

BOROUGH ENGINEER AND SURVEYORS DEPARTMENT

HOUSING ALLOCATION POLICY

1. Introduction

Our aim is to provide quality housing for people in housing need throughout the Borough of Douglas. The allocations policy therefore focuses on prioritising allocations to people with the greatest housing need, giving reasonable preference to those people living in unsuitable properties, to those who are living in overcrowded properties, or to those who have large families.

We aim to meet housing need in a way which makes best use of our stock, and creates and maintains sustainable communities where people want to live. We aim to ensure that vulnerable applicants are supported in their tenancies. We will ensure that where properties have been adapted they are allocated appropriately to best match applicants and property characteristics.

This policy has been designed to ensure fairness and consistency in allocating housing, through setting out a clear framework for assessing housing need and allocating properties accordingly. We aim to ensure that this policy is clear and transparent to all applicants and staff.

We will maintain audit trails which enable us to demonstrate how and why any given let was made to a particular household, with due regard to data protection legislation. We aim to be responsive to the wide range of individual needs and circumstances, and will review this policy on an annual basis to ensure that the policy continues to be responsive to local needs and complies with good practice and current legislative requirements. The policy will also be reviewed and adapted accordingly upon the introduction of any new relevant legislation and best practice guidance.

In the operation of this policy, which involves the categorisation of people and their housing needs, we will always be mindful of the complexity of individual needs and circumstances and will respond with empathy to all applicants as individuals.

2. Who can apply for Housing?

All Housing Authorities on the Island apply a common approach for acceptance on to Housing Lists.

Applicants for general housing must be aged 18 or over and have been a resident on the Island for a total of at least 10 years, 5 of which must have been spent in the Douglas area. Joint tenancies will only be acceptable if both applicants are residentially qualified.

Applicants for sheltered housing must normally be over state retirement age and have been resident on the Island for a total of at least 10 years. Applicants must require sheltered accommodation on health grounds, supported by written confirmation from a doctor, health professional or Social Services or provide evidence that their current accommodation is inadequate; supported by written confirmation from Environmental Health or other relevant body. Applicants must be capable of independent living and be able to self evacuate the building in the event of an emergency.

Unlike general housing applicants, sheltered housing applicants can be home owners and there is no consideration of income or savings.

In order to apply for acceptance on the Housing List, it is necessary to complete an application form and submit it to the Housing Section.

The provision of accurate, up to date information on the applicant's circumstances is vital to the assessment and allocation procedure. Applicants **must** advise the Housing Section of any change in circumstances relating to a housing application.

Changes in circumstances may have an impact on the number of points received, and any change in points awarded will take effect from the date that we are informed of these changes. This will ensure that applicants are appropriately placed on the waiting list. Where applicants fail to provide this information they will be removed from the Housing List.

3. Applicant Assessment

The Housing List is based on a points system with regard to the allocation of properties, in which applicants are awarded points in accordance with their needs and circumstances. Points will be reviewed annually using a review form completed by applicants. Points are awarded for a variety of circumstances which also includes circumstances where points can be reduced for certain cases such as unjustified refusal of a property, and existing public or private sector rent arrears, as well as by means of the appeals procedure.

The Government's Department of Health and Social Care can provide additional "Supported Housing" points when an applicant's current accommodation is inadequate in certain particular ways. In order to be granted these additional points, at least one of the following circumstances must apply: -

- There must be evidence of unfit housing, as certified by the Office of Environmental Health; or
- There must be evidence of statutory overcrowding, as certified by the Office of Environmental Health; or
- There must be evidence of unfit housing for health and /or welfare considerations, which must be supported by an appropriate health and/ or welfare professional.

To demonstrate any of the above three circumstances, it is necessary to complete the Government *Support for Housing Form*. It is important for applicants to read the Guidance Notes before returning the form to the Housing Section for processing.

We aim to make best use of our housing stock, and applicants will be eligible for a particular size of property based on the size of their household.

