



# Lancaster City Council

## Housing and Property: Council Housing

# Housing Allocation Policy

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# 1. Introduction and Background

## 1.1. Introduction

- 1.1.1.** Lancaster City Council must provide a policy on how we allocate residential accommodation from our own stock and from Private Registered Providers of Social Housing (PRPSH) whom we work in partnership with.
- 1.1.2.** This document sets out the Lancaster City Council's Allocation Policy. Lancaster City Council operates a district wide choice-based lettings scheme which is called Ideal Choice Homes. Ideal Choice Homes is the main route into accessing social housing in the Lancaster district.
- 1.1.3.** This Allocation Policy has considered relevant legislation laid down by UK Parliament, statutory guidance published by the UK Government, regulatory guidance issued by Homes and Communities Agency, judgments made in the English Court and decisions made by the Local Government Ombudsman. Statute consulted includes:
- Housing Act (1996, Part 6)
  - Allocation of Accommodation: Guidance for Local Housing Authorities in England (2012)
  - Providing social housing for local people: Statutory guidance on social housing allocations for local authorities in England (2013)
  - Right to Move: Statutory guidance on social housing allocations for local authorities in England (2015)
  - Allocation of Housing (Procedure) Regulations (1997)
  - Allocation of Housing and Homelessness (Review Procedures) Regulations (1999)
  - Allocation of Housing (England) Regulations (2002)
  - The Immigration (European Economic Area) Regulations (2006)
  - Allocation of Housing and Homelessness (Eligibility) (England) Regulations (2006)
  - Allocation of Housing and Homelessness (Miscellaneous Provisions) (England) Regulations (2006)
  - Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations (2012)
  - Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations (2012)
  - Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations (2015)
  - Homelessness Reduction Act (2017)
  - Improving Access to Social Housing for Victims of Domestic Abuse in Refuges or Other Types of Temporary Accommodation (2018)
  - Improving Access to Social Housing for Members of the Armed Forces (2020)
- 1.1.4.** A summary version of this policy is available on request. This policy will be reviewed on an annual basis by the Housing Allocation Review Steering Group to monitor its effectiveness.

## 1.2. Aims and Objectives

- To promote balanced and sustainable communities
- To meet the legal requirements for the allocation of social housing
- To make the best use of social housing stock in the district
- To tackle under-occupancy in social housing
- To improve the availability of accommodation for applicants with a local connection to move on from supported housing schemes in the district

- To reduce and prevent homelessness in the district
- To provide a Choice Based Lettings scheme that allows choice, is accessible to all and is fair, transparent and accountable.

### 1.3. Equal Opportunities

**1.3.1.** Lancaster City Council is committed to promoting equality, combating discrimination and promoting balanced communities. We will ensure that discrimination does not take place in the allocation of properties and the service we provide.

**1.3.2.** Lancaster City Council is committed to:

- Make sure our services and how they are delivered meet the diverse needs of the local people
- Make sure our buildings are as accessible as possible
- Provide information about our services in accessible formats
- Promote balanced communities
- Challenge unfairness and discrimination
- Engage with all local communities to ensure their needs are identified and met
- Value the important contribution the community and voluntary sector make to the Lancaster district.
- Work in partnership to share good practice and promote a consistent approach
- Actively seek feedback to continually develop and improve our approach

**1.3.3.** Lancaster City Council will regularly review its practices, policies, staff training and monitoring arrangements to ensure that applicants are treated fairly, regardless of their gender, age, ethnicity, disability, religion or belief or sexual orientation and that they can access what they need.

**1.3.4.** Lancaster City Council is subject to the Disability Equality Duty of the Disability Discrimination Act 2005. When formulating this policy (and associated procedures and protocols) the following arrangements will be considered for each individual application and property:

- a) Accessible advertising
- b) A property's accessible features being advertised
- c) A mechanism to identify the requirements of disabled applicants
- d) A mechanism to allow extra time for disabled applicants if they need it
- e) A mechanism for providing support in making applications

**1.3.5.** This policy has been subject to an Equality Impact Assessment.

### 1.4. Data Protection and Information Sharing

**1.4.1.** Lancaster City Council is registered under the Data Protection Act 1988. Accordingly, all the data provided on the application form will be held (primarily) for the purpose of allocating housing. Lancaster City Council has a legal duty to protect the public money it administers. As part of this duty, we take part in a National Fraud Initiative, a nationwide drive to reduce the amount of public money lost each year due to fraud. As a result, information applicants provide on their application may be shared with other bodies responsible for auditing or administering public funds. For further information see the Lancaster City Council's website or contact Customer Services on (01524) 582000 or email [nfi@lancaster.gov.uk](mailto:nfi@lancaster.gov.uk)

- 1.4.2.** Applicants can request a copy of all the information held about them, to which the Data Protection Act applies. Any request should be made in writing to Lancaster City Council, Dalton Square, Lancaster, LA1 1PJ.
- 1.4.3.** There are several PRPSH who are partners in the Ideal Choice Homes scheme. If you bid or are nominated for a property that is owned by one of our PRPSH partners, then they can be provided with a copy of your application, and we will share any relevant information regarding your application with them.
- 1.4.4.** Confidential information held about applicants will not be disclosed to third parties apart from:
- Where the individual has consented to the disclosure
  - Where we are required by law to make such a disclosure
  - Where disclosure is made in accordance with a recognised information sharing protocol or for reasons of public protection.
- 1.4.5.** Lancaster City Council is subject to the information disclosure requirements of the Data Protection Act 1998. The administration of this Policy will ensure compliance with this legislation. For further information please reference Lancaster City Council's Data Protection Policy. Applicants will be advised of their right to make a complaint to the Office of the Information Commissioner (IOC) if they believe Lancaster City Council has failed to fulfil its obligations and responsibilities under the Data Protection Act 1998. Concerns can be reported by telephoning the IOC's helpline on 0303 123 1113 or online at <https://ico.org.uk/concerns/>

## 1.5. Exceptional Circumstances

- 1.5.1.** In exceptional circumstances Lancaster City Council reserves the right to depart from any aspect of this policy. The exercise of such discretion will be monitored to ensure that it is properly exercised within extremely limited bounds. Discretion will be exercised only by senior officers. A separate document (Exercising discretion when making lettings decisions) details the procedures for exercising discretion which is available on request.

## 2. Applying to join Ideal Choice Homes

### 2.1. Making an application

- 2.1.1.** Applicants need to complete an Ideal Choice Homes application to join the Lancaster Housing Register. The form can be completed online at [www.idealchoicetohomes.co.uk](http://www.idealchoicetohomes.co.uk)
- 2.1.2.** If an applicant is unable to complete an online form or requires assistance, they should contact the
- 2.1.3.** Ideal Choice Homes team by telephoning (01524) 582005 or in person at Lancaster or Morecambe Town Hall. We can provide bespoke assistance to applicants who are unable to complete an online form or require help to do so. There are computers with internet access available at Lancaster and Morecambe Town Hall that applicants can use to make an application. Applicants can also access the internet for free at libraries throughout the Lancaster district.
- 2.1.4.** All applicants who complete an application will have to agree to a declaration to:
- Confirm that all the information given is correct and that they will notify Ideal Choice Homes of any changes to their circumstances.
  - Give consent to allow enquiries to be made concerning eligibility for housing or priority. This may include checks with the Home Office, Land Registry, Police, Probation Services, Social Services and other council departments.
  - Give consent to allow their information to be provided to another partner PRPSH in the scheme.
  - Give consent to contact their current or previous landlord(s) to provide information relating to their tenancy conduct.
- 2.1.5.** Once an application is received along with all the supporting documentation, an assessment will be made to see if an applicant is eligible and qualifies to join the Lancaster Housing Register.
- 2.1.6.** Applicants with complex needs who are struggling to provide supporting documentation, can be provided with bespoke assistance to provide these. This may include assisting applicants who do not have proof of identification or income, how to get these to enable them to access social housing.
- 2.1.7.** Applications will be processed within a reasonable period. If progress to consider an application is unduly slow, an applicant will be entitled to make a complaint using Lancaster City Council's complaint procedure. If this proves unsatisfactory an applicant may seek the help of the Housing Ombudsman Service. Complaints to them can be made by telephoning 0300 111 3000 or online at [www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk)

