



LETTINGS POLICY

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Responsible Senior Manager:	Neighbourhoods Manager
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CONTENTS

1. Introduction	3
2. Aims and Objectives	3
3. Process	3
4. Circumstances Where Allocation through HomePoint is Not Appropriate	4
5. Those With Financial Resources Sufficient to Secure Alternative Accommodation	7
6. Local Letting Plans or Sensitive Lets	8
7. Pets.....	8
8. The Granting Joint Tenancies	8
9. Withdrawing Offers	9
10. Housing Related Debt	9
11. Anti-Social Behaviour	9
12. Pre-Tenancy Checks	10
13. Matching Homes to Appropriate Households.....	10
14. Shropshire Council (managed by STAR Housing) Tenants	11
15. Alternative Housing Solutions	12
16. Applications and Lettings to STAR Housing Staff, Relatives or Board Members	12
17. Refusing Offers	12
18. Welfare Reform Implications	12
19. Void Management.....	12
20. STAR Responsibility	13
21. Consultation	13
22. Review	13
23. Training	13
24. Equality and Diversity	13

1. Introduction

This policy defines how Shropshire Towns and Rural Housing (STAR Housing) lets the homes it manages in line with the Tenancy Policy, Tenancy Strategy and the Shropshire Affordable Housing Allocation Policy and Scheme.

2. Aims and Objectives

Our aim is to provide a flexible, efficient and effective lettings service, which makes best use of our housing stock and meets the needs of our customers, partners and community we serve. We will achieve this through:

- A clear and transparent lettings policy
- A lettings policy that will ensure housing is let to those in need.
- Providing a flexible, responsive lettings service to meet the housing needs of our existing and potential tenants.
- The selection of applicants will be fair, transparent, and easily understood by applicants and existing tenants.

3. Process

STAR Housing using the Shropshire HomePoint Choice Based Lettings Scheme (“HomePoint”) lets most properties. However, empty properties may be used for a specific customer in need, for example Shropshire Council Housing Options Team, or Adult Social Care, using the property as temporary accommodation, or permanent if there is an unmet need.

STAR Housing may also make a specific Direct Let of accommodation to applicants in exceptional or urgent circumstances or who has very specific housing requirements or to address under-occupation or to free up an adapted property or other reasons to make best use of stock.

3.1 Letting through HomePoint

HomePoint do not let the properties. STAR Housing will review applications and check that the information provided on the application form is correct and up to date. An offer of accommodation will then be made based on eligibility, level of housing need and date of registration on the Shropshire HomePoint Housing Register. The tenancy type available will be based on the Shropshire Tenancy Strategy and Shropshire Council Tenancy Policy, and will be clearly marked on the advert.

The HomePoint Allocation Policy states that those who have a local connection to Shropshire are likely to be given additional preference for rehousing. Households with no local connection will usually only be successful in a bid for a property in exceptional circumstances or where no-one else with a local connection from the band they are in (or a higher band), who has bid for the property. Date of application will only be relevant if a choice is necessary between more than one applicant with no local connection.

3.2 Best Use of Stock

Due to pressure on the supply of affordable social housing, there is a need to ensure that properties are used in the most efficient way. To make best use of the housing stock and to meet the needs of tenants and the community, STAR Housing will let accommodation in accordance with the Shropshire Affordable Allocation Policy and Scheme. Listed below are some of the exceptions from this Policy that may apply:

3.2.1 Bungalows

Bungalows are predominately for older people over the age of 60 years or those assessed as needing this type of accommodation.

Where possible already adapted bungalows should be let to those with a disability, but if no suitable applicant can be identified then they will be let as above, or to those requiring this specific type of accommodation, but who may not meet the age criteria.

The property should be advertised on HomePoint as a **preference** for this group of applicants.

Applicants who require supported accommodation on a sheltered housing scheme will be assessed as needing the support on offer, such as a regular wellbeing call and the social activities on offer that will enhance wellbeing. We will be flexible on the age criteria where this will not alter the overall aim and social support for people on a scheme, however, the qualifying age will be set at **preference** for those aged over 60 years.

3.2.2 Adapted Properties

Properties, which have been adapted for use by those with disabilities, will, wherever possible, be relet to this applicant group. Adverts via HomePoint will clearly stipulate that priority will be given to applicants with relevant disabilities.

3.2.3 Difficult to Let Properties

For difficult to let properties, should a period of 4 weeks pass from the date of first advertisement without a successful applicant being found and the shortlists exhausted, STAR Housing will advertise outside of HomePoint. Other sources and adverts may include but are not limited to social media adverts, newspaper adverts and local property and estate agents.

