

London Borough of Barking and Dagenham Housing Allocation Policy

Choice Homes Scheme

Implementation 9 November 2015

Revised 26 November 2015

Introduction

Previously almost anyone could apply to live in social housing, whether they needed it or not. As social housing is in great demand, priority is rightly given to those most in need. Many applicants have no realistic prospect of ever receiving a social home. The previous arrangements encouraged false expectations and large waiting lists. Authorities are still obliged to ensure that social homes go to the most vulnerable in society and those who need it most.

This document sets out the London Borough of Barking and Dagenham's revised Allocation's Policy which will be applied to all housing applications currently registered and all new housing applications received on or after the 9 November 2015.

The scheme (Housing Register) and social housing allocations are administered by the Choice Homes Team which is part of the Housing Advice Service.

The Localism Act 2011

The Act introduced new amendments to the Housing Act 1996 (as amended). The Act sets out powers and flexibilities that local housing authorities may exercise when allocating social homes.

Consultation

Prior to adopting any major changes to the Allocation Policy a local authority must consult with Private Registered Providers (social landlords), residents and stakeholders. Barking and Dagenham has carried out extensive consultation with residents, stakeholders and Private Registered Providers in the development of this new Policy.

Aims

The changes in the Policy retain the principles of recognising those in housing need whilst fairly balancing the aspirations of local residents and supporting community cohesion. The Choice Homes Policy is consistent with the Council's Housing Strategy, the Tenant's Strategy and Corporate Strategies.

This Policy sets out the way housing is allocated via the Choice Homes Scheme.

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Choice Homes Scheme (Housing Register)

1.0 Who can apply?

- 1.1 The Council will provide housing advice and assistance to anyone aged 16 or over who approaches the Housing Advice Service and provide support to enable them to access housing solutions which best meet their needs.
- 1.2 An applicant will only be allowed to join the Housing Register if he/she meets both the eligibility criteria and the qualifying persons criteria unless they fall into one of the exceptions categories which are listed at 4.0 of the this document.

2.0 Eligibility

- 2.1 The eligibility criteria are set by the Secretary of State, which focuses on the immigration status of the applicant.
- 2.2 The following classes of people subject to immigration control are eligible:
 - Class A: Those granted Refugee status
 - Class B: Those granted exceptional leave to remain which is not subject to restrictions or recourse to public funds
 - Class C: Those with settled status (indefinite leave to remain, residence)
 - Class D: A person who has humanitarian protection granted under the immigration rules.
- 2.3 Eligibility is determined with regard to the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006. Regulation 4 of these regulations states:
- 2.4 (1) A person who is not subject to immigration control is to be treated as a person from abroad who is ineligible for an allocation of housing accommodation under Part 6 of the 1996 Act if—
 - (a) subject to paragraph (2), he is not habitually resident in the United Kingdom, the Channel Islands, the Isle of Man, or the Republic of Ireland;
 - (b) his only right to reside in the United Kingdom—
 - (i) is derived from his status as a jobseeker or the family member of a jobseeker; or
 - (ii) is an initial right to reside for a period not exceeding three months under regulation 13 of the EEA Regulations; or
 - (iii) is a derivative right to reside to which he is entitled under regulation 15A(1) of the EEA Regulations, but only in a case where

the right exists under that regulation because the applicant satisfies the criteria in regulation 15A(4A) of those Regulations; or
(iv) is derived from Article 20 of the Treaty on the Functioning of the European Union, in a case where the right to reside arises because a British citizen would otherwise be deprived of the genuine enjoyment of the substance of their rights as a European Union citizen; or

(c) his only right to reside in the Channel Islands, the Isle of Man or the Republic of Ireland—

(i) is a right equivalent to one of those mentioned in sub-paragraphs (b)(i),(ii) or (iii) which is derived from the Treaty on the Functioning of the European Union; or

(ii) is derived from Article 20 of the Treaty on the Functioning of the European Union, in a case where the right to reside—

(a) in the Republic of Ireland arises because an Irish citizen, or

(b) in the Channel Islands or the Isle of Man arises because a British citizen also entitled to reside there would otherwise be deprived of the genuine enjoyment of the substance of their rights as a European Union citizen.

2.5 (2) The following are not to be treated as persons from abroad who are ineligible for an allocation of housing accommodation pursuant to paragraph (1)(a)—

(a) a worker;

(b) a self-employed person;

(c) a person who is treated as a worker for the purpose of the definition of “qualified person” in regulation 6(1) of the EEA Regulations pursuant to . . .

