

WVHT LETTINGS POLICY

1.0 Introduction and Aim

- 1.1 This policy is designed to provide a set of principles and a framework to manage the letting of the Trust's residential properties.
- 1.2 It has been developed to control direct lettings in planned pilot areas of Grange, Wharton Gardens and Crook Lane estates, as part of the Trust's 'Lettings Fit for Our Future' Corporate Project. The aims of the pilot are to:
- Increase demand for available homes which are low demand through choice based lettings
 - Speed up the letting of available homes to reduce void rent loss
 - Streamline the lettings process to make it easier for customers to understand and easier to be rehoused
 - Enable the Trust to meet the housing needs of existing tenants
 - Reduce the proportion of tenancies that fail within the first 18 months
 - Reduce the cost of letting homes
- 1.3 It also replaces the existing 'Direct Lettings Policy' in respect of lettings in other areas outside of Choice Based Lettings arrangements including 'Management Lets' during the pilot period.
- 1.4 One of the Trust's core purposes is to provide secure and affordable homes for those in need. The aims of this policy are to:
- Respond proactively to the housing needs of customers
 - Create balanced and sustainable communities
 - Make best use of our available housing stock
 - Assist our partner Local Authorities appropriately in fulfilling their statutory duties
 - Ensure there is a fair and consistent approach to lettings
- 1.5 The management of lettings is to be achieved by the implementation of supporting procedures and the monitoring of key performance indicators.

2.0 Scope

- 2.1 This Policy applies to all residential properties let by the Trust outside of Choice Based Lettings schemes. This includes where properties are let to a person who does not have succession rights following the death of a Tenant or is left in occupation at the end of a tenancy.
- 2.2 It does not apply to residential properties that are let through Choice Based Lettings schemes. Such lettings are controlled by the relevant Common Allocations Policies.

- 2.3 It does not apply to the letting of garages or shops or tenancies granted by way of Assignment or Succession. The Trust has separate policies to control these activities.
- 2.4 Nor does it apply to the letting of the Trust's Shared Ownership homes.
- 2.5 The policy complies with all relevant statutory provisions, Regulatory requirements and charitable rules. It will be updated, if necessary, to take into account any future changes or new legislation.

3.0 Principles

3.1 Eligibility – who can apply for a home?

- 3.1.1 Anyone can apply to the Trust for a home providing they are at least 16 years old, have the 'Right to Rent' and are not subject to immigration control.
- 3.1.2 The Trust is an 'exempt charity' and must comply with its charitable objectives to provide housing for charitable beneficiaries. As such, the Trust is not able to accept applications for housing from customers who are financially able to secure a mortgage or pay a market rent unless the mortgage/rent payments would take up more than 30% of their net income. A financial assessment will be carried out in order to determine financial capability.
- 3.1.3 The Trust will only accept an application onto its Waiting List if there is a realistic prospect of being able to house the applicant within 12 months of their application. The Trust will give customers advice on their prospects for housing with the Trust and other housing options available to them.
- 3.1.4 The Trust will not usually accept applications from customers where there is evidence of unacceptable behaviour within the preceding 3 years by the applicant or a member of their household. Unacceptable behaviour includes:
- a) Anti-social, violent, threatening and/or criminal behaviour which would constitute a breach of the Trust's Tenancy Agreement and there is no evidence that the behaviour has improved.
 - b) Giving false information or withholding information on the current application or to get a previous social housing tenancy.
 - c) Having breached the terms of a current or previous tenancy including for unacceptable property or garden condition, anti-social behaviour, rent arrears, noise nuisance and/or property damage or neglect.
 - d) Failing to engage with support services which would help them to sustain a tenancy.
- 3.1.5 In considering whether to accept an application where there is evidence of unacceptable behaviour, the Trust will take into account the severity of the behaviour, its likely impact on other people, and how long ago the behaviour occurred as well as the customer's housing need and any mitigating factors.