3.2.4.1 Two for One Transfers

There are occasions where two tenants occupying separate STAR properties wish to live together. In these instances, STAR Housing will consider direct lets for rehousing the applicants together to one property to free up stock.

3.2.4.2 Under Occupation of Properties

Where an applicant can evidence affordability, they will be considered for a letting of a property that is larger than they require, or larger than they would normally be let, only if they are unable to secure alternative accommodation through open market solutions. This will normally only apply when the property is difficult to let. An affordability assessment and normal pre-tenant checks will apply.

4. Circumstances Where Allocation through HomePoint is Not Appropriate

There will be occasions where allocation through HomePoint is not suitable and the decision not to advertise the property via Choice Based Letting (CBL) needs to be made. Some examples of these are:

4.1 Successions

Please refer to the Succession and Assignment Policy for the definitions and criteria. However, when there is a right to succeed the tenancy the property will not be advertised through CBL.

4.1.2 Direct Lets

STAR Housing may from time to time need to make a direct let of a property to an applicant in exceptional or urgent circumstances or where there are very specific housing requirements or/and to make the best use of the housing stock.

Properties identified for a direct let will not be advertised through HomePoint, however, the applicant will be required to be registered on HomePoint.

A direct let can only be granted to an existing tenant where there are no rent arrears, where there are no breaches of tenancy and no anti-social behavior complaints against them. There are exceptions to exclusion for rent arrears and they are:

- Existing tenants who need to move because of harassment, hate crime, domestic violence or tenants who need to be decanted. In these circumstances, a clause will be written into their new tenancy agreement creating a contractual obligation to clear the former tenancy arrears according to a repayment schedule. Should a statutory Home Loss payment be due, we reserve the right to offset the debt against the payment made.
- Where the arrears are entirely due to an outstanding housing costs claim the tenant must provide comprehensive evidence that they have; submitted their claim on time, and provided all supporting documentation.
- Where there is under occupation, financial incentive of a downsizing payment can be used to remove or reduce the arrears.

The Senior Neighbourhoods Officer can authorise a Direct Let. The following criteria are examples of when a direct let can be used:

4.1.3 Relationship Breakdown

In the case of relationship breakdown, the preferred option to be considered is an Assignment of Tenancy ordered by the court i.e. a property adjustment order. The landlord is legally obliged to comply with the court order in respect of who is entitled to occupy the property. The benefit of this approach is that all the matters relating to the welfare of both parties will be considered by the Court before making a decision as to whom the tenancy should be assigned.

However, where there is no court order and one joint tenant serves a notice to terminate their tenancy the Senior Neighbourhoods Officer can make the decision to allow the remaining joint tenant to be granted a new tenancy via a Direct Let. A decision will be made based on the conduct of the history of the tenancy, suitability of the property to the remaining occupier

4.1.4 Under Occupiers Who Wish to Downsize

Under occupation can best be described as a property, which has one, two or more bedrooms not in regular use, as a bedroom, or the property is too large for the

tenant's needs. Reductions in housing benefit are made if a tenant is assessed as under occupying their home.

Targeting under occupiers remains an effective way of freeing up larger properties for overcrowded households. Where we identify under occupation we will encourage the tenant to move to a smaller property and offer financial and other incentives in line with the Under Occupation Policy. To make best use our stock and prevent financial hardship, STAR Housing can make a decision to authorise a Direct Let for an existing tenant(s) who are under occupying a property.

4.1.5 Tenants Who Require Extensive Adaptations

A direct let can be an option when a property, normally a family home, needs to be adapted considerably to meet the needs of the tenant (s) and their current home is not considered suitable for adaptation or the adaptations are considered unreasonable. In these instances, the tenant will be supported via a direct let to a more suitable property.

In cases where applicants have bid on properties that are not extensively adapted but this is the requirement of the applicant, STAR's will not adapt these properties, .but can assist the applicant to find more suitable accommodation by working in partnership with Shropshire Council's Housing Team.

4.1.6 Domestic Abuse

In most of these circumstances, tenants will have high priority and can bid for the most suitable property through HomePoint. However, if an emergency move is needed, STAR Housing will assist the tenant to secure alternative accommodation working with the local authority's temporary accommodation team.

4.1.7 Decants

In these circumstances, tenants may have to leave their homes to enable STAR to carry out emergency or major repairs, improvements, redevelopment work, or re-designation of property or because the property is to be demolished or sold. The tenant will be moved temporarily or permanently via a direct let.

4.1.8 When a Flexible Tenancy Ends

A direct let may be used to re-house tenants when the fixed term tenancy ends and the property is being under occupied or where the existing property no longer meets their housing needs.