### 2.2. What is a Household

- 2.2.1.** A household is defined as "any other person who normally resides with the applicants as a member of his/her family or any other person who might reasonably be expected to reside with the applicant." (Housing Act 1996).
- 2.2.2.** If we receive a request to add a person to an application, we will usually require documentary evidence to confirm that they are or could reasonably be expected to be a permanent member of that household. We would normally expect that they have resided with the applicant for a minimum 12-month period to be an established household, unless there are reasons why a shorter timeframe should be considered.

- 2.2.3.** If an applicant wishes to include a child on their application, that they do not have parental responsibility for, they will need to provide documentation which demonstrates that the child is expected to reside with them on a permanent basis e.g. residency order, special guardianship order. We may contact Social Services to verify any information provided.
- 2.2.4.** A person can only be included on one application. You cannot be included as a member of a household on more than one application.

### 2.3. Giving false information

- 2.3.1.** It is a criminal offence for anyone applying for housing, from a housing authority, to knowingly give false information or to withhold information which is relevant to their application. An offence is also committed if an applicant allows a third party to provide false information on their behalf.
- 2.3.2.** Ground 5 in Schedule 2 of the Housing Act 1985 (as amended by s.146 of the 1996 Act) enables a housing authority to seek possession of a tenancy granted because of a false statement by the tenant or a person acting at the tenant's instigations.
- 2.3.3.** Applicants who knowingly withhold information or mislead the local authority when making their application the council's intention will be to prosecute applicants under the Fraud Act 2006 and/or Forgery and Counterfeiting Act 1981

## 3. Assessing Applications

### 3.1. Assessing applications to join the Lancaster Housing Register

**3.1.1.** Lancaster City Council will consider all applications that we receive. When considering applications, we will ascertain whether:

- The applicant is eligible for an allocation of accommodation, and
- If they qualify for an allocation of accommodation

### 3.2. Eligibility to join the Lancaster Housing Register

**3.2.1.** All applications will first be assessed to see if they are eligible for an allocation of accommodation and therefore able to join the Housing Register.

**3.2.2.** The transition (implementation) period for the United Kingdom of Great Britain and Northern Ireland to cease being a member of the European Union (EU), which commenced on 31st January 2020, this will expire on 11pm on 31st December 2020. After-which, the following rules for eligibility will be amended and this part of the procedure will be re-published.

**3.2.3.** The following classes of persons will be eligible to join the Housing Allocation Scheme:

- British citizens (constituting the nations of England, Scotland and Wales).
- Commonwealth citizens with a right of abode in the UK immediately before 01 January 1983 who have remained commonwealth citizens throughout (excluding non-British citizens from Pakistan and South Africa, but inclusive of citizens from Gambia and Zimbabwe).
- Irish citizens (constituting the nations of Northern Ireland and Republic of Ireland). From 24 August 2020 this will extend to a person who have limited leave to enter or remain in the UK as a family member of a person of relevant person of Northern Ireland, and that family member has been resident in the UK and a family member for at least five years, or the person of Northern Ireland is a worker, self-employed, self-sufficient, student, or have the right of permanent residence in the UK
- Isle of Man citizens.
- Channel Islands citizens.
- EEA nationals with extended rights of residence:
  - Jobseekers.
  - Workers.
  - Self-employed persons.
  - Self-sufficient persons.
  - Students.
  - Family members of the persons referred to above.
- EEA nationals with permanent rights of residence:
  - EEA nationals in UK for a continuous period of 5 years.
  - Family members of the persons referred to above.
  - Workers or self-employed persons who have ceased activity.
  - Family members of the persons referred to above.
  - Persons who were a family member of the persons referred to above who has died and resided with them previously.
- Persons exempt from immigration control (e.g. diplomats and their family members based in the UK and some military personnel).
- Persons granted refugee status by the UK Government.



- Persons granted exceptional leave to enter or remain in the UK with condition that they and any dependents have recourse to public funds (e.g. humanitarian or compassionate circumstances).
- Persons with current leave to enter or remain in the UK with no condition or limitation, and who are habitually resident in the Common Travel Area (a person whose maintenance and accommodation is being sponsored must be resident in the Common Travel Area for five years since date of entry or date of sponsorship, unless the sponsor has died).
- Persons who have humanitarian protection granted under the Immigration Rules (e.g. a person whose asylum application has failed, but they face real risk of harm if they returned to their state of origin).
- Persons who are Afghan citizens with limited leave to enter or remain in the United Kingdom, who are habitually resident in the Common Travel Area.
- From 24 August 2020, persons who are habitually resident in the Common Travel Area and who have been granted leave to remain as a stateless person under Immigration Act 1971.

**3.2.4.** The following classes of person will not be eligible to join the Housing Allocation Scheme:

- Persons not habitually resident in the Common Travel Area, which consists of:
  - United Kingdom of Great Britain & Northern Ireland.
  - Republic of Ireland.
  - Isle of Man.
  - Channel Islands (Guernsey & Jersey).
- EEA nationals (job seekers or their family members) who have only an:
  - Initial right of residence for 3 months.
  - Derivative right of residence because the person is the primary carer of a British citizen.
  - Right to reside because of the persons deportation, expulsion or other removal by compulsion of law from another country to the UK (including EEA nationals exercising EU Treaty rights, who were previously settled in the UK prior to deportation).
- Persons whose only right to reside in the UK is an initial right for no more than 3 months, including those who would become an unreasonable burden on the social assistance system of the UK.
- Persons who are excluded by section 115 of the Immigration and Asylum Act 1999 to entitlement to universal credit under Part 1 of the Welfare Reform Act 2012 or to housing benefit.

**3.2.5.** The granting of a tenancy agreement will be determined by each Registered Provider, in accordance with their respective allocations rules and policy. Notwithstanding this, a joint tenancy cannot be granted to two or more people if any one of them is not eligible for an allocation. If one person is eligible, a tenancy may be granted to the eligible person.

**3.2.6.** Eligibility provisions do not apply to applicants who are already secure, introductory, or assured tenants of a Registered Provider seeking to transfer. Confirmation of immigration status of an applicant from abroad will be obtained, where necessary, from the Home Office by emailing: [EvidenceandEnquiry@homeoffice.gsi.gov.uk](mailto:EvidenceandEnquiry@homeoffice.gsi.gov.uk)

**3.2.7.** Even when a person is eligible for an allocation of social rented housing, only persons who are habitually resident in the Common Travel Area will be eligible for an allocation. The following tests will be carried out to confirm if an applicant is habitually resident:

- The degree of permanence in the person's residence in the United Kingdom of Great Britain and Northern Ireland, Republic of Ireland, Isle of Man or the Channel Islands.