- 3.1.6 The Trust will not usually accept applications from customers who have outstanding housing debts including rent arrears, rechargeable repairs, court costs and other sundry debts to a current or previous landlord. This also includes debts to the Trust that have been written off.
- 3.1.7 In considering whether to accept an application where there is an outstanding housing debt, the Trust will take account of the amount owed; action taken to repay the debt, the customer's housing need and any mitigating factors.
- 3.1.8 Where a housing related debt or debts have been included in a Debt Relief Order or Bankruptcy Order, the Trust will consider the customer's financial conduct since the Order was made and whether the customer will be able to fulfil the financial obligations of holding a tenancy.
- 3.1.9 The Trust will not accept applications from customers who would not be able to afford to pay the rent if they were to be given a tenancy. A financial assessment will be carried out in order to determine the ability to pay rent.
- 3.1.10 The Trust will not accept applications from customers who have been social housing tenants for less than 12 months unless their circumstances have changed since their tenancy started and this means their current home is no longer suitable.
- 3.1.11 The Trust may decide not to accept applications from customers who have previously been evicted even if there are no outstanding debts or the tenancy ended more than 3 years previously. In deciding whether to accept an application, the Trust will consider the severity of the tenancy breach, the conduct of the tenancy, any tenancy record since the eviction and the customer's current housing need.
- 3.1.12 The Trust will carry out appropriate checks and ask customers to provide relevant evidence in order to ensure their application meets our eligibility criteria.

3.2 Priority for housing

- 3.2.1 The Trust operates a Waiting List where applications are considered for housing in order of their application date. This is usually the date when the application was received by the Trust but the Trust will backdate certain applications to give some customers increased priority for housing.
- 3.2.2 The Trust will backdate an application by 12 months where the application is from:
- a) A WVHT tenant if the Trust needs to move them because they are occupying specialist accommodation which they no longer need, or their home is due to be demolished or is needed for a regeneration scheme.
 - b) A WVHT tenant if their home is no longer suitable for their needs e.g. because it is too big or too small or does not have adaptations or other special features that the tenant or a member of their household needs. This priority will also apply if the tenant cannot afford the rent for their current home.

- c) A WVHT tenant who is at risk of serious harm if they remain in their current home.
- d) Someone who has been left in occupation of a Trust property following the death of the tenant but does not have the right to succeed to the tenancy. Or someone who is left in occupation of a Trust property when a tenancy is ended. In both cases, priority is only applied where the person cannot satisfy their own housing need, has lived at the property for at least 12 months and meets the eligibility criteria of this Policy

3.2.3 The Trust will backdate an application by 6 months where the application is from:

- a) Someone who is homeless and the Local Authority have confirmed that they have a duty to provide housing to them.
- b) Someone whose current home is no longer suitable for them due to a medical condition and rehousing would significantly improve their condition or quality of life.
- c) Someone who is living in a hostel due to domestic violence.
- d) Residents of Cotswold House who are ready to move into permanent housing.

3.2.4 The Trust will backdate an application by 3 months where the application is from:

- a) A social housing tenant who is overcrowded in their current home, needing at least one extra bedroom.
- b) A social housing tenant who is under-occupying their current home, having at least one bedroom more than they need.
- c) Someone who's current home is insanitary or has been deemed unfit for habitation by the Local Authority.
- d) Serving or former members of the Armed Forces or Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service
- e) Bereaved spouses or civil partners of members of the Armed Forces leaving their service's Family Accommodation following the death of their spouse or partner.

3.2.5 The Trust may decide not to give additional priority to applications where the customer has acted or failed to act in a way that has resulted in a worsening of their circumstances.

3.3 Applications from Staff and Board members and their relatives.

- 3.3.1 The Trust may offer accommodation to a Board Member or member of staff or a closely connected person, provided their application meets the eligibility criteria of this Policy and any selection criteria for the property (including any s106 and/or Local Lettings Plan criteria).
- 3.3.2 The Trust will follow the requirements of its Code of Governance when considering such applications.

3.4 Customer responsibilities

- 3.4.1 Customers should tell the Trust if their circumstances change to enable their application for housing to be re-assessed. If customers do not tell us about a change that affects their eligibility or priority for rehousing, the Trust may cancel the application.
- 3.4.2 Customers should provide the Trust with any evidence that is requested to support their application as soon as possible. If information is not provided, the Trust may cancel the application.

3.5 Changes in Circumstances

- 3.5.1 When a customer's circumstances change, their application will be reassessed to check that they are still eligible for housing.
- 3.5.2 If the change results in an increased priority for housing, the application date will be amended to reflect the new date of the application with the priority backdate applied. Otherwise, applications will retain their original application date.