4.1.9 Adult Social Care Protocol

A direct let may be used to re-house applicants who have been referred via the above protocol.

4.1.10 Lettings to 16/17 year olds

Applicants under the age of 18 will not be offered a tenancy, and will be referred to Shropshire Council's Housing Options Team for advice and assistance.

4.1.11 Housing Sex Offenders

Regulations require that Registered Providers give reasonable assistance to Local Authorities in the re-housing and rehabilitation of sex offenders. The Housing Act

1996 prevents Local Authorities and Registered Providers refusing an application for housing from a sex offender. Any application will consider:

- A detailed risk assessment and details of a support and/or supervision package together with any monitoring arrangements.
- Contact details of members of the inter agency risk management panel including the police, for easy access should a problem arise during the life of the tenancy.

STAR Housing will balance the housing rights of the offender with public concerns and the safety of the local community in considering such applications for housing.

4.1.12.1 Use and Occupation

There are occasions where a household may be occupying a property as 'use and occupation' i.e. where there has been a relationship breakdown or where there is a non-successor left in the property and they are occupying the property without having a tenancy. In these cases, one suitable offer of alternative accommodation will be made, if appropriate, and depending on the individual circumstances.

4.1.13 Housing Options Temporary Accommodation applicants

Working in partnership with Shropshire Council to assist persons placed in temporary accommodation, including bed and breakfast, STAR Housing will provide units of accommodation on a temporary basis.

If suitable, the property will be offered to the occupier as a direct let once the tenant is accepted as being in priority need, is maintaining the property, is engaging with appropriate support, is not behaving anti-socially and they have undertaken a pre tenancy assessment and are declared to be tenant ready.

5. Those With Financial Resources Sufficient to Secure Alternative Accommodation

Affordable housing in Shropshire is targeted towards those households unable to afford open market housing, and properties will be let ensuring STAR Housing make best use of their stock. In addition, some developments are made available with specific criteria, i.e. for those who may have a local connection with the area.

Applicants who own their own home, or who have sold their home or may have sufficient resources to secure alternative accommodation, will only be considered for any DTL properties that we have been unable to let via HomePoint. We will also ensure they are given appropriate advice and assistance and signposted to other agencies who will be able to assist. In the assessment, STAR housing will take into account if they have capital of more than £63,000 and/or a level of income that makes other housing options affordable, including shared ownership or private lets.

Applicants who have the financial resources to secure alternative accommodation but require specialist accommodation that is not easily accessed on the open market then STAR Housing will take this into consideration in assessing any application.

Owner-occupiers will be banded according to their housing need and will be given reduced preference by HomePoint. The final verification and assessment of financial circumstances will be undertaken and the final decision to let to the property will be carried out by STAR Housing.

As with all other decisions made by STAR Housing under this policy, any applicant who is deemed to have resources to secure alternative accommodation will have a right of appeal against that decision.

6. Local Letting Plans or Sensitive Lets

STAR Housing recognises the need to create and maintain sustainable and balanced communities across its neighbourhoods, and that this policy should play a key role in achieving this balance.

Where particular issues exist within a neighbourhood, STAR may propose a neighbourhood specific Local Lettings Plan, in consultation with stakeholder agencies involved in tackling problems that exist locally and re-balance the mix of people within the neighbourhood.

Where specific issues have affected a particular property, i.e. anti-social behavior, STAR Housing may include specific criteria regarding the future letting of that property. The property will be advertised on HomePoint as a sensitive let and an assessment of suitability of applicants will be made.

7. Pets

Dogs will not be permitted if the property is a flat or maisonette, where there are shared communal entrances and hallways.

This condition is not to restrict tenants' enjoyment of pets, but to ensure that all tenants can have the quiet enjoyment of their homes. The property advert will clearly state the details of where pets are not allowed.

8. The Granting Joint Tenancies

STAR Housing will use their discretion to grant joint tenancies to the following applicants based on individual circumstances:

- Married couples.
- Civil partners.
- Siblings.
- Parent and child.
- Friends.
- Couples in a relationship.
- Where the letting is on a sheltered scheme and one party does not meet the qualifying criteria.
- Where one of the applicants has outstanding debts to STAR Housing or Shropshire Council.

9. Withdrawing Offers

STAR Housing reserve the right to withdraw offers in the following circumstances:

- Where we have reason to believe the applicant has given false information.
- Where the applicant's circumstances have changed and this alters priority and/or makes them ineligible for the property or makes them ineligible to appear on the Housing Register.
- Where we require the property for another emergency reason.
- Where we have made the offer in error.
- Where information has come to light that would make the offer unsuitable.
- Where we ask for further information from the applicant and the information has not been provided within the timescales given.