(ii) regulation 5 of the Accession Regulations 2013 (right of residence of an accession State national subject to worker authorisation);

(d) a person who is the family member of a person specified in sub-paragraphs (a)–(c);

(e) a person with a right to reside permanently in the United Kingdom by virtue of regulation 15(c), (d) or (e) of the EEA Regulations; and

(g) a person who is in the United Kingdom as a result of his deportation, expulsion or other removal by compulsion of law from another country to the United Kingdom.

3.0 Qualifying Persons Criteria

3.1 To qualify to join the scheme (Housing Register) applicants **must** :

- Be 18 years old and over
- Have been resident in the Borough continuously for the last 3 years
- Continue to reside in the Borough and
- Fall into one of the reasonable preference categories

4.0 Exceptions to the Qualifying Persons Criteria

4.1 The following groups will qualify to join the scheme (Housing Register) but do not need to meet the three year residential qualification and / or fall into one of the reasonable preference categories

4.2 Existing London Borough of Barking and Dagenham (LBBD) tenants and Private Registered Provider (PRP) tenants living within the Borough who under-occupy their accommodation.

4.3 LBBD tenants whose accommodation is subject to the Council's ongoing regeneration programme (decants).

4.4 Applicants who we are satisfied are subjected to serious domestic violence or hate crime and as a consequence are unable to remain in their home and have sought respite with either family, friends or in a refuge.

4.5 Applicants referred under Special Scheme criteria.

4.6 Applicants who we are satisfied under reasonable preference categories would be assessed as Additional Preference.

4.7 Applicants where London Borough of Barking and Dagenham (LBBD) have accepted a main homelessness duty and that duty is ongoing in accordance with the Housing Act 1996, Part 7, as amended.

4.8 Police referrals received from and accepted in accordance with the Multi Agency Public Protection Panel and National Witness Mobility Scheme

4.9 Members of the armed forces or reserve forces who are required to leave the Armed Forces within the next six months or have left within the last five years at the point of application.

4.10 Bereaved spouses of the Armed Forces leaving services accommodation following the death of their spouse or partner

4.11 Civil partners of members of the Armed Forces leaving services accommodation following the death of their partner

- 4.12 Tenants or Assured Tenants of another local authority in England who fall within The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015.

5.0 Exceptions explained

- 5.1 Existing London Borough of Barking and Dagenham (LBBD) tenants and Private Registered Provider (PRP) tenants living within the Borough who are under-occupying their accommodation as it is in the Council's interest and PRP interest to free up larger properties for re-allocation.
- 5.2 **LBBD** tenants do not need to meet the residential qualification to join the scheme nor do they need to fall into one of the reasonable preference categories if their accommodation is included in the Council's ongoing regeneration programme. This is to ensure the successful delivery of the regeneration programme.
- 5.3 **Applicants who are subjected to serious domestic violence or hate crime**
- 5.4 These applicants do not need to meet the residential qualification or fall into one of the reasonable preference categories if the Council is satisfied that domestic violence or hate crime is of a serious nature and this would include cases where there have been representations from the police, Multi Agency Risk Assessment Conference and other agencies that indicate that it is unsafe for the person to remain in their home.
- 5.5 **Applicants referred under Special Scheme criteria**
- 5.6 The Council works in partnership with a number of agencies which include Adults and Children's social services. The Special Scheme applications that are referred by partner agencies for move on from supported/ residential accommodation do not need to meet the residential qualification or to fall within the reasonable preference categories. When the Choice Homes Team are satisfied that an applicant referred under the special scheme arrangement is ready for independent living, the application will be awarded a level of priority that is equivalent to Additional Preference and the applicant will be considered for a direct offer of accommodation
- 5.7 **Applicants living in the borough whose applications would be assessed as Additional Preference**
- 5.8 Applicants who do not meet the residential qualification but their housing application is assessed with an award of 'additional preference' will be able to bid their interest in the scheme, or made a direct offer of accommodation.