- The association between a person and the place of residence.
- Whether a person has accumulated a continuous period of residence prior to making their application.
- Visits abroad for holidays or to visit relatives and other temporary periods of absence will be disregarded.
- Exemptions from the habitual residence test include EEA nationals and their family members who are workers or self-employed, or have certain permanent rights of residence, or have been removed from another country to the UK.

**3.2.8.** Persons who are subject to immigration control or are an ineligible person from abroad, will not be eligible for an allocation of social rented housing.

**3.2.9.** The Housing Allocation Scheme administrators will carry out appropriate checks on an applicant's eligibility to be allocated social rented housing but will ensure these checks are not discriminatory based on race, nationality, ethnic origin, or any other protected characteristic as defined by the Equality Act 2010. The Local Authority will monitor performance in screening housing applications for immigration status to ensure that members of ethnic minorities, who are eligible for an allocation of social rented housing, do not experience unreasonably long delays while their application is being considered. Where there is any uncertainty about an applicant's immigration status, housing allocation administrators shall contact the Home Office. Before doing so, applicants will be advised that such inquiries will be made to comply with data protection legislation. The administrators will be given training about housing allocation law and practice and the duties and responsibilities under the Equality Act 2010. Administrators shall ensure that language and interpretation support is available for applicants who have difficulty reading or speaking English.

**3.2.10.** The Local Authority is not subject to the duty arising from the Immigration Act 2014, part 3, chapter 1, to carry-out a 'right to rent' check on each letting. The Local Authority will only perform checks on the eligibility of any applicant, as per sections 3.2.3 – 3.2.9 of this Procedure.

### 3.3. Qualifying to join the Lancaster Housing Register

**3.3.1.** If an applicant is eligible to join the Lancaster Housing register, they will also need to qualify to join. The following qualification criteria will not apply to applicants who are accepted by the Local Authority as homeless and who we have a statutory duty to rehouse.

**3.3.2.** If an applicant makes a joint application, both parties to the joint tenancy must individually qualify to join Ideal Choice Homes and be eligible for an offer, or to bid for a property. If a joint tenancy is refused, a clear reason will be provided to the applicants in writing. Applicants can request a review of the decision if required.

**3.3.3.** In certain circumstances joint tenancies may be granted to more than two people.

**3.3.4.** At the point of application, checks will be made to ascertain whether an applicant meets the qualification criteria. Once an application is included on the housing register additional checks may be made to ensure that they continue to meet the qualification criteria. In addition, if an applicant is made an offer of accommodation additional checks may be undertaken by the social housing provider to ensure that they satisfy the qualification criteria.

### 3.3.5. Local Connection

**3.3.5.1.** If an applicant does not have a local connection to the Lancaster district, then they will not qualify to join the Housing Register. This will apply to all applicants on the housing register and may mean that existing applicants on the housing register will no longer qualify to remain on the housing register.

**3.3.5.2.** A local connection means that one or more of the following statements applies to the applicant:

- Lived continuously in the Lancaster district for the previous three years.
- You have previously lived in the Lancaster district for a minimum of 15 consecutive years. If this is the only local connection criterion that applies, then the applicant will be placed in Band E, regardless of whether any other factors in a higher band apply.
- Residence in a hospital, prison, residential school, student accommodation (where it is not their principal home), approved premises, residential rehabilitation facilities, supported accommodation and recovery house does not gain a local connection.
- Worked or provided a community contribution in the Lancaster district for the previous three years (See section 3.34 and 3.35).
- Is serving or has served in the Regular Armed forces.
- Is a bereaved spouse or civil partner of a member of the Armed Forces and is having to leave Services Family Accommodation.
- Was previously living in Services Family Accommodation but is having to leave due to a relationship breakdown with a member of the Armed Forces
- Is an existing or former member of the reserve forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service.
- Is an adult child of service personnel who are no longer able to remain in the family home due to the impact of their family moving from base-to-base.
- Is resident in another Local Authority area who needs to move to the Lancaster district to take up employment or apprenticeship opportunity within the district.
- Is a social housing tenant who has a need to move to the Lancaster district to avoid hardship
- Close family (i.e. mother, father, adult sibling or adult child), who currently live in the Lancaster district and have done so for the previous five years. If this is the only local connection criterion that applies, then the applicant will be placed in Band E, regardless of whether any other factors in a higher band apply.
- They have a continuing caring responsibility for someone who is resident in the Lancaster district, and that this care could not be provided unless they were resident in the district.
- They have moved to the Lancaster district to escape violence or harm
- They are a victim of domestic abuse who has fled to the Lancaster district.
- They are a victim of domestic abuse who wants to move to the Lancaster District to escape violence or harm.
- Applicants from the travelling community who do not have a local connection to another local authority area
- Asylum seekers who are granted refugee status or other form of leave (Exceptional leave to remain, humanitarian protection and discretionary leave) and were living in Home Office accommodation in the Lancaster district at the time their asylum claim was determined.
- They are a care leaver who has been looked after by Lancashire County Council and after care duties still apply under s23C of the Children Act 1989.
- They are a care leaver aged under 21 who reside in the Lancaster district and have done so for at least 2 years, including some time before they turned 16.

- They need to be near special medical or support services which are only available in the Lancaster district
- 3.3.5.3.** Any gap in a person's residence, which is not of their own choice (i.e. being detained in prison or under the Mental Health Act), will be disregarded.
- 3.3.5.4.** The only exception to this will be applicants who wish to move into and are eligible for, Independent Retirement Living (flatted accommodation only), where they will be placed in Band E and only be able to bid on this type of accommodation. See Appendix A for the local lettings plan for Independent Retirement Living Accommodation, which includes eligibility criteria.
- 3.3.5.5.** The council may, in certain circumstances, agree some reciprocal arrangements with neighbouring authorities which may involve local lettings plans being entered into that will define an area outside the district boundary. This will only apply in limited circumstances, to meet local need and under duty to co-operate arrangements with other district councils.

### 3.3.6. Financial Resources

- 3.3.6.1.** If the applicant has sufficient financial resources to rent privately or purchase a suitable property in the Lancaster district, then they will not qualify to join the Housing Register. If an applicant's circumstances change then they can make a new application, and a new assessment can be made. Any compensation for an injury or disability sustained on active service with the Armed Forces or Reserve Forces will be disregarded when calculating financial resources. Any mesne profit debts accrued by occupants of service families accommodation will be disregarded, subject to them providing a copy of their notice to vacate or Certificate of cessation of Entitlement to Service Families Accommodation (the Local Authority may contact the Ministry of Defence Loss of Entitlement team by emailing [DIORDAccn-LOETeam@mod.gov.uk](mailto:DIORDAccn-LOETeam@mod.gov.uk) with any queries about the status of such applicants Any applicant who has over £30,000 in savings will not be eligible to join the Housing Register.
- 3.3.6.2.** If an applicant(s) needs one bedroom and has a gross household income of over £40,000 (excluding any benefits or tax credits), then they will not qualify to join the Housing Register.
- 3.3.6.3.** If an applicant(s) needs two bedrooms and has a gross household income of over £50,000 (excluding any benefits or tax credits), then they will not qualify to join the Housing Register.
- 3.3.6.4.** If an applicant(s) needs three or more bedrooms and has a household income of over £60,000 (excluding any benefits or tax credits), then they will not qualify to join the Housing Register.
- 3.3.6.5.** The only exceptions to this will be applicants who require specialist fully adapted accommodation or Independent Retirement Living Accommodation (flatted accommodation only). These applications will be assessed on a case-by-case basis by the Choice Based Lettings Manager.

