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# LETTINGS POLICY

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## Summary

This Policy details how we allocate our properties in line with existing nomination agreements and within service level agreements across a range of tenures to reduce re-let times and minimise rental loss from voids and empty homes.

## Contents

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<b>PART ONE</b>	<b>1</b>
About this Policy	1
Summary	2
Contents	2

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<b>PART TWO</b>	<b>3</b>
Policy	3
Intent	3
Principles	3
Scope	3
Policy Details	3
Managing lettings	3
Roles and Responsibilities	8
Monitoring, Evaluation and Review	8
Equality and Diversity	8

# PART TWO

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## Policy

### Intent

This policy sets out how we will allocate and let properties to both new and existing customers, across the Group, in a fair, transparent and efficient way.

### Principles

The Group will provide an effective lettings service that meets the requirements of the Regulator of Social Housing (RSH), tenancy standard and the criteria below.

Ensure there is consistency across Longhurst Group, whilst recognising local variations.

Reflect the communities we work in and ensure that these communities are sustainable.

Support the provision of a range of affordable homes for single people, couples and families as well as specific schemes for older people and those with special or support needs.

Actively assist local authorities to carry out their statutory functions.

Minimise the time that properties are left unoccupied.

Take a proactive approach to ensure that no individual or group is discriminated against or treated differently as a direct or indirect result of our Lettings Policy;

Invest in Social Value. From time to time we will work with local partners to meet housing needs for a specific group of people.

### Scope

This policy applies to all parts of the Longhurst Group.

This policy applies to all customers who register interest in housing with us, up to the stage of tenancy agreement.

Customers who apply for one of our properties through Choice Based Lettings (CBL) schemes will also be subject to this policy

## Policy Details

### Managing lettings

#### **Applying for Housing**

Longhurst Group do not operate waiting lists for housing and therefore any individuals seeking a home with us will need to register directly with the Local Authority and their chosen nomination scheme, for example, Choice Based Lettings. Registering for housing through the Local Authority does not guarantee the applicant will be housed by Longhurst Group.

We reserve the right through our nominations agreements to use fast track lettings, through such methods as Rightmove, across Longhurst Group.

#### **Eligibility**

Certain groups of people are currently ineligible by law to be considered for social housing.

We will assess each case individually following Government guidelines.

## **Sustainability**

We will use our Sustainability Matrix not only to assess whether an applicant can afford to live in one of our homes, but also to check that they are ready for a tenancy and can sustain one. The financial metrics used are in line with the Consumer Price Index and are updated yearly. Property variances (such as council tax, heating types) will also be taken into account.

We will also use our sustainability matrix to assess an applicant's background to ascertain if there is any risk in offering a property in a particular area or location to the applicant themselves, any other individual, the property itself, the local community and/or members of staff.

We will not re-house or offer a property to any customer who has not demonstrated that they can sustain a tenancy once pre-tenancy checks have been completed.

Our lawful basis for collecting applicant personal data during the pre-tenancy and post-tenancy processes is contractual necessity. This means we require this personal data to assess the housing application to check that the applicant meets affordability and suitability criteria in accordance with the requirements of the Regulator of Social Housing.

## **Homeowners**

Customers who are homeowners may apply for re-housing if they meet any of the criteria below:

- they meet the age and/or disability criteria for sheltered accommodation;
- their mortgage lender is repossessing their home;
- their relationship has broken down and as a result they need to sell their home;
- their current home is unsuitable due to serious ill health or disability; or
- the Applicant has separated and left the family home, but remains a mortgage holder for financial reasons.

Where a home owner application has come through a fast track route financial restrictions may apply.

## **Housing Employees**

Applications can be accepted from employees, elected members, Board members and their close relatives, provided they are eligible to apply. Applicants must disclose any such relationship at the time of applying and approval will be sought at the point of allocation to demonstrate that appropriate levels of probity have been applied. The Executive Director of Housing, Care and Support will authorise or reject any applications for housing.

## **Rehousing Minors**

Applicants aged 16 and 17, will be given an assured tenancy until they are 18. A starter tenancy will be issued at 18 provided there are no tenancy breaches.

Applicants must meet at least one of the following criteria:

- the applicant(s) have a dependent child or they are expecting a baby; and/or:
  - their Local Authority has accepted them as homeless; and
  - their support needs have been assessed and they are able to maintain a tenancy without additional support, or have support in place; and
  - they are entitled to the housing element of universal credit.