- 5.9 **Applicants where the London Borough of Barking and Dagenham (LBBD) have accepted a main homelessness duty and the duty is ongoing in accordance with the Housing Act 1996 Part 7, as amended.**
- 5.10 Applicants where the LBBD have accepted a main homelessness duty do not have to meet the residential qualification but will fall into at least one of the reasonable preference categories and will be able to bid their interest in the scheme with the appropriate level of priority. The Council can also make a direct offer of accommodation should they choose to do so. An example when a direct offer may be made is when it is in the Authority's interest to do so.
- 5.11 **Police referrals received from and accepted in accordance with the Multi Agency Public Protection Panel (MAPPP) or National Witness Mobility Scheme (NWMS)**
- 5.12 **MAPPP** is a multi disciplinary Panel which can recommend re-housing for individuals whereby it is in the public's interest. These cases do not need to meet the residential qualification or fall into one of the reasonable preference categories. These applicants will be awarded a level of priority equivalent to 'Additional Preference' and the applicant will be made a direct offer of accommodation.
- 5.13 **NWMS** is a scheme whereby the Police can make referrals to the Local Authority and recommend re housing of an applicant. If the referral is accepted the applicant will be awarded the equivalent level of priority as 'Additional Preference' and made a direct offer of accommodation
- 5.14 **Members of the armed forces or reserve forces**
- 5.15 The Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012/1869 require that a person can be a qualifying person irrespective of the fact that they may not have a local connection if they are a person who:
- (a) is serving in the regular forces or who has served in the regular forces within five years of the date of their application for an allocation of housing under Part 6 of the Housing Act 1996 Act, as amended;
- (b) has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner where—
- (i) the spouse or civil partner has served in the regular forces; and
- (ii) their death was attributable (wholly or partly) to that service; or

(c) is serving or has served in the reserve forces and who is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to that service.

5.16 **Qualification criteria for Right to Move**

5.17 Local authorities must not disqualify social tenants seeking to transfer from another local authority district in England who:

- have reasonable preference under s.166 (3) (e) because of a need to move to the local authority's district to avoid hardship, **and**
- needs to move because the tenant works in the district, or
- needs to move to take up an offer of work

5.18 Local authorities must be satisfied that the tenant needs, rather than wishes, to move for work related reasons.

5.19 Factors that may be taken into consideration when determining whether a tenant needs to move to be closer to work or to take up a job offer will include:

- the distance and / or time taken to travel between work and home
- the availability and affordability of transport, taking into account level of earnings
- the nature of the work and whether similar opportunities are available closer to home
- other personal factors, such as medical conditions and child care, which would be affected if the tenant could not move
- the length of the work contract
- whether failure to move would result in the loss of an opportunity to improve their employment circumstances or prospects, for example, by taking up a better job, a promotion, or an apprenticeship

5.20 The above list of factors is not exhaustive.

6.0 Non-qualifying Persons Criteria

6.1 Where there is a housing application from an eligible and qualifying person, who resides with a person who is ineligible, the ineligible person will not be included on the application, nor will their circumstances be taken into account for the purposes of satisfying the qualification criteria.

6.2 People who own a property will not qualify to join the scheme unless there are exceptional circumstances. There will be an assessment on a case by case basis which will look at (not exclusive to), any medical factors, financial resources and personal circumstances.

7.0 Unacceptable behaviour – suitability to be a tenant

- 7.1 The Council can exclude applicants from joining the scheme or reduce the priority if their behaviour or that of a member of their household is, or has been considered unacceptable within the last three years at the point of application. The Council considers that unacceptable behaviour within the last three years is sufficiently recent to demonstrate a risk of such behaviour recurring. The following are examples (not exhaustive) that the Council may consider to be unacceptable:
- 7.2 Where an applicant or a member of their household has demonstrated serious antisocial behaviour within our community
- 7.3 Where an applicant or a member of their household has been convicted of serious anti social behaviour outside our community
- 7.4 Where an applicant persistently fails to pay rent or associated charges
- 7.5 Where an applicant fraudulently obtains a tenancy
- 7.6 Where an applicant has been found to have sublet their property without authorisation
- 7.7 Where an applicant has contrived to worsen their housing circumstances in an attempt to increase levels of priority to their application
- 7.8 Where an applicant has been evicted for causing damage to their previous accommodation or used the property for a purpose incompatible with the terms and conditions of the tenancy.

8.0 If we decide that an applicant cannot join the scheme

- 8.1 If, following our assessment of an application, we determine that the applicant is not entitled to join the scheme we will write to the applicant to inform them that they cannot join the scheme and give the reasons why. We will advise the applicant of their right to request a review of this decision and the review process.

9.0 How can an applicant apply?

- 9.1 To join the scheme an applicant must complete a Choice Homes application form.
- 9.2 These forms are available on line to download;
<http://www.lbbd.gov.uk/Housing/HousingAdvice/Pages/Applyingforcouncilhousing.aspx> or can be obtained from the following offices.

