

LANGSTANE HOUSING ASSOCIATION LIMITED

LETTINGS POLICY

1. AIMS AND OBJECTIVES

Langstane Housing Association is committed to ensuring that the lettings process is fair and non-discriminatory targeting those in high levels of housing need as described by the Housing (Scotland) Act 2001 as being in a 'reasonable preference' group.

The nature of the stock must also be considered within policy, and the bulk of Association properties are one-bedroom flats. This allows the Association to cater for the emerging new households in the community, which is especially relevant given the economic difficulties faced by people who would normally be expected to have left the parental home but are unable to do so.

In addition, Langstane is committed to working with the Local Authorities and other partners towards eliminating homelessness, and to prevention of recurring homelessness through supporting tenancy sustainability initiatives and projects which support those whose circumstances give rise to special requirements in housing provision or housing management.

The Association strives to make the best use of available stock and is committed to creating and maintaining balanced, stable and diverse communities. To achieve this goal a wide range of complex needs must be taken into account during the process of letting properties. This will ensure that the correct property is let to the most appropriate applicant in order to aid sustainability of the tenancy.

By approaching lettings in this way, the aim is that it will lead to the long term sustainability of the community, this being defined as "people continuing to choose to live in a community in sufficient numbers that the housing is effectively fully occupied".

The Association will at all times ensure that its policy and practices adhere to the obligations within legislation, and also reflect best practice highlighted by the SFHA, the CIH and the Scottish Housing Regulator.

2. ACCESS TO THE HOUSING LIST

Any person over the age of 16 years can apply to the Association at any time, regardless of their current housing circumstances or location. Applications will be processed within 28 days of the form being received, and a letter sent to the applicant to advise of the points award and the prospects for being re-housed by the Association.

The Association will ensure that there are appropriate and varied opportunities for applications to be made and that publicity is available to promote the

Association's services throughout the area in which it has property. It is intended that an on-line application service is in place during 2011 which will allow the applicant to have greater access to and control over their own application.

The Association has a separate Equal Opportunities Policy, and is committed to ensuring equal opportunities across all activities. In relation to the lettings policy, the aim of the Association is to maximise access to the housing list to all people regardless of age, disability, race, religion, sex, gender reassignment or sexual orientation.

Translation and interpretation services are available when required. Information can be made available in other formats including audio, Braille, large print and Easy Read. The Association also works in partnership with other organisations in order to engage with a range of groups in the community and share good practice in equality and diversity.

Application source information and equality and diversity data is collected and regularly reviewed to allow the effectiveness of Association policies to be monitored. The provision of equalities data is entirely voluntary.

3. DEFERRALS

In certain circumstances it will be necessary to defer applications. These applications will not be considered for vacant properties until the reason for the deferral has been resolved, or until a specified period of time has lapsed. Reasons for deferral are listed below:

- Debt relating to a tenancy – this debt will be equivalent to more than one month's rent. The application will be deferred if there is no agreement in place to repay the debt, or if an agreement has not been adhered to for 3 consecutive months.
- An unsatisfactory tenancy report where it includes a confirmed case of the applicant(s) being responsible for unreasonable damage to property, misuse of the property for illegal purposes, anti-social behaviour, harassment or racial abuse – duration of deferral in these cases will be on a case-by-case basis, and will be fully assessed by senior staff to ensure the deferral is appropriate
- Provision of False Information – if the applicant has knowingly supplied false information on their application, then the application will be deferred until the Association is satisfied that all information on the application is correct.
- The applicant behaves in a violent or threatening manner towards Association staff – deferral will be for a period determined by senior staff upon consideration of each individual case
- For Transfer Applicants only – deferral will be applied to all cases where the Association is in the process of court action to repossess the property for a breach of tenancy obligations.

In all cases of deferral, the applicant must be written to explaining the reason for the deferral, the duration for which deferral will apply, and how the applicant can appeal the decision. All deferred cases will be reviewed on a monthly basis with regard to how reasonable it is for the deferral to remain in place.