### 3.3.7. Owner-Occupiers

- 3.3.7.1.** If an applicant owns, has an interest in a property or has signed over a property to someone else or sold a property in the previous five years, then they will not qualify to join the Housing Register.
- 3.3.7.2.** This will apply to properties owned or previously owned both within and outside the United Kingdom.

**3.3.7.3.** The only exceptions to this will be:

- Where the applicant is requiring Independent Retirement Living Accommodation (flatted accommodation only).
- Where the applicant has a high medical award (25 or more points), and it is unreasonable for them to remain in their current accommodation on medical grounds and/or their housing problem cannot be resolved by adapting their present home or by selling it and purchasing or renting a more suitable home.
- Where the applicant is facing repossession as they are unable to pay the mortgage and there is no equity in the property. All avenues to remain in the property will need to have been exhausted and a possession order granted, for this exception to apply.
- Applicants who have had their property repossessed or sold within the previous five years (due to their property being unaffordable) and they have been left with less than £26,000 in capital from the sale of the property.
- Applicants whose name has been removed from a property as part of a separation or divorce settlement and they have less than £26,000 in capital from any financial arrangement.
- Where the applicant is unable to reside in the property due to domestic abuse and all options to reside safely in the property have been explored.

**3.3.8. Unsuitable Behaviour**

**3.3.8.1.** If an applicant, or member of their household has behaved in a way that would make them unsuitable to become a social housing tenant, then they will not qualify to join the Housing Register.

**3.3.8.2.** Examples of unsuitable behaviour may include, but not be limited to:

- Applicants whose own actions, or actions of a member of their household, have led to a previous landlord taking action against their tenancy.
- Applicants or members of their household, who have unspent convictions that would make them unsuitable tenants.
- Applicants or members of their household, who have damaged or neglected a current or previous property.
- Applicants or members of their household, who have committed domestic abuse.
- Applicants or members of their household, who have used a former or current home(s) for immoral or illegal purposes.
- Applicants or members of their household, who have caused nuisance, alarm, distress or annoyance to their neighbours or local community.

**3.3.8.3.** Before a decision is made on whether they qualify to join the Housing Register under these criteria, applicants will be contacted and advised to provide further information in relation to this unsuitable behaviour and details of any mitigating circumstances. Applicants will be given eight weeks to provide this information, and it is their responsibility to provide this. If no information is provided by the applicant, then a decision will be made based on the information (however limited) that we have.

**3.3.8.4.** Applicants who do not qualify to join the Housing Register under these criteria will be written to and advised what they need to do to enable them to qualify to join the Housing Register in the future.

- 3.3.8.5.** To qualify to join the Housing Register, applicants will need to demonstrate that they have taken steps to address their behaviour and would now make a suitable tenant. Prior to any offer being made, further checks will be made to ascertain that there have been no further incidents of unsuitable behaviour.

### **3.3.9. Rent Arrears and Housing Related Debt.**

- 3.3.9.1.** If an applicant has a current tenancy or previous tenancy (within five years) with a private landlord and has rent arrears of more than eight weeks or have consistently not paid any shortfall for an eight-week period, then they may not qualify to join the housing register.
- 3.3.9.2.** Before a decision is made on whether they qualify to join the housing register under these criteria, applicants will be contacted and advised to provide further information in relation to this. This will include details of the rent due, payments made, income and benefits received and details of any mitigating circumstances.
- 3.3.9.3.** Applicants will be given eight weeks to provide this information, and it is their responsibility to provide this. If no information is provided by the applicant, then a decision will be made based on the information (however limited) that we have.
- 3.3.9.4.** Applicants who do not qualify to join the housing register under these criteria will be written to and advised what they need to do to enable them to qualify to join the Housing Register.
- 3.3.9.5.** To qualify to join the housing register, applicants will need to demonstrate that they have set up a repayment schedule, which has been agreed with their current or previous landlord and kept to this for a twelve-month period, unless a shorter time is deemed suitable. Prior to any offer being made, further checks will be made to ascertain that the repayment schedule has been adhered to.
- 3.3.9.6.** If the applicant has had a previous tenancy with Lancaster City Council or one of our partners PRPSH within the previous five years and owe more than £1000 in arrears and/or housing related debt, then they will not qualify to join the Housing Register.
- 3.3.9.7.** If the applicant has had a previous tenancy with Lancaster City Council or one of our partners related PRPSH within the previous five years and owe more than £250 but under £1000 in arrears and/or housing related debt but have made an agreement to repay the debt and has kept to it for a minimum six-month period, then they will qualify to join the housing register. Applicants will need to continue to repay the debt in line with the agreement and checks will be made at offer stage to ensure that the agreement has been adhered to. If applicants have not adhered to the agreement, then they will no longer qualify to remain on the housing register and any provisional offer will be withdrawn. To requalify they will need to have made a new agreement and adhered to it for a minimum three-month period.

### **3.3.10. Deliberate Worsening of Circumstances.**

- 3.3.10.1.** Applicants who have deliberately worsened their circumstances, will not qualify to join the housing register.

**3.3.10.2.** Examples of this include but is not limited to:

- Selling a property that was affordable and suitable for their needs.
- Moving into insecure and/or overcrowded accommodation, where there was no good reason to do so.
- Transferring or gifting a property to another family member within the last five years. This will include social housing tenants who have assigned their tenancy to someone else where there was no reason for doing so.
- Where there is evidence that applicants have dispersed or deprived themselves of assets which could have reasonably been used to secure housing within the last five years from the date of application.
- Where an applicant has moved additional family or friends into their property resulting in overcrowded conditions, when suitable accommodation was available for them elsewhere.
- Moving into a property that was not affordable based on their income at the time of signing the tenancy.

**3.3.10.3.** Before a decision is made on whether they do not qualify to join the housing register under these criteria, applicants will be contacted and advised to provide further information and details of any mitigating circumstances. Applicants will be given eight weeks to provide this information, and it is their responsibility to provide this. If no information is provided by the applicant, then a decision will be made based on the information (however limited) that we have.

**3.3.10.4.** Applicants who do not qualify to join the housing register under these criteria, will be advised of this in writing and will be able to make a new application twelve months from the date the decision was made

**3.3.11. Applicants Who Provide False or Misleading Information**

**3.3.11.1.** Applicants who have provided false or misleading information on their application, will not qualify to join the Housing Register.

**3.3.11.2.** Examples of providing false or misleading information will include but not be limited to:

- Missing out tenancies or addresses from their application form.
- Using a different surname from a previous application and not declaring this.
- Not declaring a property that is owned or previously owned in the UK or abroad.
- Not declaring any unsuitable behaviour
- Not declaring rent arrears and any housing related debt

**3.3.11.3.** Before a decision is made on whether they do not qualify to join the housing register under these criteria, applicants will be contacted and advised to provide further information and details of any mitigating circumstances. Applicants will be given eight weeks to provide this information, and it is their responsibility to provide this. If no information is provided by the applicant, then a decision will be made based on the information (however limited) that we have.

**3.3.11.4.** Applicants who do not qualify to join the housing register under these criteria, will be advised of this in writing and will be able to make a new application twelve months from the date the decision was made.