Dagenham Library

1 Church Elm Lane
Dagenham
RM10 9QS

Housing Advice Service

John Smith House
Bevan Avenue
Barking
IG11 9LL

- 9.3 Application forms can be sent out by post by calling 020 8215 3000.
- 9.4 Once an application form has been completed it should be returned to one of the offices above or posted to **Housing Advice Service, PO Box 48, Dagenham, RM10 7DE.**
- 9.5 If an applicant has difficulty filling in the application form and requires assistance please contact the Choice Homes Team on 020 8724 8325 and a home visit may be arranged.
- 9.6 The Council is looking to introduce on line registration in the near future.

10.0 Who can be included on the application?

- 10.1 Anyone who is eligible and normally resides with the applicant as a member of his/her family or might be expected to reside with the applicant can be included on the application.
- 10.2 Each application will be assessed on its own merits. It is a decision for the local housing authority to determine who is included on an application as part of a household.

11.0 Duty of applicants to be truthful:

- 11.1 On submission of a housing application it becomes legally binding that the applicant has provided information that is true to his/her knowledge. If the Council is satisfied that the application and the associated documents provided by the applicant contains false or misleading information the Council reserves the right to refuse the application or reduce the priority of that application. The Council may also take legal action which could lead to a large fine.

— — —

12.0 How your application will be assessed if you are eligible and qualify to apply

12.1 Size of accommodation

- 12.2 We will determine which size of accommodation you require. This assessment is based on the Bedroom Standard as detailed below and will be assessed on a case-by-case basis by checking the household composition against the Bedroom Standard. The Bedroom Standard specifies the number of bedrooms required by pairing up members of the household. In addition to the applicant/s a separate bedroom will be required for each of the following:

- Adult aged 21 or over
- Married or Cohabiting Couple
- Child or pair of children under 10 regardless of sex
- Child or pair of children of same sex aged under 21
- Any unpaired child; for example, if there are three children in the household, one of the children would be considered as an unpaired child.

- 12.3 Whilst the above criteria will be used when determining assessed bedroom size the Council recognises that there may be extenuating circumstances that require the consideration of an additional bedroom. In such circumstances the Council will consult with relevant agencies to consider whether it is appropriate to allocate a separate bedroom based on medical or welfare grounds. An example would be two children of the same sex where one child has a diagnosed medical condition that requires them to have their own bedroom.

- 12.4 Larger families will be assessed in accordance with their housing need. However, there is a limited supply of four bedroom and larger properties. There are specialist advisors who work with severely overcrowded households to give advice on housing options and how to mitigate severe overcrowding.

12.5 **Pregnancies**

12.6 If an applicant or member of the household is pregnant, the pregnancy will not influence the assessment in relation to the size of the accommodation. Only when the child is born will there be a need to a re-assessment of the housing application to determine if there is a change in the assessed housing need.

12.7 **Siblings**

12.8 A single applicant who wishes to include a younger sibling where we are satisfied that it is reasonable to reside together, will be expected to share a bedroom until one of them reaches the age of 21, unless they are of opposite sex.

12.9 **Access to children**

12.10 If applicant/s have access to child/ren the access will not influence the assessment in relation to the size of the accommodation.

13.0 **How priority is assessed**

13.1 **Reasonable Preference Categories - Statutory**

13.2 Having assessed the applicant's bedroom size requirements we will then consider the level of housing need that the application should be awarded based upon the current accommodation available and the applicant's personal circumstances. Authorities are legally required to give reasonable preference to the following categories of people who are considered to be in housing need;

- People who are homeless (within the meaning of Housing Act 1996, Part 7, as amended).
- People who are owed a housing duty in accordance with homelessness legislation by any local authority, until such time as those duties are discharged;
- People who are living in insanitary or overcrowded housing or living in unsatisfactory housing conditions; (** see footnote below)
- People who need to move on medical or welfare grounds (including any grounds relating to a disability).
- People who need to move to a particular area in the district of the Authority to avoid hardship.

13.3 ** this reasonable preference will be awarded to applicant/s that lack a bedroom/s in line with the bedroom standard and also to applicant/s who are sharing facilities with un-associated persons where by the assessment concludes that the living arrangements are not through personal choice.