3.6 Reviewing Applications

- 3.6.1 The Trust will review applications accepted onto its Waiting List after 12 months. This will include considering why no offer of housing has been made or accepted, whether the customer's circumstances have changed and what the future prospects for rehousing are.
- 3.6.2 The Trust may cancel an application if customers do not respond, are no longer eligible for housing, have refused reasonable offers or there is little prospect of the customer being housed in the near future.

3.7 Allocations

- 3.7.1 The Trust will endeavour to make best use of its stock by matching applicants on the waiting list to an available home which meets their needs including area, property type and number of bedrooms. The criteria used to determine how many bedrooms are needed are explained in Appendix 1.

- 3.7.2 Available homes will normally be offered to the applicant at the top of the shortlist who has the longest waiting time. But applications may be overlooked if the customer's circumstances have changed, the property does not meet their needs, they would not be able to afford the rent or there are exceptional circumstances which mean the property must be let sensitively.
- 3.7.3 Where a home has special features such as level access, adaptations and/or ground floor bathrooms and bedrooms, preference will be given to customers who need those features.
- 3.7.4 Some of the Trust's properties are Independent Retirement Apartments, bungalows and flats which are intended to house older people. The Trust will only allocate these properties to customers who are at least 55 years old or who have disabilities which mean that they need this type of accommodation.
- 3.7.5 The Trust operates Local Lettings Plans in some areas to achieve balanced and sustainable communities and to address imbalances in housing supply and demand. Where a Local Lettings Plan is in place, the allocation priorities set out in that plan will override the usual priorities for housing. Local Lettings Plans will be reviewed periodically.
- 3.7.6 Some of the Trust's properties are subject to s106 Agreements which set out specific allocations criteria, such as a local connection requirement, for that development. Where a s106 Agreement exists, the allocations priorities within it will override the usual priorities for housing.
- 3.7.7 The Trust reserves the right to apply discretion to allocate outside the usual principles of this Policy if needed to respond to an emergency or to help a partner Local Authority meet its statutory duties.

3.8 Low demand properties

- 3.8.1 Where there are no applications on the waiting list for an available property, the Trust will advertise and let the property on a 'first come, first served' basis providing the prospective new tenant fulfils the eligibility requirements of this Policy.
- 3.8.2 Other customers responding to the adverts will be invited to make an application to be considered for future vacancies subject the principles within this Policy.

3.9 Offers

- 3.9.1 The Trust will not usually offer a tenancy to someone who is under 18 years of age. In exceptional circumstances where the customer has no other housing options and is able to afford a tenancy, the Trust will consider offering an Equitable Tenancy.
- 3.9.2 Customers have the right to refuse an offer of a tenancy if they feel that the property is not suitable for them. But the Trust will cancel an application where the customer has refused 3 offers of a tenancy.

- 3.9.3 Where there is a risk that the customer may not be able to sustain a tenancy, any offer made and tenancy granted will be on condition that the customer engages with support provided by the Trust and/or other agencies. In such cases a Tenancy Success Plan will be agreed with the customer setting out their support requirements and responsibilities.
- 3.9.4 Where the customer is an existing tenant of the Trust, a property inspection will be carried out before the customer is considered for an offer. The property inspection will determine whether there are any breaches of the existing tenancy including damage, neglect and/or unauthorised alterations, which need to be rectified before a transfer can proceed. The Trust may decide to cancel the application whilst the breach is being rectified if the breach is sufficiently serious.
- 3.9.5 The Trust will have regard to the established 'permitted number' of occupants for its properties and will not create overcrowding by allocating a property to a household whose number is greater than the permitted occupancy number.
- 3.9.6 The types of tenancy to be granted when customers accept an offer of housing is set out in the Trust's Tenancy Policy.

3.10 Appeals

- 3.10.1 Customers whose applications have been rejected or who are dissatisfied with a decision affecting their application have the right of appeal. The appeal does not have to be in writing but the customer should clearly state their reasons for disagreeing with the decision.
- 3.10.2 Appeals will be considered by the Lettings Team Leader and a response provided to the customer within 20 working days. The Trust will not hold a property whilst an appeal is taking place.
- 3.10.3 If the customer is unsatisfied with the outcome of their appeal, they may make a complaint which will be dealt with under the Trust's Complaints Policy.