### 3.3.12. Current Lancaster City Council Tenants and Other Social Housing Tenants

- 3.3.12.1.** If an applicant has been allocated a social housing tenancy in the previous twelve months, then they will not qualify to join the housing register. This applies to both introductory tenants and tenants with security of tenure.
- 3.3.12.2.** This does not apply to moves that took place as a result of a mutual exchange, where the applicant has security of tenure.
- 3.3.12.3.** If an applicant has been allocated a social housing tenancy in the previous twelve months, then they will not qualify to join the Housing Register. This applies to both introductory tenants and tenants with security of tenure.
- 3.3.12.4.** This does not apply to moves that took place as a result of a mutual exchange, where the applicant has security of tenure.
- 3.3.12.5.** The only exception to this will be an applicant who has been awarded exceptional needs status.
- 3.3.12.6.** If an applicant is a Lancaster City Council tenant or other social housing tenant, then a reference may be sought from their landlord. If they do not meet the qualification criteria, then they will not be eligible to join the housing register.
- 3.3.12.7.** If a Lancaster City Council tenant or other social housing tenant has rent arrears or any related housing debt, then their application will be deferred until these arrears or housing related debt is cleared. The only exception to this would be if there is an exceptional or emergency need to move, and their landlord agrees to their tenant moving with outstanding rent arrears and/or other housing related debt.
- 3.3.12.8.** Lancaster City Council tenants who need to move from your existing home due to extensive repairs required, regeneration programmes or refurbishment as part of a planned maintenance programme.
- 3.3.12.9.** If a Lancaster City Council tenant or other social housing tenant has rent arrears, which relate to them being unable to pay the rent due to under-occupying the property, then their application will not be automatically deferred. If the arrears are under £500 and the applicant has been taking all possible steps to address them and their landlord supports this, then they will be permitted to have an active application.

### 3.4. What application checks are made?

- 3.4.1.** When an application is received, if the applicant meets the qualification criteria, they will need to provide the following documentary evidence:
- Proof that they are eligible for social housing if they are a person from abroad (e.g. proof of immigration status, proof that they are exercising a treaty right)
  - Proof that they are habitually resident in the UK
  - Proof of identification for all household members (e.g. passport, driving licence, medical card).
  - Proof of address for all adult household members (e.g. driving licence, recent utility bill, recent benefit award letter)



- Proof that any children included on their application reside with them on a permanent basis, (e.g. benefit letter relating to the children, residence order)
- Proof of their household income and any savings
- Proof of no rent arrears or confirmation of the amount of arrears (if applicable)

**3.4.2.** Applicants may also be required to provide further documentation relating to their application which will be detailed in the relevant sections.

**3.4.3.** Without documentary evidence, applicants will not be able to be fully assessed and will therefore be unable to bid on properties until this documentation is provided. If the applicant is unable to provide the documentation requested, they should contact a member of the Ideal Choice Homes team to agree other acceptable forms of documentation.

**3.4.4.** As detailed in section 2.1, checks may also be made with an applicant's current or previous landlord, Police, Probation Services, Social Services, Benefits Agency, Home Office or other council department.

**3.4.5.** If the applicant is successful in bidding on a property, we may carry out additional applicant checks to ensure that they still qualify for an offer of accommodation, that their circumstances have not changed and that they are placed in the correct band. This may include requesting a landlord reference.

### 3.5. Affordability checks

**3.5.1.** In addition, if an applicant is successful in bidding on a property the housing provider may require an affordability assessment. This will ensure that the tenancy is sustainable, and the applicant can afford to pay the rent considering their other outgoings. The housing provider will normally require some payment as rent in advance.

### 3.6. When will a home visit be required.

**3.6.1.** In certain circumstances it may be necessary to carry out a home visit, to check the housing circumstances are as described on the application form. Applicants are expected to allow council officers access to all parts of their home.

**3.6.2.** An appointment will be made before a home visit is arranged and all council officers will carry photographic identification. If the appointment is not convenient, the applicant can request one at a more suitable time.

**3.6.3.** Before an offer of accommodation is made, a home visit may be required to verify an applicant's circumstances and ensure that they are as described on their housing application.

**3.6.4.** If the applicant does not allow a home visit to take place, this may affect their banding or lead to a property not being offered to them, that they have been successful in bidding for.

### 3.7. When are applications reviewed?

**3.7.1.** All applications will normally be reviewed on an annual basis. Applicants will have to state that they wish to re-register and confirm that there have been no changes in their circumstances. If an

applicant does not respond to this review request, then their application will be closed. If an applicant is on the assisted bidding list or has additional support needs, that are identified on their housing application, then we will make every effort to contact them before cancelling their application.

### 3.8. When are applications closed?

**3.8.1.** An application will be closed from the Housing Register under the following circumstances:

- I. If the applicant requests this
- II. If the applicant is no longer eligible for an offer of accommodation
- III. If the applicant no longer qualifies for an offer of accommodation
- IV. When an applicant is housed through Ideal Choice Homes
- V. When an applicant completes a mutual exchange
- VI. When an applicant fails to comply with the review process
- VII. When an applicant moves and fails to update their application with this information
- VIII. When the applicant does not respond to a request for further information within 28 days from a reminder letter being sent

**3.8.2.** In circumstances (II) and (III), the applicant will be notified in writing and informed of the reason why their application has been cancelled and of their right to request a review of that decision.

**3.8.3.** Should an applicant whose application is cancelled in circumstances (I), (VI), (VII) and (VIII) wish to re-join the Housing Register, they will need to complete a new application, using their previous application number and they will be given a new effective date. However, if an applicant contacts Lancaster City Council within 3 months of their application being closed, and the applicant still qualifies to join the Lancaster Housing Register, the applicant can be reinstated without the loss of their waiting time.

### 3.9. Changes in circumstances

**3.9.1.** It is the applicant's responsibility to notify the Ideal Choice Homes team at Lancaster City Council of any changes in their circumstances which could affect whether they qualify or are eligible to join the housing register or their priority for rehousing.

### 3.10. Ideal Choice Homes banding scheme

**3.10.1.** All applicants who qualify to join the housing register, will have their applications assessed under the Banding Scheme set out below. There are five bands, and these reflect the applicant's housing need.

- Band A – Emergency housing need
- Band B – High housing need
- Band C – Medium housing need
- Band D – Low housing need
- Band E – Very low or no housing need
- Band F - Social and supported housing tenants moving to make the best use of the social housing stock

- 3.10.2.** Within each band there are several factors. Ideal Choice Homes will consider the facts of your application against each of these factors. If several factors apply to your case, you will be placed in the band containing the highest-ranking factors, within Band A to F.

#### Band A – Emergency housing need

- You have been assessed by Lancaster City Council as being homeless and in priority need.
- You have been assessed as having an emergency medical need
- Your home is in emergency disrepair and a prohibition order has been served on your property
- You are escaping violence or threats of violence of a traumatic event, where there is an immediate and serious risk to the household
- You have another emergency housing need due to exceptional circumstances, as identified by the local authority, police, health authority or social services

#### Band B – High housing need

- You have a high need for rehousing on social or welfare grounds – this is assessed in conjunction with information from another public agency e.g. police or social services
- You have been assessed as having a high medical need for rehousing
- You need two or more bedrooms than you currently have
- You need to move because of a serious injury, medical condition or disability sustained as a result of your service in the armed forces. This will apply up to five years following discharge.
- Your home is in high disrepair
- You have been assessed as being homeless but not in a priority need category
- You have been assessed by the council as being intentionally homeless. This will not override the qualification criteria.
- You have been assessed by the council as being threatened with homelessness within 56 days
- You have been served with a valid section 21 notice that expires in 56 days or less
- You are currently in a refuge or other safe temporary accommodation for victims of domestic abuse in the Lancaster district
- You are currently in a refuge or other safe temporary accommodation for victims of domestic abuse outside the Lancaster district, but there are special circumstances as to why you need to be rehoused in the Lancaster district