13.4 Reasonable Preferences – Non Statutory

13.5 The Authority is allowed to provide for additional factors to meet local priorities when determining which applicants are to be given a reasonable preference under a Scheme. In addition to the statutory reasonable preference categories, the London Borough of Barking and Dagenham's allocation scheme will also award a non statutory reasonable preference (local priority) to:

14.0 Persons in Employment

14.1 An applicant who falls into one of the statutory reasonable preference categories and is working.

14.2 To qualify for the non statutory employment reasonable preference, it has to be accepted by the Council that the main applicant and /or partner;

- Are in temporary or permanent employment (contracted)
- In full time employment
- Working 16 hours or more
- Are self employed 16 hours or more

14.3 The Council has to be satisfied that the employment is permanent or temporary, genuine and ongoing. Wage slips/ accountancy details will need to be provided and any other documentation as appropriate such as employment contract.

14.4 If an applicant is awarded an employment non statutory reasonable preference and their employment status changes, as long as there is a realistic prospect of re-employment, the non statutory reasonable preference will remain however this status will be reviewed periodically to ensure that the genuine prospect remains.

14.5 If an application is awarded a reasonable preference (statutory) and a non-statutory reasonable preference, this will mean that the applicant has more priority than an applicant who qualifies for one reasonable preference.

14.6 If an applicant does not fall into one of the reasonable preference (statutory) categories but is working they will not qualify to join the scheme and will be directed to the relevant Council section to be considered for affordable housing products.

15.0 Cumulative Reasonable Preference

15.1 If an application is awarded two reasonable preferences or more (statutory or non-statutory), this will mean that the applicant has more priority than an applicant who qualifies for one reasonable preference.

16.0 Additional Preference

16.1 The Council may give an applicant additional preference if their circumstances fall within the reasonable preference categories and there is an urgent housing need which makes it virtually impossible for the applicant to remain in their present home, for example for the following reasons (not exhaustive);

- Victims of domestic violence;
- Victims of hate crime
- Victims of racial or sexual harassment;
- Witnesses of crimes or victims of crime who would be at risk of intimidation
- Violence or threats of violence that are likely to be carried out if they stayed in their current home;
- Those who have an urgent medical or social reason.

16.2 If an applicant is awarded Additional Preference, this will mean that they have more priority than someone who qualifies for one Reasonable Preference or Cumulative Reasonable Preference.

17.0 Members of Armed Forces or Reserve Forces

17.1 Those who are about to leave as a serving member of the Armed or Reserve Forces or have been a serving member within the last five years will be awarded a level of priority which is equivalent to 'Additional Preference' and considered for a direct offer of accommodation.

18.0 Restricted persons

18.1 Applicants should not be given reasonable preference if they would only qualify for reasonable preference by taking into account a 'restricted person' within the meaning of Housing Act 1996 Part 7 (s.166A(4)). A restricted person is a person subject to immigration control who is not eligible for homelessness assistance because he or she does not have leave to enter or remain in the UK or has leave which is subject to a 'no recourse to public funds' condition.

19.0 Band Date (waiting time)

19.1 The band date is determined at the time the housing application is registered. If however the applicant experiences a material change in circumstance that would increase the bedroom requirement or increase the level of priority awarded to the application, the band date will change to the date when the Council is notified of the material change or when the new housing need arose.

20.0 Changes in circumstances

20.1 Once the application for housing has been accepted, it is the applicant's responsibility to keep the Council informed of all changes in their circumstances which relate to the household and the housing application. Offers of accommodation are based on the suitability of a property for the household and it is important that this information is kept up to date.

20.2 The Council proposes to introduce an on-line application form. When this is introduced, applicants will be required to update their circumstances on line. Prior to the implementation of on-line registration, changes in circumstances are to be notified to the Choice Homes Team in writing.

20.3 Changes in circumstances which must be reported include;

- Change of address, including e-mail address and phone number
- Any change in the household composition, e.g. births, deaths, person (s) wishing to join / withdraw from the housing application
- Any change in household living arrangements
- Change in medical conditions aggravated by current accommodation
- Change in income and or employment status
- Change in financial resources sufficient to consider alternative housing solutions to that of a social tenancy, i.e. shared ownership, affordable housing products
- Any change in your immigration status in the United Kingdom
- Change of name

- 20.4 If as a result of your change in circumstances it is determined that the applicant no longer falls into one of the 'statutory' reasonable preference categories, the application will be closed (unless the application falls into one of the exception categories).
- 20.5 If as a result of your change in circumstances it is determined that the applicant no longer resides in LBBD, the application will be closed (unless the application falls into one of the exception categories).