Where a member of the household is temporarily living away from home – for example in further education or in the armed forces – they will only be included as part of the household if the individual confirms in writing that they wish to be considered as part of the household. Until this letter and any requested supporting information is received, the application will be treated as if this individual is not part of the household.

Expectant mothers should inform the Housing Section as soon as possible following the birth of their child and provide a copy of the birth certificate so that additional points can be awarded.

We recognise that the needs of applicants vary and we will consider each household's eligibility on an individual basis. In order to allow maximum choice and flexibility within the allocation of the housing stock, there are circumstances where a larger property than that to which an applicant is strictly entitled to may be awarded.

For example, where there is a strong medical reason for requiring a separate or additional bedroom or where an estranged spouse has joint custody to a child/ children.

The guiding framework for house size eligibility is set out below: -

CATEGORY		ELIGIBLE APPLICANTS
A	Bedsit sheltered flat	Single person
B	1 bedroom flat	Single person/couple
	1 bedroom bungalow	Single person/couple
	1 bedroom sheltered flat	Single person/couple over retirement age
C	2 bedroom flat	Couple/single parent with 1 child
	2 bedroom bungalow	Couple/single parent with 1 child
	2 bedroom sheltered	Couple over retirement age
	2 bedroom house	Couple/single parent with 1 or 2 children
D	3 bedroom flat	Couple/single parent with 2 children
	3 bedroom bungalow	Couple/single parent with 2 children
	3 bedroom house	Couple/single parent with 2, 3 or 4 children
E	4 bedroom flat	Couple/single parent with 3 or more children
	4 bedroom house	Couple/single parent with 3 or more children
F	5 bedroom house	Couple/single parent with 4 or more children

Note - Where applicants have special needs, the next highest category of accommodation may be offered.

The Housing List will be reviewed on an annual rolling basis, with all applicants required to confirm that the information held is up-to-date and accurate. We do this to check whether households wish to stay on the Housing List and whether there has been any change to their circumstances since they initially applied which could affect their overall housing assessment.

Where applicants fail to respond to this review, they will be removed from the Housing List. All applicants will be informed of the implications of failing to respond to the review and will receive confirmation of their removal from the list in writing to their last known address.

4. Transfers and Exchanges

We recognise that over time, circumstances and housing requirements change, resulting in different size, type or location of property being required for a range of reasons. Tenants can apply for a transfer at any point and are not required to have held their tenancy for any particular period of time prior to submitting a transfer application form.

Transfer requests which are reviewed annually, will only be considered if the applicants rent account has been maintained satisfactorily and that the applicant's property has been maintained and is in a satisfactory condition following inspection. Transfers will only be considered for the following reasons: -

- Health or special needs reasons supported by Social Services or a medical professional.
- Tenant wellbeing, community safety or for the prevention of crime reasons supported by the Police.
- Evidence of unsuitability or overcrowding supported by Environmental Health.
- Downsizing to a smaller property thus releasing a larger property for allocation.
- Moving from a property without special needs adaptations that are no longer required.

Transfers may also be required by the Council for housing management reasons, which will require the permanent or temporary transfer of tenants to enable such improvement works to proceed such as demolition, redevelopment, refurbishment or maintenance work.

As an alternative to transferring, existing housing tenants who have held a tenancy for at least twelve months can arrange to exchange their property with another housing tenant, either by finding a tenant to exchange with or by using the Department of Health and Social Care's inter-authority mutual exchange scheme.

Once an exchange has been agreed between tenants, both parties to the exchange must complete an exchange form and submit it to their Housing Offices. Applicants should make sure that they have followed the guidance and procedures covered in the *Exchange Information Sheet* prior to submitting the completed Exchange Form to the Housing Section.

Mutual exchanges will usually be approved, providing that both properties are in a satisfactory condition and that the Council does not incur any costs involved with the exchange, however reasonable grounds for refusing consent include: -

- If either property is subject to proceedings for recovery of possession or is in arrears for rent.
- The exchange would mean that a property designed or adapted for occupation by an elderly person or someone with special needs would no longer be occupied by a person with these needs.
- The exchange would lead to either overcrowding or one household living in a property substantially larger than required.
- The exchange would result in tenants being accommodated in a property which is not suitable to their needs.