#### Band C – Medium housing need

- You have a medium need for rehousing on social or welfare grounds – this is assessed in conjunction with information from another public agency e.g. Police or Social Services
- You have been assessed as having a medium medical need for rehousing
- You are a care leaver, who is moving on from supported accommodation.
- You have two people of different sexes included on your application who are not living together as partners, both aged over 10 who are sharing a bedroom.
- You need rehousing and have served or are serving in the Armed Forces
- You need to move nearer to someone to provide or receive support

#### Band D – Low housing need

- You are sharing facilities (i.e. bathroom, kitchen, toilet) with family or people you are not related to
- You have been assessed as having a low medical need for rehousing
- You live in private rented accommodation
- You live in a mobile home, caravan, or boat

- You live in tied accommodation
- You have a licence to occupy your current accommodation
- You live in an above ground floor flat and have child(ren) aged under 16

#### Band E- No housing need

- You are an owner-occupier who is moving into Independent Retirement Living Accommodation (flatted accommodation only)
- You do not have a local connection but wish to move into Independent Retirement Living Accommodation (flatted accommodation only)
- You are an owner-occupier who is facing repossession, are unable to pay your mortgage and have no equity in your home
- You are a social housing tenant who is adequately housed
- You have served or are serving in the Armed Forces and are adequately housed

#### Band F – Social and supported housing tenants moving to make the best use of the social housing stock

- You are a Lancaster City Council tenant who needs to move from your existing home due to extensive repairs required, regeneration programmes or refurbishment as part of a planned maintenance programme.
- You are a Lancaster City Council tenant or tenant of one of our partner PRPSH who advertise all their vacancies via the Ideal Choice Homes Scheme and have one or more bedrooms than you currently need. You will need to be affected by the changes to the size criteria for this to apply.
- You are a Lancaster City Council tenant or tenant of one of our partners PRPSH who advertise all their vacancies via the Ideal Choice Homes Scheme and have succeeded to a property that is too large or unsuitable for your needs
- You are a social housing tenant in the Lancaster district who is moving into Independent Living Accommodation from a general needs' property
- You are a social housing tenant in the Lancaster district who lives in a high demand adapted property, that you no longer require
- You are a Lancaster City Council tenant or tenant of one of our partners PRPSH who advertise all their vacancies via the Ideal Choice Homes Scheme, and you live in a property that we have high demand for or urgent use for.
- You have successfully completed your stay in supported accommodation, and you now need to move into general needs accommodation. This will need to be a supported accommodation scheme, who we have a current Service Level Agreement (SLA) with, and you will need to have been assessed under the SLA as being ready to move into general needs accommodation. This will not override the local connection qualification criteria.

### 3.11. Prioritising applications within bands

- 3.11.1.** The banding scheme prioritises applicants by putting those in similar housing need in the same band. Within each band, applications are listed in date order. The “effective” date is the date of the first application, or the date which the applicant moved into a higher band. The “registration” date is the date the initial application was received.
- 3.11.2.** Priority within each of the bands will be determined by the effective date. Where applicants in the same band bid for a property, the applicant with the earlier effective date has greater priority. If these applicants have the same effective date, the one with the earlier registration date has priority.

### 3.12. Movement within bands

**3.12.1.** Applicants can move between bands if:

- Their circumstances change
- Additional information is received about medical or welfare issues which upon assessment by Lancaster City Council, leads to a higher or lower band being awarded to the applicant. If an applicant moves to a higher band, then their effective date will be replaced by the date they moved into that band. If an applicant moves into a lower band, then their effective date will remain the same.

### 3.13. Assessing Medical Priority

**3.13.1.** Medical priority will be awarded by the council's medical officer. If an applicant feels that there are medical reasons why they need to be rehoused they should complete the medical section on their application form, submit medical information by completing a medical self-assessment form or by providing information from a medical professional. This will then be assessed by the District Medical Officer who will award priority as follows:

**3.13.2. Band A: Emergency housing need 30 medical points**

- The current accommodation is so completely unsuitable, that should the applicant remain or return to it the effect on their health would be critical. This can only be averted by a move to alternative accommodation in the shortest time possible.

**3.13.3. Band B: High housing need 20-25 medical points**

- The housing situation is so severely affecting the applicant's health and wellbeing, that it is resulting in them being completely housebound, at risk of injury, relapse or unable to live independently.
- Alternative housing is required within a reasonable time frame to prevent serious risks to their health and wellbeing.

**3.13.4. Band C: Medium housing need 10-15 medical points**

- The housing situation is seriously affecting the applicant's health and wellbeing and is having an unacceptable impact on their ability to live independently.
- Alternative housing is required to prevent a significant and serious deterioration to their health and wellbeing in the short/ medium term.

**3.13.5. Band D: Low housing need 5 medical points**

- The housing situation is having a negative impact on the applicant's wellbeing, but it is not causing any significant deterioration to their health or ability to live independently.

**3.13.6. Band E: 0 medical points**

- Whilst it is recognised that there may be a health and wellbeing issue, this is not affected by the current accommodation. The applicant's health and wellbeing would not be improved by a move to alternative accommodation. Therefore, no housing need actually exists.

### 3.14. Assessing property sized needed

**3.14.1.** Applications will be assessed to determine the size of property their household needs. A household is defined as any other person who normally resides with the applicant as a member of his/her

family or any other person who might reasonably be expected to reside with the applicant. See section 2.2 for further information.

- 3.14.2.** If an applicant is an approved foster carer or has had a child placed with them prior to adoption, then we can include them on their household. This will not increase their property size by more than one bedroom, regardless of how many children they foster. Documentary confirmation of this will be required from Social Services.
- 3.14.3.** If an applicant has children who are in the armed forces but continue to live with their parents when they are not away on operations, they can be included when assessing the size of property a household needs. We will require a letter from the adult child's chain of command to confirm that they are away on operations.
- 3.14.4.** Bedroom requirements are based on assumptions that a bedroom is suitable for:
- each adult couple
  - any other person aged 16 or over
  - two children of the same sex aged under 16
  - two children, regardless of sex, aged under 10
  - any other child
  - a disabled child or adult who needs their own bedroom on medical grounds
  - a carer, or team of carers, who has a home elsewhere, who uses a bedroom on a regular basis to stay overnight because an adult member of the household requires overnight care
- 3.14.5.** If an applicant has been assessed as requiring a one-bedroom property and they are pregnant, we will amend their application so they can bid on two-bedroom properties from 12 weeks prior to their due date. This will be subject to an affordability assessment.
- 3.14.6.** We do not make exceptions to this which means that:
- if an applicant shares care of their own child, the child will only be considered when calculating the property size needed for the designated "main carer" – if care is shared exactly equally, the main carer will be the parent that receives the child benefit
  - applicants whose children visit but are not part of the household, are not assessed as needing an extra bedroom
  - applicants living together as a couple, who currently sleep in separate bedrooms for personal reasons, will only be allocated one bedroom. If there is a medical need for a separate bedroom this will be authorised by our medical officer. If an additional bedroom is sanctioned under medical grounds, an affordability assessment may be required (see 3.14.9).
- 3.14.7.** We aim to make the best use of the social housing stock in the Lancaster district. Some of our three- and four-bedroom houses have additional living rooms, that can be utilised as a bedroom, effectively making them a four- or five-bedroom house. When these properties are advertised, applicants who require the extra room to be used as a bedroom, will be eligible to bid for them. These applicants are given priority within each band over those who do not require the extra room.
- 3.14.8.** We may under-occupy properties where there is low demand. Low demand is classed as where we have advertised for a minimum one-week period and no suitable bids have been placed.