21.0 Council Decants

- 21.1 The Council is in process of a major regeneration programme. To facilitate the timely delivery of this programme the Council will award "Decant Status" to those households whose properties are located within the regeneration areas. Decant status is the highest level of priority that can be awarded to an application. These applications will be eligible to place bids of interest on advertised properties that meet their assessed needs.
- 21.2 Should a Decant applicant not be successful through the bidding scheme within six months of the programme end date the Council may make a direct offer of accommodation.
- 21.3 Applicants awarded Decant status will have a higher priority than those applicants with Additional Preference, Cumulative Preference and Reasonable Preference.

22.0 Reduction of priority awarded to a housing application

- 22.1 There are occasions when the Council may reduce the level of priority awarded to an application.
- 22.2 Examples of when this may occur are detailed below;
- If the applicant had made a successful bid of interest and is in rent arrears or has rent arrears outstanding from a former property.
 - If the applicant had made a successful bid of interest and the applicant or a member of their household is/was a perpetrator of unacceptable behaviour
 - If the applicant had made a successful bid of interest however the Council has issued a notice of seeking possession (which is still valid), or is in the process of recovering their property through litigation.

23.0 Discharge of homelessness duty into the private rented sector

- 23.1 The Localism Act 2011 allows local authorities to discharge their main homelessness duty into the private rented sector. The tenancy offered is a fixed term tenancy within the meaning of Part 1 of the Housing Act 1988 (assured shorthold tenancy) for a period of at least 12 months.

24.0 Casework

- 24.1 In order to establish an applicant is eligible and qualifies to join the scheme (Housing Register) and to determine the level of priority to be awarded to the application it may be necessary to conduct a home visit. In addition it may be necessary to discuss an applicant's circumstances with other professionals and it will be necessary for the applicant to provide relevant documentation in support of their application.
- 24.2 If an applicant fails to provide the requested documentation which is necessary to establish their eligibility and qualification to join the scheme, and / or relevant documentation reasonably requested to assess an applicant's level of priority, the Council will be unable to progress with the assessment of the application and this may subsequently lead to the application being closed.
- 24.3 Further home visits and verification checks may be needed if there are changes to an applicant's circumstances or if the Council has not conducted a home visit within the last 6 months of a successful bid.

25.0 Registration Letter

- 25.1 When the Council is satisfied that an applicant is eligible and qualifies to join the scheme (Housing Register) a registration letter will be issued. The letter will outline the number of bedrooms that the applicant is entitled to, the level of priority that the application has been awarded and the band date

26.0 Advertising

- 26.1 The Council will advertise available properties on the Choice Homes website. The advertising cycle runs each week from midnight Thursday until midnight Monday. Any variation to this will be advertised in advance. In some cases the council will make direct offers and these properties will not be advertised.

27.0 How to bid

- 27.1 Applicants can bid their interest for properties that are of the appropriate size in accordance with their assessed housing need. There are several ways to bid it can be done by;

Telephoning the bidding hotline on **0845 650 4125**

Website: www.ellchoicehomes.org.uk

Text: **07781 486 526**

Mobile site: ellchoicehomes.org.uk

If an applicant has any difficulty in bidding the Choice Homes Team can be contacted on: **020 8724 8325**

- 27.2 Applicants will be allowed to bid for one property, per cycle, that is advertised. Bids of interest must be submitted before midnight on the Monday. When a bid is placed on a property the system will inform the applicant what their position in the queue is at that time.
- 27.3 Throughout the bidding cycle the queue position may fluctuate subject to the other bids that are being placed. Applicants are able to withdraw a bid of interest and bid for a different property.

28.0 Short Listing Criteria

- 28.1 The short-listing of applicants for properties which have been advertised commences a day after the bidding cycle has closed. Choice Homes Officers are responsible for the process. The bidding system produces a computer generated shortlist for each property. All applicants who have placed a bid for a property will appear on this shortlist in order of their priority. Where applicants have the same level of priority their band date (waiting time) is the factor which determines their place in the queue for that property. If the level of priority and the band date (waiting time) is the same, the determining factor will default to which application was registered first.
- 28.2 The Choice Homes Officer will go through the list for each property starting with the applicant who has finished in first position. They will;
- 28.3 Check the computer records to confirm that the property is suitable for the needs of the applicants; with emphasis on any special needs.