4. THE LETTINGS SYSTEM

The lettings system describes the range of processes used by the Association through which an individual or a household can access a property, and also how that household can move on to other accommodation if their housing requirements change.

An important aim of the lettings system is that it promotes choice for the applicant. Primarily this is done through giving the applicant the control over where they are housed, but is furthered through practices such as making multiple offers of accommodation where this is possible, not penalising applicants for refusing properties, and offering opportunities for transfer and mutual exchange to existing tenants.

In order to achieve the aim of balanced sustainable communities, the Association policy is to allocate up to a maximum of 25% of properties in each development to applicants who are within the definition of Specific Needs (Appendix 1). Specific needs refer to those applicants who would require additional professional support in order to sustain their tenancy, whether that support is from Association staff, or from an outside agency.

5. LOCAL AUTHORITY NOMINATIONS

The Association has nomination arrangements in place with all the Local Authorities in its area of operation. This is a process whereby an agreed proportion of the vacancies which arise are offered to the relevant Local Authority in order to assist them in meeting their targets to eliminate homelessness. This is usually 50% of the vacancies, but this can be higher in certain circumstances such as in some new developments permission to build may depend on the Local Authority having 100% nominations upon completion, reverting to normal policy thereafter.

There are Service Level Agreements in place with each Local Authority to allow both sides to monitor the nominations process, and to ensure that neither the Association nor the Local Authority are disadvantaged in trying to achieve policy objectives.

6. OTHER AGENCY REFERRALS

The Association will work with partner agencies in specific circumstances in order to make a small proportion of allocations. These are listed below:

- A specific support project managed by a Partner Agency will be let via a process of referral.

- Adapted or wheelchair standard properties will be let to persons requiring those adaptations. This is best achieved by working in partnership with specialist agencies such as the Disabled Person's Housing Service in Aberdeen and Aberdeenshire who can assist with matching the person with the highest level of need to that property

7. LETTING FROM THE HOUSING LIST

The Association has two housing lists: General Needs and the Transfer List. Lettings are made on a percentage share of the vacancies, and this is calculated on a per-scheme basis:

- 50% Local Authority nominations
- 50% General and Transfer lists

The only exceptions to these quotas are where there is a special project requiring a referral from a partner agency, a specially adapted property which is let to ensure best use of the property, or if the area has been selected for a Local Lettings Initiative (see section 8).

Letting from the General Needs Housing List

The Association will let properties on the basis of housing need, which is determined using the points system. When a vacancy arises for a General Needs List applicant, a shortlist is taken which matches the applicants having the highest points for that property type and location.

Where two or more applicants have the same number of points, the applicant who has been registered on the housing list for the longest time will be eligible for the offer. The Association reserves the right to make exceptions to this rule in prescribed situations. These are:

- The person at the top of the list has Specific Needs (see Appendix 1), and the property is in a development which has reached the maximum of 25% allowed.
- There is a specific community sustainability issue which has been raised, and the person at the top of the list is unsuitable in these specific circumstances i.e. noise issues in the block, and the person at the top of the list needs extra tenancy support due to a history of anti-social behaviour

In cases where a person has been overlooked for a vacancy, this is recorded with the reasons for the decision, and the person is considered as normal for future vacancies. Monthly reports of overlooked applicants are made to senior staff in the Voids Team in order to ensure that the circumstances are reviewed and no applicants are being unfairly disadvantaged.

In all cases there are checks required prior to an offer being made. These include:

- Tenancy checks for all previous tenancies
- Confirmation of housing need
- Home visits as instructed by Senior staff, or if requested by the applicant

The required checks must be in place prior to an offer being made to the applicant. If any checks are outstanding, the applicant will be overlooked, and considered for future vacancies according to the policy.

