Allocations Policy

Policy owner	Sam Taylor – HSH Operations Manager
Confidentiality	C1
Distribution list	HSH Operational Staff, HSH Board of Trustees, HSH Tenants
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1. Overview

This policy applies to the allocation of all Hawes Street Housing's general needs properties. It sets out how HSH will allocate properties and the eligibility criteria that apply to all tenants, including those nominated by Stoke on Trent City Council.

This policy applies to:

- Nominated applicants from the local authority
- New/Direct applications to HSH
- Existing HSH tenants who wish to transfer
- Tenants wishing to exchange their tenancy by way of Mutual Exchange

2. Regulatory and Legal Framework

As a Registered Provider of Social Housing, Hawes Street Housing has a duty to meet the Regulatory Standards set out by the Regulator of Social Housing. This policy has been developed in line with the Tenancy Standard.

Other relevant legislation includes:

- Housing Act 1996 (Part 6), as amended by the Homeless Act 2002
- Localism Act 2011
- Homeless Reduction Act 2017
- Housing and Planning Act 2016, and published codes of guidance
- Equality Act 2010
- Human Rights Act 1998
- Housing Act 1985
- Housing Act 1988
- Welfare Reform Act 2012
- Immigration Act 2016

3. Policy Statement

Hawes Street Housing arose out of a local community campaign by residents during 1989 to "Save-our-Streets of 350 homes from proposed demolition within the Tunstall area of Stoke-on-Trent". Having successfully persuaded the local authority to revise its policy in favour of retention and renovation rather than demolition and redevelopment, HSH then devised a strategy to rescue vacant houses which, after full renovation, have been let at affordable rents to people in housing need.

Hawes Street Housing is a small provider of local social housing and will meet all obligations in the nomination agreements made with the local authority, Stoke on Trent City Council.

Hawes Street Housing will consider applications from staff, relatives or close contacts of staff or Board members. Relationships should be declared on the application.

Accommodation should be allocated fairly and in an open and transparent way.

There may occasionally be exceptional circumstances in which an allocation may be made outside of this policy.

4. Eligibility Criteria

To be eligible for a Hawes Street Housing tenancy, the applicant must:

- Be aged 18 and over
- Have the right to rent social housing in England
- Have a local connection to the Tunstall area
- In tend to use the property as their only or principal home and not to operate any business at the premises
- Have sufficient personal funds, or recourse to public funds to pay the rent and sustain the tenancy
- Agree to end any other tenancy upon being rehoused

5. Application Process

To apply for a property with Hawes Street Housing, all applicants will be required to fill in an application form and will be required to share the following information;

- Personal Information
- Current Housing Situation
- Address History
- Financial information
- Criminal History
- Links to Hawes Street Housing (e.g. previously housed in a HSH property, any links to staff/board members etc.)
- Property Needs
- Details regarding Leave to Remain in the UK (for non-UK citizens).

This application form will be made available from the HSH Office and will be available online also.

All housing application forms will be reviewed in the first instance by the HSH Housing Officer and will be recorded on our In-Form database system. Any applications that meet the eligibility criteria should then be passed to the board for decision, and any approved applications will be added to a waiting list.

6. Housing Allocations

We will primarily allocate housing to applicants on the waiting list in date order, however there are several other factors that need to be taken into account including any imminent threat of homelessness, threat of domestic violence and overcrowding.

We will also prioritise any tenants who wish to request a transfer and meet the eligibility criteria set out below. We will endeavour to offer housing appropriate to the needs of the applicant and will seek to ensure HSH properties are not under-occupied.

In all allocations we will ensure we make the best use of our HSH housing stock and improve the housing situation of the applicant.

In the case of properties leased from Stoke-on-Trent City Council, nominations for tenants will be requested from Stoke-on-Trent City Council as outlined below.

7. Pre-Tenancy and Affordability Checks

Any approved applicants will be subject to the following checks which will be overseen by the HSH Housing Officer.

- Proof of ID
- Proof of Income
- Proof of Address
- Landlord or Character Reference

8. Accompanied Viewing & Tenancy Sign-Up

Once the pre-tenancy & affordability checks have taken place, the HSH Housing Officer will be in regular communication with the applicant about any void works that are taking place. The Housing Officer will invite the applicant for an accompanied viewing of their allocated property.

The HSH Housing Officer will oversee the signing of a tenancy agreement and make the necessary arrangements for move in.

9. Local Authority Nominations

Every local authority has an allocation policy or scheme which is used to determine the priorities between people applying for housing and for setting out the procedure to be followed in allocating housing accommodation.

Registered social housing providers/landlords, such as Hawes Street Housing, are expected to co-operate with local authorities' strategic housing function, and their duties meet identified local housing needs. Local authorities meet the legal requirements in the Housing Act 1996 to ensure those with priority housing need are given preference for homes.