- 28.4 Check that there has been no change in circumstances since the application was submitted. If there is a change in circumstance that affects the assessment of the application and would render the property in which the bid was placed 'unsuitable', the bid of interest will be skipped and the applicant will be notified as to the reasons why, in writing.
- 28.5 Check to confirm that a visit has been carried out within six months of the successful bid. If a visit has not been completed within the last 6 months, a visit will be carried out within 2 days of the successful bid. If this visit determines a material change in circumstance which affects the assessment of the application the bid of interest will be skipped and the applicant will be notified of the reasons why, in writing.
- 28.6 If the applicant is not available within 2 days, the Choice Homes Team will consider the next person in the queue in order to ensure efficiency and fairness to the other applicants.
- 28.7 Check that applicants from abroad are still eligible for an allocation of social housing at the point of the successful bid. If no longer eligible the bid of interest will be skipped and the applicant will be notified as to the reasons why, in writing.
- 28.8 Check rent accounts and tenancy records where possible. If there are issues relating to current or former rent arrears or anti-social behaviour this may result in the applicant's level of priority being reduced, bid of interest being skipped and the applicant will be notified of the reasons why, in writing.
- 28.9 Consider exercising discretion should the applicant in rent arrears be a social rent under occupier and may allow the bid of interest to proceed.
- 28.10 Carry out a composite assessment of needs and financial assessment should the applicant who has placed a bid of interest be an owner occupier. Should it be decided that the applicant is deemed to have sufficient financial resources to obtain a suitable housing solution using their own resources, the bid of interest will be skipped and the applicant will be notified of the reasons why, in writing.
- 28.11 Check the financial circumstances of an applicant and if it is considered that the applicant is deemed to have sufficient financial resources to obtain a suitable housing solution the bid of interest will be skipped and the applicant will be notified of the reasons why, in writing.

29.0 Shortlist to determine queue position for a property

- 29.1 If an applicant within the decant group bids for a property they will always finish above those applicants within the additional preference group, the cumulative preference group and the reasonable preference group.
- 29.2 If two applicants within the decant group bid for the same property, the decant tenant with the earliest tenancy date will be in the highest queue position.
- 29.3 If no decant tenants bid for the property, applicants that are within the additional preference group that have expressed an interest in the property will then be ranked in date order (band date) of when they were awarded the additional preference. The applicant with the earliest band date will be in the highest queue position.
- 29.4 If no applicants with an award of additional preference bid an interest in the property, applicants with cumulative preference will then be ranked in accordance with the number of preferences and in date order (band date) of when they were awarded cumulative preference. The applicant with the earliest band date will be in the highest queue position.
- 29.5 If no applicants with an award of cumulative preference bid an interest in the property, applicants with reasonable preference will then be ranked in date order (band date) of when they were awarded the reasonable preference. The applicant with the earliest band date will be in the highest queue position.
- 29.6 The table below demonstrates the above explanation on how a queue position for a property is determined;

Priority	Groups of applicant/s	Factor to determine waiting time
1st	Decants	Tenancy start date
2nd	Additional Preference	Date this level of housing need arose (band date)
3rd	Cumulative Preference	Date this level of housing need arose (band date)
4th	Reasonable Preference	Date this level of housing need arose (band date)

30.0 Suspensions

30.1 Applications will be suspended in the following circumstances;

- If there has been a material change in an applicant's circumstances which needs to be verified.
- When an applicant has successfully bid for a property and is awaiting a viewing
- If a Mutual Exchange is pending
- If there is a Right to Buy application in process
- If there is outstanding documentation that has been requested
- If placed in temporary accommodation pending a decision

30.2 Refusal of 3 reasonable offers of accommodation (excluding applicants where a homeless duty is owed)

- When an applicant has refused 3 reasonable offers of accommodation, the Council will exercise the right to suspend the application for a period of six months.

31.0 Multiple viewings

31.1 In order to minimise the length of time that a Council home is empty multiple viewings are arranged to facilitate a letting at the earliest opportunity.

31.2 Depending on the type of property advertised 2 or 3 applicants will be invited to view. There may be occasions when more applicants will be invited to view. If the property is managed by a Private Registered Provider (Housing Association) they, as the Landlord, will determine the number of applicants that view the property and will also contact the applicants directly to arrange the viewing.

32.0 Viewing Procedures for LBB

32.1 All successful applicants will be notified before the viewing date of the location of the property and the time of the viewing. They will be advised that they must take proof of identification to the viewing. All applicants that have been short-listed for a property will have their application suspended temporarily until we know the result of the viewing. This will mean that they may not be able to bid in the next cycle.

