- all applicants must declare any such status or relationship; and
- the applicant/relative of the applicant must not influence the allocation process; and
- any allocation must be approved by a senior member of staff and the Chair of the Board

## **13 Staff training**

Staff will periodically receive training in relation to the policies and procedures which form lettings work. Issues causing concern or which require clarification may be discussed with a line manager at supervision sessions or, where there is a wider application, during team meetings which will take place at least on a quarterly basis.

## **14 Appeals against Tuntum Housing Decisions**

If a tenant or applicant believes that they have not been given the correct level of priority as set out in this Policy, or if their application is refused, they can ask for the decision to be reviewed. The request must be made by email at [housing@tuntum.co.uk](mailto:housing@tuntum.co.uk) or by letter, and must reach Tuntum within 14 days of the decision and must clearly state the reason for the review.

All appeals will be decided within 14 days but **properties will not be held while the appeal is being considered**. The review will be conducted by a member of staff more senior to the person who made the original decision.

We will consider requests to review decisions to:

- not accept applications because of insufficient housing need
- refuse an application or offer of housing on affordability grounds
- suspend or cancel an application because of a tenancy breach
- not award priority, or grant a management transfer
- withdraw management transfer status because the tenant has refused a reasonable offer or where a case is reassessed after a period of time and the justification and need for a management transfer has gone.

If the customer is not satisfied with the outcome of the review, they can make a further appeal against the decision. The appeal must be in writing within 10 working days of being informed about the outcome, stating clearly why they think the decision should be changed. A Head of Service or Director will consider all of the documentation relating to the original review. They are not able to consider new information and will only consider whether the decision has been made in accordance with this policy. They will do this within 10 working days. If they find the initial review decision is in keeping with the policy it will be upheld. If it is found not to be consistent with this policy they may choose to revise the decision. Their decision is final and the customer has no further recourse to the complaints procedure on the same grounds. The customer can complain to the Housing Ombudsman if they remain dissatisfied with the outcome.

## **15 Key Legislation**

Housing Act 1996 (as amended) - Part 6 of the Act governs the allocation of local authority housing in England; it was substantially amended by the Homelessness Act 2002, Localism Act 2011 and the Homelessness Reduction Act 2018. Local Authorities must have an allocation scheme for determining priorities between applicants for housing which sets out the procedure to be followed when allocating housing accommodation. They must ensure that they only allocate to “eligible persons” and “qualifying persons as defined in the 1996 Act. This also applies to nominations by local authorities for any allocations to properties owned by housing associations where the local authority has nomination rights.

Immigration Acts 2014 and 2016 – requires landlords to establish that the applicant and all adults in the household have the right to rent property in the UK. Tuntum Housing will comply with the governments Code of Practice ([www.gov.uk/government/publications/right-to-rent-landlords-code-of-practice](http://www.gov.uk/government/publications/right-to-rent-landlords-code-of-practice)) which requires landlords to conduct initial right to rent checks before letting a property; conduct follow-up checks at the appropriate date if initial checks indicate that an occupier has a time-limited right to rent, and make a report to the Home Office if follow-up checks indicate that an occupier no longer has the right to rent.

## **16 Compliance**

To ensure compliance with this policy we will routinely monitor:

- the number of homes becoming available in each local authority area, and the percentage offered to the local authority, to transfer applicants and to direct external applicants by property size.
- the allocation of homes by priority band, the successful applicants position on a nomination/shortlist, the tenants’ previous housing and employment status and the profile of tenants by ethnicity, age, gender, disability, religion and nationality to consider the impact of the policy on different communities, and to check that it is not creating unfair disadvantage for any particular groups of people.

This policy complies with the regulatory requirements of the social housing regulators Tenancy Standard by setting out how we will:

- let our available homes in a fair, transparent and efficient way.
- take into account the housing needs and aspirations of tenants and potential tenants.
- make the best use of available housing for those in housing need
- ensure our lettings are compatible with the purpose of the housing by for example ensuring disabled people are prioritised for adapted properties

- contribute to local authorities strategic housing function and assist in fulfilling their homelessness duties and our obligations in nominations agreements.
- try to create sustainable communities, including local lettings plans, and address under-occupation and over-crowding through our allocation system.
- make allocation decisions and criteria for excluding applicants from consideration for allocations
- consider appeals from customers against our decisions relating to their application

We will review our housing register regularly, and ask applicants and tenants to give us feedback on a regular basis, and use this to inform any future policy reviews.

Tuntum Housing will participate in the Continuous Recording of Lettings (CORE) scheme for social housing allocations, which captures information on the characteristics of the household, and property each time a social or affordable property is let. This information is submitted to the Ministry of Housing, Communities & Local Government (MHCLG).