All Hawes Street Housing's properties are within the local authority, Stoke on Trent City Council. A nominations agreement is in place between HSH and SOTCC.

10. Transfers

Existing Hawes Street Housing tenants who wish to apply for a Transfer to another HSH property should contact the Housing Officer to complete a Transfer Request form.

Eligibility to transfer:

- Have held a tenancy with HSH for a minimum of 12 months
- There is no damage or rechargeable repairs needed to the property
- There are no rent arrears or other charges owing to HSH
- The applicant, a member of their household, guests or visitors to their home have not perpetrated Anti-Social Behaviour, harassment, domestic violence or other unacceptable behaviour, including a history of causing serious nuisance or annoyance to neighbours.
- The applicant is not in breach of any other conditions of the tenancy agreement
- There is no evidence of violence or threats of violence, harassment or intimidation towards HSH or Saltbox staff or contactors.

Transfer applicants will also be made aware of the following points:

- The condition of the transfer property offered, is accepted as seen
- Transferring tenants will need to give notice on their current property in accordance with their Tenancy agreement.

11. Mutual Exchanges

A Mutual Exchange happens when tenants of Registered Social Landlords swap homes. There may be more than two properties involved in a mutual exchange.

Social housing tenants with a secure, assured or fixed term tenancy, have the right to swap properties with another social housing tenant with one of these tenancies.

Each tenant involved in a possible home swap must seek permission from their own landlord to exchange or assign their tenancy, as per their tenancy agreement. Legal action may be taken if an exchange takes place without landlord permission.

Hawes Street Housing tenants seeking permission to exchange should complete an Existing Tenant Application for Mutual exchange form.

Written consent will generally be given but the following g conditions must be met before an exchange can happen:

- Tenant(s) must have a clear rent account at the time of exchange
- The property should have an up to date gas safety certificate
- Alterations, or damage to the property beyond wear and tear are fixed by the tenant(s)

Anyone wishing to apply for a Mutual Exchange with a HSH tenant will need to complete an Application for Mutual Exchange form.

Before an Application for Mutual Exchange can be approved, HSH staff will meet with applicants to complete the verification of details they have supplied in their application form. This is to ensure applicants are eligible for a HSH tenancy.

Applicants should arrange to view the HSH property and will be made aware that the condition of the property must be accepted as seen.

A mutual exchange may be refused if:

- A Notice Seeking Possession is in place
- There is a court order for breach of tenancy
- The property would be either overcrowded or under occupied
- The property is not suitable for the person moving in

Applicants will be informed of the outcome of their application in writing, including:

- Confirmation of landlord permission for mutual exchange, to existing tenant and incoming applicant
- Confirmation of agreed date for mutual exchange, or
- The reason(s) their application has been refused, to existing tenant and applicant

A separate Mutual Exchange Policy contains additional details about the Mutual Exchange process.

12. Refusals Criteria

Hawes Street Housing will set out clear reasons for excluding current or potential tenants from allocations, transfers or mutual exchanges.

Applicants who meet one or more of the Refusals Criteria will not be eligible for the allocation of a HSH home.

Refusals criteria include:

- **Eligibility:** The applicant does not meet the minimum age criteria and/or other eligibility criteria as listed in this policy

- **Debts:** The applicant has Rent arrears of more than 2 months or other debts to HSH, another RSL, Local Authority or Private Landlord and cannot demonstrate that they have a current repayment agreement proportionate to the debt, which they have maintained for 6 months prior to the application.

- **Anti-Social Behaviour:** Where the applicant has been found by their current or previous landlord, or by the Courts, that within two years of submitting their application, they have acted in an anti-social manner that has caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as themselves. Anti-social behaviour will include any acts that interfere with a landlord's ability to carry out its management functions, nuisance, annoyance, violence against others and using a property for immoral purposes.

- **Criminal Behaviour:** The applicant has been convicted of a 'serious offence' that has not been spent and/or they may pose a threat/risk to HSH tenants, staff, visitors, contractors or the community. Examples of 'Serious Offences' include:
    - Public order offences, nuisance, vandalism
    - Dealing, supplying or cultivating controlled drugs
    - Burglary, robbery, theft
    - Violence
    - Schedule 1 offences
    - Offences relating to hate crime

- **Un-met Support Needs:** where the applicant (and/or partner) is unable to sustain a tenancy due to un-met support needs.

- **An applicant has deliberately worsened their circumstances:** to be able to join the housing waiting list or increase their priority. Each case will be considered on its individual facts but an applicant will be deemed to have deliberately worsened their circumstances if they acted in any of the following ways:
    - Moving into a property that was unsuitable for their needs
    - Voluntary giving up accommodation that it was reasonable to continue occupying, without first securing alternative accommodation
    - Taking deliberate action to cause their accommodation to be no longer reasonable for them to live in, such as causing damage to property that results in accommodation becoming a risk to health.