5. Applicants with Support Needs

We are committed to providing accommodation which enables independent living and the integration of people with support needs into the community. This could include people with learning difficulties, physical disabilities, mental health issues, dependency (i.e. drug and or alcohol) issues and vulnerable young or elderly people.

In all cases, accommodation will only be offered where it is clear that support needs will be met – through confirmation in writing from a relevant organisation such as Social Services.

6. Allocation Process

All vacant properties within Douglas Borough Council's public sector housing stock will only be considered for allocation within four weeks of the expected handover date, being the date when tenants will receive the property keys from the Housing Office.

All vacant properties within the Council's housing stock will be allocated at regular allocation meetings by a panel consisting of the Chairman of the Housing and Property Committee (or Vice Chairman in the Chairman's absence) plus one other Member of the Committee on a rotation basis, together with the Housing Manager (or Assistant Manager in the Manager's absence) and a Housing Officer.

The Housing Section will prepare the housing allocation documents in advance of the meeting after any necessary consultations in respect of the individual cases has been completed.

Vacant properties will be shown in the top section of the housing allocation documents in categories relating to their accommodation type for example, three-bed house, and will highlight any particular access issues to the property, such as a large amount of steps to the front door etc. Properties that have been fitted with adaptations such as handrails and ramps etc. will be shown on a separate sheet.

Below the property details will be a list of those potential applicants for consideration appropriate for each category of accommodation, divided into 2 sections.

Section A – will include those housing list applicants with the highest points total, in descending order. Usually the applicant with the highest points total will be allocated the property, however Section B should also be considered before arriving at the final decision to allocate.

Section B – will include existing Council tenants requesting a transfer to another property. Transfers requests will only be considered with supporting documentation, see Section 4. In some instances the transfer requests may be noted as urgent and therefore may take priority over applicants in category A.

At least one reserve allocation applicant should be chosen for each vacant property so that in the event of a refusal, the property can still be occupied quickly.

After the conclusion of the allocation meeting, all allocation decisions will remain private and confidential for ten working days to allow the Housing Section time to prepare the letters of offer without undue pressure from the successful applicants. After this period copies of the signed allocation documents can be viewed by any Member of the Housing and Property Committee by contacting the Housing Office on the basis that this information remains strictly private and confidential for data protection reasons.

The official offer of allocation letter will set out clear, practical and reasonable arrangements for the applicant to view the property and will also set out information regarding rent and payments. If a response is not received within five working days, a further final reminder letter will be issued and if a response is still not received within a further five days, then this offer will be withdrawn. The property will then be offered to the reserve allocation applicants, by following this same process.

Following the viewing of the property, the applicant will be asked to make a decision on whether to accept the offer within 24 hours.

Once a property has been allocated and accepted by the applicant, a tenancy agreement will be prepared for signature prior to the property keys being issued. If a joint application has been made, this will result in a joint tenancy providing that both parties are residentially qualified, and all parties must be present at the tenancy sign on. Rent will become payable from the date of signature on the tenancy agreement.

Tenants are not permitted to sublet their property under any circumstances.

7. Fixed Term Tenancies

All new tenancies with the exception of sheltered housing will be offered for a fixed term of five years. This will include tenancy agreement changes for existing tenants of Douglas Borough Council who are party to a transfer, mutual exchange or other tenancy agreement amendments.

Where a tenant continues to meet the eligibility criteria for public sector housing, then subject to a satisfactory tenancy history, a new tenancy will usually be offered for a further five years and so on.