### 3.14.9. Requiring an additional bedroom on medical grounds

- 3.14.9.1.** If a separate bedroom is required for a disabled child, disabled adult or a carer, they will need to provide supporting documentation regarding this. This will be submitted to our medical officer, and they will decide as to whether this is required on medical grounds. The applicant may be required to undertake an affordability assessment before proceeding with the offer.

### 3.15. Assessing disrepair

- 3.15.1.** We work closely with Lancaster City Council's housing standards team when an applicant has stated that their current rented accommodation is in disrepair.
- 3.15.2.** It will be expected that an applicant has already raised the problem with their landlord in writing before a Lancaster City Council officer visits. This will give the landlord the opportunity to carry out the necessary works before involving Lancaster City Council, and possible enforcement action.
- 3.15.3.** Applicants will be made fully aware that if a Lancaster City Council officer visits and identifies serious defects with the property, that they are under a statutory duty to take appropriate steps to remedy the defects, and this will involve contacting the landlord and/or agent.
- 3.15.4.** If an applicant is living in accommodation where the conditions pose an ongoing and serious threat to health and safety of the residents, and where there are Band A, Category 1 hazard(s) that have been found following an assessment by the council's housing standards team that cannot be resolved by the landlord, the applicant will be placed in Band B.
- 3.15.5.** If an applicant's home is in emergency disrepair, and a prohibition order has been served on the property, the applicant will be placed in Band A.

### 3.16. Assessing social and welfare policy

- 3.16.1.** If an applicant's household includes someone with a particular need for settled accommodation and who cannot be expected to find/afford suitable accommodation in the future, then they will be awarded priority under social and welfare.
- 3.16.2.** The band you will be placed in will depend on whether this is assessed as being an urgent, high, or medium need. We will usually require information from another public agency such as the police or social services before awarding social and welfare priority. This priority is decided by the Choice Based Lettings Manager.

### 3.17. Employment

- 3.17.1.** In the Lancaster district there are some social housing providers who have local lettings policies where certain properties are allocated to applicants in employment. We do not give additional priority to applicants in employment, but we do capture this information. This is to ensure only applicants in employment qualify to bid on these properties.
- 3.17.2.** To be eligible for these properties an applicant or member of their household needs to be in permanent employment. Permanent employment will include self-employment and temporary contracts of more than 12 months, but not casual employment. This will include part-time

employment, but it will need to be for a minimum of 16 hours per week or 70 hours per calendar month.

- 3.17.3.** If an applicant is on a zero-hours contract but can demonstrate that on average (over a minimum three-month period) that they have been employed for a minimum 16 hours per week or 70 hours per calendar month), then they will be classed as being in employment.
- 3.17.4.** The applicant will need to provide documentary confirmation of this.
- 3.17.5.** This does not override the qualification criteria for local connection and income.



## 4. How the scheme operates

### 4.1. What properties are included in the Choice Based Lettings scheme.

- 4.1.1.** Lancaster City Council properties and PRPSH Landlord properties to which we have nomination rights will be advertised to let through Ideal Choice Homes. This will include:
- General needs housing
  - Independent Living
  - Most properties with minor adaptations, e.g. wet room, level access.
- 4.1.2.** Customers with active applications will be able to exercise choice by registering an interest on the property by “bidding” on them.
- 4.1.3.** There will be some exceptions to this, these will include:
- Highly adapted properties
- 4.1.4.** These will usually be offered to a household with matching needs. These properties may be assessed by an occupational therapist, who will assess their suitability before a formal offer is made.
- Management lets and direct offers
- 4.1.5.** These will be when we need to use a property for specific management purpose and the qualifying applicant will normally receive one reasonable offer of accommodation. Lancaster City Council tenants who need to move from their existing home due to extensive repairs required, regeneration programmes or refurbishment as part of a planned maintenance programme may receive direct offers.

### 4.2. Are there any lettings not covered by this policy?

- 4.2.1.** The following are examples of lettings not covered by, or specifically excluded from the allocation scheme, under the provisions of the Housing Act 1996:
- Offers of non-secure tenancies to homeless persons pursuant to any duty under Part 7 of the
    - Housing Act 1996
  - The conversion of introductory tenancies into secure tenancies
  - The conversion of secure tenancies into demoted tenancies
  - Offers of tied accommodation made to council employees (service tenancies)
  - Offers of or nominations to accommodation made at the council’s own instigation rather than in response to an application, for example offers to tenants being decanted from their homes, to allow major works to take place
  - Assignments of, and successions to social housing tenancies
  - Mutual exchanges
  - Transfers of tenancies made by Court Order under the Matrimonial Causes Act 1973 or other family legislation
  - Vesting or disposal of tenancies by order of a Court

#### 4.3. Houses in the Lancashire District

- 4.3.1.** Priority for two-bedroom houses will be given to applicants with children aged under 16. This is because within the social housing stock in the Lancaster district, there are two-bedroom flats that are suitable for applicants with no children in their household. Applicants without children who need two bedrooms, will be eligible to apply for two-bedroom houses but those with children aged under 16 will take priority.
- 4.3.2.** This will only apply to two-bedroom houses. Other sized properties will be let in accordance with their bedroom and housing need.

#### 4.4. Bungalows in the Lancashire District

- 4.4.1.** To be eligible for an allocation of a non-Independent Living Scheme bungalow, an applicant will need to meet one of the following criteria:
- The applicant or one of the joint applicants will need to be aged 55 or over. An applicant's partner does not need to meet an age requirement but may not have a joint tenancy.
  - The applicant or one of the joint applicants has been sanctioned a bungalow on medical grounds by the medical officer.
- 4.4.2.** In addition, no member of the household should be aged under 30. The only exception to this will be where:
- An applicant or a member of their household is a full-time indoor wheelchair user, confirmed by a medical practitioner or occupational health therapist, regardless of age.

#### 4.5. Low demand properties

- 4.5.1.** If there is no demand for a property, we may re-advertise it to applicants who do not normally qualify for this size or type of property.
- 4.5.2.** For example, a two-bedroom property may be re-advertised to enable applicants with a one-bedroom need to apply.
- 4.5.3.** When this occurs, any local lettings policy in place will still apply. With bungalows and Independent Living properties, preference will be given to social housing tenants who are freeing up a high demand property.
- 4.5.4.** Before any offer of accommodation is made, a financial assessment may be undertaken to ascertain whether the applicant will be able to financially sustain the tenancy.

#### 4.6. Advertising vacancies

- 4.6.1.** All Lancaster vacancies will be advertised through the Choice Based Lettings Scheme (known as Ideal Choice Homes), except those detailed in section 4.1. Each week a new list of current vacancies will be available.

- 4.6.2.** The property adverts will contain information about, amongst other things, rent, number of bedrooms, heating type, suitable household size and whether pets are accepted, as well as giving information on local services and amenities. The advert will also indicate the priority band of applicant that preference will be given to. The advert will also state who the landlord of the property is.
- 4.6.3.** Properties may be advertised during the notice period given by the outgoing tenant. If the notice is withdrawn by the tenant during this period, the property will therefore be unavailable to be let.

#### 4.7. Quota system

- 4.7.1.** To allow applicants in lower priority bands access to housing, a quota system will be used. This allows a proportion of vacancies to be advertised with priority to those applicants in a specific band. The system will be monitored to ensure that it does not operate to the detriment of those with a higher need for housing.
- 4.7.2.** It is important that Lancaster City Council supports sustainable and balanced communities. This means that properties will be advertised on a percentage basis to each band to ensure that applicants in all bands, will have the opportunity to access social housing. The percentages used for the quota system will be reviewed on an annual basis. We will aim to prioritise 20% of properties to applicants in Band F, for the better management of the social housing stock within the Lancaster district.
- 4.7.3.** Where a sensitive let or a particular balance is required in an area, a vacancy may be advertised as limited to specific types of households. The advert will include details of who can apply to ensure transparency and openness.