10. Housing Related Debt

Applicants with housing debt such as rent arrears, recharges and mortgage arrears will be accepted onto the Housing Register subject to the Shropshire Allocations Exclusion Criteria and Housing Debt Criteria. However, STAR Housing reserves the right to decline a bid subject to the following:

- The property is subject to the conditions of a Local Lettings Plan where having no Housing Debt is an eligibility requirement.
- Where there is no arrangement to clear the debt and sustained payments have not been made at the agreed amount.

11. Anti-Social Behaviour

STAR Housing may overlook bids from an applicant or a member of their household who has been guilty of behaviour serious enough to consider they may be unsuitable to be a tenant or is being investigated for such behavior.

For the purpose of this lettings policy, unacceptable behaviour is regarded as behaviour of the applicant, member of their household and/or their lodgers or visitors has resulted in a possession order or a caution or conviction for anti-social behaviour.

The above may be disregarded to allow a bid if there has been no further evidence of anti-social behavior for the last two years, and where the applicant has made attempts to improve their behavior.

In addition, previous tenants who displayed willful neglect of their property resulting in recharges, or left owing rent arrears, or had a verbal history abuse and threats to housing staff, can be overlooked for properties until it is considered their behavior has improved.

STAR Housing can exercise discretion not to house previous tenants whose behavior has interfered with the housing management function of a landlord.

12. Pre-Tenancy Checks

STAR Housing reserve the right to complete checks on all applicants before making an offer of a property. A comprehensive affordability assessment will be completed before an offer of a property is made. This assessment will include determining the financial resilience of an applicant.

We will also complete the following checks:

- References, including one from the current landlord, or other relevant person, will be obtained covering at least a five-year housing/employment history.
- We will require proof of ownership where the applicant currently owns their home.
- A three-month rent statement will be required.
- Proof of residency, i.e. a utility bill showing the current address.
- Proof of the tenancy will be required e.g. tenancy agreement.
- Police background checks where there is a history of criminal activity.
- Police background checks where a Local Lettings Plan is in place.
- Income and expenditure checks to ascertain affordability, especially in cases where there is a history of housing debt or under occupation is to occur.
- Tenancy Fraud checks (via credit checking agencies) to check for bankruptcy, evidence of any properties owned and to assist when determining affordability. Applicants must consent to the credit check or the application will be refused. A copy will be made available, free of charge and upon request.
- In order to prevent and detect tenancy and housing fraud, a facial photograph will be taken of all tenants during the sign up and will be held on the tenants records for the lifetime of the tenancy, after which time it will be destroyed in accordance with the Data Protection Act 1998’.
- A home visit will be carried out where STAR Housing believe it is appropriate to verify an applicant’s current housing circumstances.
- All incoming tenants are required to pay one-month rent in advance.
- If the incoming tenant is applying for Housing Benefit or Universal Credit they will need to evidence their application, once a formal offer of the property has been made
- STAR Housing reserves the right to refuse or withhold an offer depending on the findings from the above checks.

13. Matching Homes to Appropriate Households

STAR Housing will offer its properties only to households appropriate to the property types and sizes. The criteria set and agreed with Shropshire Council and STAR Housing Board is set out below:

- **Children in Flats:** Preference will be given to families with children older than 10 years of age, in flats above first floor.
- **Houses:** Preference will be given to families with dependent children.
- **Size of household:**
 - Single persons aged 18 or over may be offered a bedsit or one bedroom property.
 - Two single persons aged 18 living together as a couple without children should be offered a one-bedroom property.

- Single or joint parents shall be offered a bedroom separate from any children.
- Two children of the same sex should be expected to share a double bedroom except where one has reached the age of 16.
- Children of different sexes may be expected to share a double bedroom except where one has reached the age of 10 years.
- A pregnant woman should be treated as having had her child once she has provided supporting evidence from a doctor/health worker, e.g. Mat B1 form or any other evidence as accepted by Shropshire HomePoint.
- A disabled person who needs overnight care may be allowed an additional bedroom, upon receipt of evidence form a relevant professional i.e. doctor.
- Additional bedrooms will not normally be given to applicants who have children who are normally resident as part of another household.

STAR Housing accepts that property sizes can vary and the relevant Manager will take the final decision on the appropriate family size for each property. For example, some three bedroomed houses are only big enough for a family of two adults and two children, whereas others may be able to accommodate two adults and four children. STAR Housing will make it clear in all adverts what the expected family size and type would be for each property.