Transfer Allocations

The Association supports current tenants who require or aspire to move home, and as such all vacancies are shared equally between current tenants on the Transfer List and General Housing list tenants. Transfer applicants are awarded points using the points system plus an additional section for transfer applicants. The same shortlisting process is used to let the property with the following checks to be completed prior to any offer:

- Home visit – to ensure that there is no unreasonable damage to the property
- Tenancy check – for arrears and tenancy conduct. No offer will be made to any transfer applicant if the Association is in the process of taking legal action against them. The same conditions apply with regard to rent arrears as with General Waiting List applicants.

Mutual Exchange

The Association will consider requests for mutual exchange with a tenant of either a Local Authority or Housing Association property. Conditions apply, and the Association will respond to any applications within 28 days. Permission to exchange will not be unreasonably withheld by the Association, but conditions apply. These include that:

- The exchange will not create either overcrowding or under occupation
- Best use of the property must be achieved for adapted properties
- There is no ongoing legal action against either of the applicants for exchange
- Satisfactory tenancy reports must be received for the incoming applicant

Management Transfers

In certain circumstances it may be that a current tenant requires to be moved to a different property, and this would take place outside of the normal lettings process. This will be authorised only in exceptional circumstances, such as the tenant being a victim of violence or harassment and must be moved for their own safety.

In all cases, a report is made to the Director of Customer Services who will review the case and has the final decision.

Property Size - number of bedrooms required

Ideally, the Association aims to provide a bedroom for each member of the household requiring one i.e. one bedroom per couple, and one for every other person living in the household. However, this is not always possible and so properties will be let outside of this aim in order to improve the housing circumstances of applicants on the housing list. The minimum standards will be:

- One bedroom per couple
- One bedroom for two children of different sex where both are under 5 years old
- One bedroom for two children of the same sex up to the age of 16 years old, unless there is agreement for them to share after that age
- Not more than two people sharing any bedroom
- Bedroom provision will be made for an unborn child

8. LOCAL LETTINGS INITIATIVES (LLIs)

There are times when the Association has difficulty in letting properties, often due to the property type, size and/or location. These are described as low demand properties, defined as having a small waiting list or having been refused three or more times by applicants for reasons relating to the property.

When a vacancy arises which is low demand, then the Association reserves the right to adopt a Local Lettings Initiative (LLI) in order to ensure that void turnaround performance is maximised. All LLIs must be approved by the Director of Customer Services, and must be reported to the Tenants Services Sub-Committee within the body of the Voids Team report. Local Lettings Initiatives include:

- Referring the vacancy to a partner agency for a potential applicant
- Advertising the vacancy, but ensuring that all people who respond to the advert are treated as they would be if they were on the housing list i.e. points awarded, and the allocation made as per policy thereafter
- Contacting local employers, especially those of key workers such as the Police and the NHS to find out if there are any potential applicants for the property
- Liaising with organisations such as MOD Joint Service Housing Advice Office and Scottish Veterans Residences in order to assist ex-service personnel to find accommodation after leaving the armed forces

9. SHORT SCOTTISH SECURE TENANCIES (SSSTs)

The Association will use Short SSTs in certain circumstances, but these are strictly controlled in order to ensure that applicants offered the most secure accommodation possible. Short SSTs are used in the following situations:

- The Association does not own the building, and so can not offer permanent accommodation
- The applicant has previously been evicted for anti social behaviour, or is subject of an anti social behaviour order (ASBO)
- The applicant has sought support in order to sustain their tenancy, and is participating in an enhanced housing management initiative

A short SST will not be offered to a referral made from the Local Authority under Section 5 of the Housing (Scotland) Act 2001 as it is a requirement that such a referral is offered secure accommodation. The only exception to this shall be:

- where the applicant has had a Notice to Quit or equivalent served on them in the past three years for anti social behaviour, or is subject of an ASBO