- 32.2 Viewings are normally carried out on the Monday following the closing of the bidding cycle. There may be occasions when the viewing is not able to be carried out on the scheduled day and an alternative date will be arranged. The applicant will be notified if there are any changes to the viewing arrangements.
- 32.3 An officer of the Council will attend the viewing and although all invited applicants may get an opportunity to view the property, the opportunity to accept the offer of the property will be made 'strictly' in shortlisted order. The officer will explain the implications of refusal of accommodation.
- 32.4 If LBBD owes a main homelessness duty to an applicant that is refusing a property the applicant will be encouraged to accept the offer and move into the property. The applicant can then request a review of the suitability of the accommodation. If the applicant refuses the property (without reasonable grounds) they will be advised that the Council will cease/discharge its homelessness duty and they will be required to vacate any temporary accommodation that has been provided.

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33.0 Direct Offers

33.1 Adapted properties

- 33.2 The Council will continue to make direct offers to those applicants requiring an adapted property. In the future the Council will introduce an Accessible Housing Register where by adapted properties will be advertised and categorised according to the adaptations within the property. This will mean that in the future those applicants who require an adapted property will be able to exercise their choice when placing bids of interest on adapted properties that meet their individual needs.

33.3 Sheltered Housing

- 33.4 The Council will continue to make direct offers of accommodation to those applicants requiring sheltered housing. There will, however, be a full review of sheltered housing services in the near future.

33.5 Under-occupiers

It is in the Council's best interest to free up larger properties for re-allocation. The Council will continue to make direct offers to those applicants who are under-occupying their council accommodation.

33.6 **Sensitive Lets**

33.7 In very limited circumstances, the Council may determine that a property will be subject to a sensitive let. This will be achieved through allocating the property on a direct offer basis.

34.0 **Affordable Housing Allocation**

34.1 Council Houses and flats with rent levels at 50% market value will be advertised inviting interest from those applicants who are eligible and qualify to join the scheme (housing register). These properties will be allocated in accordance with the Council's Housing Allocations Policy.

34.2 The Council's new build programme has a proportion of homes to be let above social rent levels; these are known as Affordable Rental Properties. To be eligible for affordable Council rental properties applicants must be in employment and have sufficient household income to afford the rent payments. The affordability assessment will be determined on a scheme by scheme basis and be subject to rental valuations.

34.3 The following cascade of priorities has been set for letting Affordable Council Homes to working households with rents above social rent levels.

- Tenants of the Council and Private Registered Providers (Housing Association) living in the borough.
- Housing Register Applicants
- Residents of the Borough.
- People in employment in the Borough but who are not resident
- People in employment from outside the Borough.

34.4 A separate registration scheme is being set up for the administration of Affordable Housing Allocation, and properties will be allocated in order of the cascade of priorities above and within each group on a first come first served basis. Properties will be marketed in good time for each development to enable the lettings in a timely manner.

35.0 **Flexible Tenancies**

35.1 Social Landlords are now able to grant tenancies for a fixed length of time, known as flexible tenancies. Utilising flexible tenancies allows local authorities to

manage social homes more effectively and fairly, and deliver better results for local communities. Flexible tenancies must be for a minimum of 2 years.

35.2 The London Borough of Barking and Dagenham do not intend to move away from non flexible tenancies. However there will be instances when a flexible tenancy will be allocated;

35.3 For example;

- To applicants who meet the eligibility and qualifying criteria but have limited leave to remain in the U.K.
- To applicants who are seeking family sized accommodation to foster children. In the event the tenant ceases to foster children, the flexible tenancy would not be renewed, and the council would offer alternative accommodation that would meet the revised assessed housing need of the household.

36.0 Notification and Reviews

36.1 Notification

36.2 If the Local Authority decides that an applicant is ineligible to join the scheme due to their immigration status, the applicant must be notified in writing and be given clear grounds for the decision.

36.3 If the Local Authority decides that an applicant does not qualify to join the scheme because they do not satisfy the residence and / or qualification criteria the applicant must be notified in writing and be given clear grounds for the decision.

36.4 Reviews

36.5 An applicant has the right to request a review of a decision in relation to the assessment of their application and any such decision when considering whether to allocate housing.

36.6 An applicant will be notified of receipt of their request for a review in writing.

36.7 The applicant must request a review within 21 days of being notified of the decision.

36.8 The request for a review should be directed to the Choice Homes Team, Housing Advice Service, PO Box 48, Dagenham, RM10 7DE

36.9 The review will be completed within 56 days of the request unless there is an agreement between both parties to extend this period. The applicant will be notified in writing of the outcome of the review and the basis of how the decision was made.