- **General:**
    - Satisfactory references have not been provided upon request
    - Requested supporting information has not been provided
    - There is evidence of false information relevant to the housing application has been provided
    - There is evidence that the applicant (and/or partner) has seriously breached a HSH, other RSL or LA tenancy/behaved in such a way that it would constitute a breach of tenancy conditions for which it would be reasonable for a court to grant a possession order. Examples include
        - Not ending a tenancy in accordance with the terms of the tenancy agreement
        - Malicious damage to HSH, other RSL or LA property
    - The applicant is unwilling to co-operate with HSH in the completing of application forms or the Verification of Details
    - HSH does not have accommodation suitable to the applicants needs

13. False Information

We will not house an applicant who has misrepresented their housing circumstances, deliberately withheld information, or knowingly or recklessly given false information relating to their housing history, or who has induced another person to do so on their behalf. Hawes Street Housing reserves the right to seek possession based on ground 17 of schedule 2 of the Housing Act 1988 if, after the grant of a tenancy, it becomes apparent that this has taken place.

14. Appeals

Applicants who are unhappy with a decision relating to their application can appeal and must do so in writing within 28 days of notification. This will be dealt with in line with Hawes Street Housing's complaint policy.

15. Equality & Diversity

Hawes Street Housing provides services to a wide range of people and as such our aim is to be responsive to the needs of our community and the individuals we serve. In implementing this policy we aim to treat all customers fairly. Where applicants require additional support, we will incorporate flexibility and work with the third sector to provide a service that meets their needs. There will be no discrimination on the grounds of sex or marital status, on racial grounds, or on grounds of disability, age, sexual orientation, gender reassignment, language, social origin, pregnancy or maternity grounds or family circumstances, or of other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions.

Applicants are asked, but not obliged, to provide details of their gender, disability and ethnic origin in order that this part of the policy can be monitored. We will ask applicants to provide details across all nine protected characteristics as detailed in the Equality Act. Hawes Street Housing has an Equality and Diversity Policy which is available on request.

16. Confidentiality

Hawes Street Housing is governed by General Data Protection Regulations (GDPR) European Union privacy law, approved in 2016 jointly by European Parliament, the Council of the European Union and the European Commission. GDPR is intended to put guidelines and regulations on how data is processed, used, stored or exchanged for protection of people's privacy purposes.

In assessing an applicant's housing need, Hawes Street Housing may require confirmation of certain situations that are of a highly personal nature. It is sufficient for the applicant to give HSH sight of any document/report/letter. We would prefer to retain a copy of the original document unless the applicant asks us not to.

Hawes Street Housing undertakes to dispose of cancelled applications in a confidential way. Cancelled applications and all associated documents will be removed from our records one year after the cancellation date.

17. Responsibility

It is the responsibility of the board to approve this policy and review regularly to comply with all legal requirements.

18. Verification of Details

Before an application can be processed, applicants will need to prove their right to rent to Hawes Street Housing. How you prove your right to rent depends on your nationality and your immigration status. Evidence an applicant will be asked to support the application, ONE of the following:

- British Passport (current or expired)
- Irish Passport or Passport Card (current or expired)
- Certificate of Registration or Naturalisation as a British Citizen

Any TWO of the following:

- Current Driving Licence (full or provisional)
- Full birth or adoption certificate from the UK, Guernsey, Jersey, the Isle of Man or Ireland
- A letter from your employer
- A letter from a British passport holder in an 'accepted profession'
- A letter from a UK government department or local council
- Proof of receipt of benefits
- A letter from a British school, college or University currently attending
- DBS certificate
- Proof of service in the armed forces

- A letter from a private rented sector access scheme or a voluntary organisation that's helping you with housing
- A letter confirming you have been released from prison within the past 6 months
- A letter confirming you're on probation from your offender manager
- A letter from the UK police about the theft of your passport

Applicants will also be asked to supply:

- National Insurance number
- Proof of Child Benefit
- Proof of income
- Satisfactory Landlord references - all applicants are required to provide a minimum of 5 years housing history. We require at least one reference from current or previous landlord and references will be requested at the point of offer.

We may carry out credit checks on applicants as necessary or seek further police checks or information. In the interests of community safety all applicants are asked to disclose serious criminal convictions subject to the Rehabilitation of Offenders Act 1974.

Note only the applicants own children where the applicant(s) is the sole legal guardian will be accepted as part of the household. Where there is another legal guardian a decision will be made on a case by case basis to determine if it is reasonable to accept the child as part of the household on the application. Reasonable evidence will be proof of child benefit or written evidence from an appropriate body.