10. MAINTENANCE OF THE HOUSING LIST

In order to ensure that the Association meets its obligations under the Data Protection Act, and also to ensure that the allocation of properties is as efficient as possible, the waiting lists must be managed. This is achieved by:

- Advising all applicants of their level of priority for being housed by the Association.
- Applicants who are advised that they are low priority will be expected to contact the Association to confirm that they wish to remain on the housing list. Those applicants who do not contact the Association will be removed from the list after 28 days. Low priority is defined as having points below the level at which the Association has allocated a property in the past 12 months.
- All applicants on the waiting list will be subject to a review on an annual basis, or more frequently if appropriate. Applicants who do not respond to the annual review within 28 days will be removed from the waiting list.

All applicants who are removed from the list are notified in writing, and are free to reapply to the Association at any time. If an applicant contacts the Association to reapply within 3 months of their application being cancelled, then the application will be reinstated from the original date of application.

11. APPEALS

Applicants have the right to appeal decisions at any point in the lettings process. This can be done by whatever method is most convenient to the applicant, and the appeal will be responded to within 14 days. Matters which may be appealed include:

- Deferrals from the list
- Cancellation of an application
- Objection to the number of points awarded to the application

All appeals will be dealt with by the Customer Services Manager in the first instance. If an applicant is not satisfied with the outcome of the appeal, then the matter will be referred through the Association complaints procedure for consideration by the Director of Customer Services.

12. INFORMATION AND ADVICE

Demand for the Association's housing stock is always greater than the available supply, and so a large number of the applications made will not be successful. It is therefore necessary that the Association provides applicants with a realistic assessment of their prospects of being housed, and provides information about all the available alternatives open to them. This will ensure that people who apply for housing are in a position to make an informed choice about their housing.

The information provided by the Association will be in plain language, and accessible in a variety of languages and formats upon request.

13. PROCEDURES

Procedures to be followed by staff are held both in hard copy in a section manual, and computer format. Leaflets explaining various elements of the lettings process are available. This will include an area lettings history to inform applicants of turnover and the points on which properties are being allocated.

14. STAFF RESOURCES AND TRAINING

The Policy is implemented by specialist staff in the Voids Team.
Training includes:

- Regular ongoing training in the legal framework affecting the allocation of houses
- Appropriate IT skills
- Interview skills
- Dealing with difficult situations
- Equality and Diversity Training
- Training relating to the Housing and Management of Sex Offenders

Staff are encouraged to study for formal qualifications, for example –

- Chartered Institute of Housing Accreditation
- Higher National Certificate/Higher National Diploma

15. MONITORING AND REVIEW

The lettings process is monitored monthly and includes the following;

- Housing List figures – admissions, deferrals and cancellations
- Volume and spread of lets

- Refusals analysis
- Details of any Local Lettings initiatives for low demand properties
- Joint arrangements with partner agencies including nomination arrangements and Section 5 Referrals
- Score Data including equal opportunities

Reports are made on a monthly basis to the Director of Customer Services and to each cycle of the Tenants Services Sub-committee and the Committee of Management.

Right to Complain

In the event you are not satisfied with the service you have received, please contact the Association for a copy of our Complaints Policy, which can also be viewed on our website.

Approved by Tenants' Services Sub Committee: November 2010

Review Date: November 2013

Appendices: 1. Definition of Specific Needs

Appendix 1

DEFINITION OF SPECIFIC NEEDS

A person or persons who require additional professional support to help them sustain a tenancy.

The following is a list of conditions, and to be defined as having a specific need in terms of this Lettings Policy an applicant must have professional support in one or more of the following areas:

- Require additional tenancy management support in conjunction with a Short Scottish Secure Tenancy Agreement
- Substance misuse – are in the process of rehabilitation, or receiving regular support in order to manage an addiction
- Mental Health – require support in order to assist with living in the community
- Require support in order to live in the community after leaving an institution
- Learning Disability and requiring support to assist with sustaining a tenancy