## **Survivors Fleeing Domestic Abuse**

For all survivors fleeing domestic abuse, we will offer an assured tenancy as standard when moving into their new home, providing security of tenure.

## **Best use of stock**

We will work with applicants using our Sustainability Matrix to ensure they are applying for housing that is affordable and sustainable.

Accessible properties for people with a disability – in the first instance we will work with the local authority to allocate the property. If no suitable applicants can be found, we will contact social services and other relevant agencies before making an allocation to someone who does not need an adapted property.

Children in flats – we will not let flats above the ground floor to families with children aged under seven years. We will let ground floor flats to families with children of any age.

Children Sharing a Room – we will apply the following rules in line with government legislation outlined in the social sector size criteria deductions when reviewing a nomination or application for housing that involves children of the same or different sex sharing a bedroom. We will allow the following to share a bedroom;

- Two children of the same sex under 16;
- Two children of either sex under 10.
- A child under the age of 1 will be expected to share a bedroom with a parent/guardian

## Families with children under 18

We will prioritise applications for houses with gardens where there are children under the age of 18. All other applications from individuals, couples etc...will still be welcomed, considered and assessed in line with the Lettings policy allocation criteria.

## Local Lettings Plan (LLP)

We may work with Local Authorities to develop Local Lettings Plans where appropriate in order to create more balanced communities.

## **Fast Track Lettings**

Our preferred method of letting our homes is to work with Local Authorities in accordance with local arrangements. Where a Local Authority is unable to nominate or a shortlist is exhausted we will implement our Fast Track Lettings Process.

A property will be classified as suitable for Fast Track if it meets one or more of the following criteria:

- The Local Authority (LA) has been unable to supply a nomination/shortlist in accordance with the nomination agreement. This is referred to as a failure to nominate;
- where nominations have been supplied, the permitted number of refusals under the nomination's agreement has been reached;
- where we are exercising our own nomination rights, particularly where we are concerned about the continued sustainability of a scheme; and/or
- if we have a Local Lettings Plan in place;
- Properties leased through a third party organisation.

Where a property has been classified as suitable for Fast Track letting, we may choose to advertise using one or more of the following methods. This list is not exhaustive and we may advertise through other media.

- National lettings websites such as Rightmove.
- Local press;

- Our websites
- Facebook and other social and digital media channels
- Homeswapper
- Local agencies such as Age Concern.

It is our intention as a social housing provider with Fast Track allocations to ensure that we house those most in need so will assess applicants eligibility which may include financial assessments.

We will all allow current tenants who hold a tenancy with Longhurst Group to apply for a home with us through Rightmove or any other home letting service.

There is no right of appeal for allocations made through our Fast Track lettings process.

### **Schemes which Longhurst Group Manage on Behalf of a Third Party Organisation**

Longhurst Group may enter into a lease agreement with a third party external organisation to manage a number of homes on behalf of that organisation. Each lease will be individual to that scheme and may include caveats to how these properties are let, including to what priority housing groups. For any lease agreements that do not contain any Section 106 funding linked to the properties that Longhurst Group will be managing, Longhurst Group may wish to let these homes using our Fast Track Lettings process rather than through any nominations agreement in place with the relevant Local Authority.

Examples of priority groups that may be considered for these schemes include homelessness, keyworkers, armed forces, victims of domestic abuse, etc...

For any keyworker-lead schemes, the definition of 'keyworker' is defined through the following guidance issued by the Government:  
<https://www.gov.uk/government/publications/coronavirus-covid-19-maintaining-educational-provision/guidance-for-schools-colleges-and-local-authorities-on-maintaining-educational-provision>

For all keyworker-lead schemes, for applicants to be eligible the single or joint applicants must have a household income of less than £80,000. For applications where the household income is over £80,000 and there is an urgent housing need, this will be reviewed on a case-by-case basis.

Where a scheme has been identified to be let to a particular priority group, should Longhurst Group not be able to let all available properties to that group having exhausted it's fast track lettings process, Longhurst Group retain the right to let those properties to applicants that have a clearly defined housing need as detailed in this policy.

Longhurst Group as the managing agent are not the landlord, and as such may not be the organisation issuing the tenancy agreement. Should the third party organisation be issuing the tenancy agreement as the landlord, this may not be in line with tenancy agreements that Longhurst Group offers, for example, the third party organisation may wish to issue Fixed Term Tenancies / periodic Assured Shorthold Tenancies dependant on terms and length of the lease agreement.