4.0 Responsibility

- 4.1 The Director of Neighbourhoods and Customer Service is responsible to the Chief Executive and the Board for ensuring the effective implementation of this policy through the Enterprise and Leadership Team Managers.

5.0 Customer Profiles and Accessing Services data

Data from the following sources, regarding Customer profiling and the way in which they access the Trust's services, was utilised in implementation / review of this policy (as indicated by √)			
Star Tracker Survey		Customer Satisfaction Surveys	√
Scrutiny Panel		Tenant Partners	
Customer Focus Groups		KPI's (service performance)	√
Complaints Review Panel		Other (specify)	√
Community Groups			
Satisfaction surveys of new customers who applied through West Cheshire Homes. KPIs for void turnaround and lettings. Analysis of lettings performance and outcomes over 3 years. Analysis of turnover & demand in Trust neighbourhoods. Analysis of West Cheshire Homes performance indicators.			

6.0 Customer Influence (Consultation)

The Trust has been influenced by the following customer groups regarding the implementation / review of this policy (as indicated by √)			
Customer Voice Panel	√	Resident Involvement Group (specify which)	√
Customer Focus Groups		Community Groups	
E Voice		Other (specify which)	
Questionnaire		Other	√
Interviews with new customers who applied through West Cheshire Homes. Discussions with the former Housing CIG throughout the CBL review in 2017. Consultation on draft policy with CVP in July 2017. CVP approved the Policy on 10 July 2018.			

This policy will be implemented via the Lettings Team's procedures and guidance notes. The procedure and guidance notes should always be used in conjunction with the policy, to provide a consistent approach in the practical implementation of this area of operation.

Author of Policy	Date of Approval	Approved by:	Implementation date	Next Review Date
Toni Reed	21 August 2018	EMT	September 2018	March 2019

Bedroom size criteria

The Trust has adopted the Government's bedroom standard to minimise the impact of spare room subsidies on new and existing tenants. These criteria apply when awarding priority for housing to an application and also when matching an application to a suitable property:

- Children aged under 10 are expected to share a bedroom regardless of their gender.
- Children aged between 10 and 16 are expected to share a bedroom if they are of the same gender.
- Couples and adults are entitled to have a bedroom of their own.

Customers may be considered for properties that are bigger than their current household needs if:

- A separate room is needed for the use or storage of medical equipment
- They are a disabled person that needs a carer to stay overnight
- A member of the household is at least 7 months into a pregnancy

EQUALITY IMPACT ASSESSMENT (EIA)

The aim of this EIA is to improve the work of the Trust by making sure we don't discriminate and where possible promote equality.

NAME OF POLICY OR ACTIVITY	Lettings Policy
EIA CARRIED OUT BY	Toni Reed
DATE	29 June 2018
AIMS AND PURPOSE OF POLICY OR ACTIVITY	To provide a framework to manage the letting of the Trust's residential properties

The EIA focuses on assessing the impact on people with protected characteristics. This involves anticipating the consequences of activities on these groups and making sure any negative consequences are minimised and opportunities for promoting equality are maximised. For each protected characteristic, indicate whether there will be a positive or negative impact or no impact from this policy or activity.

PROTECTED CHARACTERISTIC	IMPACT	COMMENT
	Positive or Negative or No Impact	Needed if there is a Negative Impact. Also include the Action to be taken to Reduce Impact
Age	Both	The Policy states that designated older persons accommodation will only be allocated to customers who are at least 55 years old. This is justifiable because it is a requirement of the property type. The impact is reduced by being able to consider younger applicants who have disabilities that mean they need this type of accommodation and by the provision to provide customers with advice about their housing options.
Disability	Positive	
Gender Reassignment	No impact	
Being Married or in Civil Partnership	No impact	
Being Pregnant and or Maternity Leave	Positive	
Race (Including colour, nationality, ethnic or national origin)	No impact	
Faith or Religion or Belief or Lack of Belief	No impact	
Sex	No impact	
Sexual Orientation	No impact	

Any Further Actions Required:	None
--------------------------------------	------