8. Termination of Tenancy Agreement

A tenancy can be terminated for the following reasons; however, this is not an exhaustive list: -

1. Passage of time i.e. the natural expiry of a fixed term tenancy.
2. By the tenant if the tenant decides to move out or transfer to another property or is instructed to do so by a Court Order, thus ending the tenancy agreement. A tenant cannot move out of their home without ending their tenancy. If a tenant leaves family or friends living in the property, they will be 'unauthorised occupants' and the Council will take steps to evict them.
3. If a tenant dies then their tenancy can continue in the name of a spouse or registered civil partner providing that their main home is with the tenant and that they have lived at that home continuously for 12 months or more before the tenant died. Passing on the tenancy like this is called 'succession' and can only be passed on in this way once, with the agreement in writing from the Housing Section. If a tenant took over a tenancy through succession, no one will have the subsequent right to succession when they die.

If a property is rented by joint tenants and if one of those tenants dies, the tenancy automatically continues for the surviving tenant which is known as 'survivorship'. No one will be able to succeed to the tenancy when the surviving spouse or civil partner dies. However, the Council has discretion to grant a completely new tenancy or a temporary tenancy to a person who technically cannot succeed, so that they can continue to live at the property or to offer the person a completely different property if they satisfy the relevant criteria.

4. By the Council for management reasons or for a breach of the tenancy agreement.

9. Lodgers including home-stay schemes

Tenants cannot sub-let their property under any circumstances, but can take in lodgers or persons under a home-stay scheme, subject to the size of their property and with the written consent of the Council.

A lodger is considered to be any person other than a spouse/partner or dependant child/children who take up residency at the address over and above any reasonable temporary visit, for example, over four weeks in duration.

This definition of lodger applies to adult children who may have originally been part of the household but have subsequently left home and have established their own household elsewhere prior to their return to the address, but does not include adult children who are away from home solely as a consequence of service in the Armed Forces of the Crown or full time education i.e. college or university.

Home-stay schemes are usually for short periods of up to 2 weeks in duration which is normally permitted, subject to the size of the property and after notifying the Council and registering with the home-stay organisers. The tenant(s) must remain in occupation of their property during any such home-stay scheme period.

10. Data Protection

The confidentiality of information gathered as part of the allocations process is recognised. Douglas Borough Council will use personal data provided, together with other information that we may obtain from or about the applicant for carrying out checks in accordance with the Data Protection Act 2002 for the purposes of administration, assessment and analysis to assess the applicant's suitability for housing and for general housing management.

By completing and submitting an application form, the applicant consents to the processing of information by the Council, including details of any criminal convictions, ongoing investigations, health data or family background and to make any necessary enquiries to check that information contained in the application is correct and for the purposes described above.

The applicant further consents to the Council disclosing their information to, or exchanging their information with other Departments of the Council, third parties or agents such as contractors working on behalf of the Council, the Council's service providers, other Isle Of Man local authorities, health care, social and welfare advisors and practitioners, the Isle of Man Constabulary, the Isle of Man Government and officers and elected Members of the Council.

When applicants include information about other persons on their application form, they confirm that they have been appointed to act for them, to consent to the processing of their personal data and receive on their behalf any data protection notices.

Subject to the above, and unless it has the right or duty to disclose or is permitted or compelled to do so by law, Douglas Borough Council shall not disclose any information about the client without prior consent of the client or an authorised person.

11. Customer Satisfaction

We aim to ensure that the allocations policy meets the needs of those seeking housing, and those customers are satisfied with the quality of service they receive throughout the application and allocation process. In order to ensure this, the Housing Manager will introduce a monitoring and evaluation system which will assess performance and satisfaction with the service provided. Resident satisfaction surveys are also undertaken regularly and help us to improve our service to tenants and applicants.

12. General Policy Notes

This policy document replaces and supersedes all previous Council approved housing allocation and transfer policy documents and those relevant sections and conditions will be included in the new Tenant's Handbook.

This policy will be reviewed annually by the Housing Manager.

15th September 2011
Issue No 2

Revision A, January 2012 by the Housing & Property Manager to reflect the new Committee structure.

Revision B, May 2014 by the Housing & Property Manager to reflect changes to the constitution and to include fixed term tenancies. Full document review also completed.