Where a ceiling rent has been agreed with the third party organisation that Longhurst Group manage the properties on behalf of, Longhurst Group retain the ability to reduce rents in line with government rent setting guidelines to ensure properties are not hard to let due to affordability issues within the local area. Upon any future relets, Longhurst Group would be able uplift the rent charged back up to the agreed level, for example LHA rate, for the property where the Group deems this appropriate.

## **Excluding applicants**

There are occasions when we will have to exclude an applicant. Applicants can appeal exclusion by writing or emailing to us outlining the reasons for appeal, this does not apply to Fast Track allocations. Instances may include, but are not limited to:

- Applicants have supplied significantly false or misleading information on their application for housing
- Applicants or members of their household have had legal action taken against them for unacceptable behaviour or breaches of tenancy; and/or were subject to legal proceedings against their tenancy before they left; or have been guilty of unacceptable behaviour which, if our tenants, would have entitled us to take legal action against their tenancy.
- Applicants have a history of violence, harassment, racial harassment, threatening behaviour or any other forms of antisocial behaviour.
- Previous physical or verbal abuse towards staff or contractors working for Longhurst Group or another landlord.
- Deterioration of the current or former home due to waste, neglect or default by the person or any member of the household or other breaches of tenancy
- Using the premises for the sale or supply of illegal drugs.

These exclusions may not apply where the unacceptable behaviour took place two or more years before the date of the application and the applicant or relevant household member has sustained a tenancy satisfactorily for a minimum of 9 months in the meantime.

However, if the behaviours exhibited are considered a significant risk then we reserve the right to permanently exclude an applicant.

Where applicants are excluded, they will be informed in writing of the reasons for our decision.

The reasons for exclusion above are not exhaustive and we will consider each case individually.

## **Refusing Applicants**

We may refuse an applicant if they are unable to demonstrate that they can sustain a tenancy with Longhurst Group or that they do not meet the required eligibility criteria as listed above.

Any appeals in relation to a nomination are through the individual local authority allocation scheme.

## Debt

If an applicant owes rent or debt for rechargeable repairs with their current or former landlord, we will only progress their application if they have paid 80% or more of the total debt owed on a continuous payment cycle before shortlisting/nomination. There must be no missed payments in breach of their agreement to pay.

## **Investigating Fraud**

Longhurst Group will investigate any suspicion of fraud in a thorough and timely manner in order to limit the impact the fraud has on our social housing stock. We shall investigate fraud by responding promptly to reports or suspicions of Fraud and gather evidence which comes from a variety of sources.

Types of fraud under this policy could include but are not limited to:

- Fraudulently obtaining or attempting to obtain a tenancy.



## Roles and Responsibilities

Legal responsibility for the Lettings Policy is held jointly by:

- Longhurst Group Chief Executive; and
- Executive Director of Housing, Care and Support

Operational responsibility for the Lettings Policy is held by the Director of Housing and Head of Housing Services.

Procedural responsibility for the Lettings Policy is held by Housing Managers/Team Leaders

Day-to-day responsibility for the Lettings policy is held by Team Leaders, Lettings Advisors and Housing Officers.

## Monitoring, Evaluation and Review

Performance data for lettings and voids will be produced each month by the Quality Assurance team.

Information on re-lets against local authority nomination agreement service level agreements will be provided, as applicable, at a local level through the Lettings team.

Each region will carry out monthly audits to monitor compliance. Regular checks will also be completed by our auditors.

This policy will be reviewed every three years. In addition, it will be reviewed:

- following information suggesting that the policy is not effective;
- to reflect any service enhancements; and/or
- following the introduction of relevant new legislation, regulations or guidance.

## Equality and Diversity

As a standard we will provide documentation in English – if a tenancy agreement is required in another language, this could then be provided on request.

The Group is committed to Equality, Diversity and Inclusion and such will make reasonable adjustments to the policy to recognise, accommodate and support individual needs, where needed.

The Group is committed to ensuring that no person or group of persons will be treated less favourably than another person or group of persons and will carry out our duty with positive regard for the following protected characteristics: Age, Disability, Race, Gender Reassignment, Sex, Sexual Orientation, Religion or Belief, Marriage and Civil Partnership and Pregnancy and Maternity.