14. Shropshire Council (managed by STAR Housing) Tenants

Existing tenants wishing to transfer will have to demonstrate that their circumstances have changed since they moved in, meaning that they now need a different home. This could be because:

- The home is now too big for the household, for example because children have left home, this includes being impacted by the bedroom tax and who may be in financial distress.
- The home is now too small for the household
- The current home isn't suited to the needs of the family because of illness disability and a need is required to move to a property that better suits the household (particularly around adaptations)
- They need to move to be able to receive or provide exceptional personal care
- At the end of a flexible tenancy if appropriate

Any offer of accommodation will only be made to existing tenants subject to their property being in an acceptable condition to transfer, and a clear rent account. This will be assessed by a home visit before the offer is made.

If any repairs or planned works are required at the property and the tenant hasn't reported them or allowed access, STAR reserves the right to reject a transfer until such works have been completed.

If there is damage to the property then the damage has to be made good and the property brought up to an acceptable standard before a further offer of a transfer is made, except in exceptional circumstances (such as domestic violence).

All other eligibility criteria applies as per the Shropshire Allocations Policy.

15. Alternative Housing Solutions

There is a greater demand for social housing across Shropshire than can be met by the existing supply. STAR Housing will consider if applicants for our properties can source alternative solutions such as private rented properties. Consideration will be given to the resilience and financial resources of the applicant, which may mean that some applicants are overlooked for our properties.

In addition, Shropshire Council Housing Options Team can provide applicants with a range of information regarding their housing options. This will include information about:

- Housing associations
- Mutual exchanges
- Areas of choice, property types and size of Shropshire Council housing stock
- Low cost home ownership options
- Renting in the private sector
- Options for the applicant to remain in their current home

16. Applications and Lettings to STAR Housing Staff, Relatives or Board Members

Applications for housing from STAR Housing staff, relatives or board members, will be subject to a higher level of scrutiny, to ensure transparency, and the final decision on any letting will be considered by Senior Management Team, and not decided locally.

17. Refusing Offers

Applicants who bid for properties and refuse an offer of a property will be contacted by STAR Housing Lettings Team to ascertain the reasons for refusal. STAR Housing reserves the right to not consider the applications of those who, without justifiable reason, refuse three consecutive offers of accommodation. This may result in requesting that the applicant be suspended from the HomePoint register.

18. Welfare Reform Implications

Applicants will need to be mindful of the impact of these changes on their personal circumstances prior to bidding for or accepting an offer of accommodation. This includes bedroom tax, single person room rate, Universal credit and changes for older persons. This will be discussed as appropriate to the individual circumstances.

19. Void Management

STAR Housing deal with void properties efficiently and consistently so that;

- Tenants may take up occupation of their new homes with the minimum of delay.

- Losses of rental income to STAR Housing are kept to a minimum.
- Void repair costs may be managed effectively and show value for money.
- Decent Homes standards may be achieved efficiently with reference to our planned maintenance programmes.
- Consistent standards of acceptable decorative condition are provided for incoming tenants, either through decorating vouchers or the use of contractors.

20. STAR Responsibility

Overall responsibility for the implementation of this policy lies with the Neighborhoods Manager.

The Senior Neighbourhoods Officer is responsible for the day-to-day management and implementation of this policy, for the application of the policy and procedures, monitoring and reviewing performance and making recommendations for improvement.

All staff must carry out their duties in accordance with this policy.

21. Consultation

STAR Housing will consult regularly with their staff, stakeholders, outside agencies and tenant groups and Area Panels to promote continuous improvement and develop good practice in this policy.

22. Review

STAR Housing will review its Lettings Policy on a three yearly basis, unless changes in legislation or regulation require an earlier review.

23. Training

STAR Housing provide all staff responsible for implementing this policy with comprehensive training. Training will be given to:

- New staff
- Existing staff on an annual basis as a refresher/update as required
- All relevant staff after change to policy/legislation
- To relevant outside agencies
- Any other times as identified by the Neighbourhoods Manager or Senior Housing Officers

24. Equality and Diversity

We will ensure that this policy is applied fairly and consistently to all our customers.

We will not discriminate against any person or group of people because of their race, religion, age, gender, marital status, sexual orientation, disability or any other grounds set out in our Equality and Diversity policy, except where housing need requires this, i.e. adapted property.

When applying this policy we will act sensitively towards the diverse needs of individuals and communities.

When applying this policy we will take the necessary positive action to reduce discrimination and harassment in local communities.

This policy and any other related publications of STAR Housing are available if required in other formats (e.g. in an alternative language, in Braille, on tape, in large type).