#### 4.8. Local Lettings

- 4.8.1.** Partners in the Choice Based Lettings Scheme may draw up local lettings policies and plans for an area, scheme, or estate to meet the specific needs of that local community. Local lettings policies may be used to tackle particular management problems and or to address imbalances in the community. Local lettings schemes will be publicised to ensure openness and transparency in the lettings process.
- 4.8.2.** Lancaster City Council should be consulted by the PRPSH if they are considering implementing a new local lettings policy.
- 4.8.3.** Lancaster City Council local lettings plans can be found in the appendices.

#### 4.9. Rural Village and Market Town Communities

- 4.9.1.** There is a severe shortage of social housing in rural villages, and we aim to preserve rural communities. Therefore, we give additional priority to applicants who have a rural connection to a village or the market town of Carnforth.
- 4.9.2.** A rural connection means that the applicant has either:-
- Lived in that village for at least six out of the past twelve months or three out of the past 5 years
  - Previously lived in that village for at least 5 years

- Has permanent employment in a village and has worked in the village for the previous 6-months
- Has close family who live in the village and have done so for the previous six months. Close family includes parents, adult children and adult siblings

**4.9.3.** Additional rural connection priority is given to applicants within bands but not between bands. This means that if we advertise a property to a given band, for example Band C, an applicant in Band C with a rural connection, will be given priority over an applicant in Band C with no rural connection.

**4.9.4.** We will state in the advert if additional priority will be given to an applicant with a local connection. Before selecting which band to use for the property will look at which applicants on the housing register have a rural connection to that the village and choose an appropriate band, based on housing need and demand.

**4.9.5.** Under the Planning Act some developments are subject to Section 106. This requires those properties to be let to customers with a local connection, which can be more demanding than the rural connection Lancaster City Council applies. Where this applies, only those applicants meeting the requirement of the Section 106 will be eligible for an offer of property. The advert will state if this applies to the property and provide details of the connection required.

**4.9.6.** For an applicant to have a rural connection, they will need to provide documentary evidence of this.

**4.9.7.** If there is limited or no social housing in the village to which an applicant has a rural connection, a rural connection will be given to the next surrounding village(s).

#### 4.10. [Bidding process](#)

**4.10.1.** Applicants can bid for up to two properties per cycle that they meet the property criteria for.

**4.10.2.** Applicants can bid through the website, over the phone and in person at Lancaster and Morecambe Town Halls. Access to the Ideal Choice Homes website is available for applicants at Lancaster and Morecambe Town Hall.

**4.10.3.** For those applicants who are unable to bid for themselves and who do not have any family, friends or advocates who can bid on their behalf, we do have an assisted bidding scheme for vulnerable customers. This will mean that bids are placed on those applicant's behalf, based on the preferences they express.

**4.10.4.** By bidding, an applicant is simply expressing an interest in a property and telling us that they wish to be considered for it. Their position on the shortlist may change over the course of the bidding cycle. If an applicant comes top of a shortlist, there is no guarantee that they will be successful in being offered this property.

**4.10.5.** Further checks are made to ensure that they meet the criteria for the property and that the information supplied on their application form is still correct.

**4.10.6.** If an applicant is not offered this property a reason will be provided, and the applicant will be able to see this on their online account.

- 4.10.7.** If an applicant requires adaptations to a property, an assessment of suitability will be undertaken. This may involve arranging an assessment by an occupational therapist and a technical officer from Lancaster City Council. If the property is not suitable to be adapted for the applicant and their household's needs, or in line with council Housing's Adaptation Policy, we will not undertake adaptations as we have other suitable properties that could be offered, they will not be offered the property that they have placed a bid on.
- 4.10.8.** If an applicant bids on and is offered three suitable properties, that they subsequently refuse, they will remain in their current band, but they will lose their waiting time. Their application will be updated, and their effective date will change to the date of third refusal.

#### 4.11. Shortlisting and offers

- 4.11.1.** The Choice Based Lettings Scheme will identify applicants who have placed a bid on each vacancy. It will generate an ordered list based on band and the applicant's length of time on the waiting list, as well as considering any rural connection policy or adaptations that the property has.
- 4.11.2.** Prior to an offer being made, additional verification checks will be undertaken of the applicant's eligibility and qualification to join the housing register and banding priority. This is to ensure that any changes in circumstances that might have occurred after the initial application, that we have not been made aware of, which might render the applicant not eligible, disqualified for an allocation of social housing or their priority has changed. An applicant's current landlord will normally be contacted to request a reference.
- 4.11.3.** The applicant at the top of the list will normally be offered the property, subject to these checks and to meeting any additional criteria included in the advert.
- 4.11.4.** If an applicant is a tenant of Lancaster City Council or one of our partner PRPSH, then a check will be made with them, before any provisional offer of accommodation is confirmed.
- 4.11.5.** Tenancy checks will be made to ensure that they meet the qualification criteria, that they have a clear rent account, can give vacant possession of the property, have no other housing related debt, have not caused any damage to the property or made any unauthorised alterations and have conducted their tenancy in a satisfactory manner.
- 4.11.6.** If the council or a partner PRPSH does not agree to the offer being confirmed due to unsatisfactory tenancy checks, then the provisional offer will be withdrawn. If the tenancy checks highlight any issues with the tenancy, this may result in them no longer qualifying to be on the Housing Register.
- 4.11.7.** See section 3.3.12 for more information on rent arrears and social housing tenants.
- 4.11.8.** Should the offer not be made to the applicant at the top of the list following the additional checks, or should it be refused, the offer is made the next eligible applicant on the shortlist. This process continues down the list until an offer of accommodation is accepted.

#### 4.12. Homelessness

- 4.12.1.** If an applicant advises that they are homeless or threatened with homelessness they will be encouraged to make a Housing Options appointment. An applicant will not be awarded homeless or threatened with homelessness withing 56 days priority, unless they have had this assessed by a member of the Housing Options team.
- 4.12.2.** If an applicant has been assessed as homeless or threatened with homelessness within 56 days, they will be placed in Band B. However, this does not override the qualifying criteria.
- 4.12.3.** If an applicant has been assessed as homeless but there is no priority need for rehousing and they have not made themselves intentionally homeless, they will be placed in Band B. This will not override the qualifying criteria.
- 4.12.4.** If an applicant has been assessed as intentionally homeless, they will be placed in Band B. However, this does not override the qualifying criteria.
- 4.12.5.** Where the council has
- Accepted a section 189(B) Relief duty and
  - The applicant is, at the point of that 189B duty being accepted, considered to be in priority need and unintentionally homeless, whether a decision to that effect has been made or not, -and-
  - The applicant is in temporary accommodation provided by the council to meet a section 188 Interim Accommodation duty.
- 4.12.6.** Then Band A will be awarded to the applicant, and this may override the qualifying criteria.

#### Homelessness and Direct Offers

- 4.12.7.** If we have a statutory duty to rehouse an applicant because they are unintentionally homeless and in priority need, they will be placed in Band A for two weeks. They will be advised that they must bid for suitable properties, when they become available and how to bid. If they have not bid for properties or have been unsuccessful in bidding on properties, then they will receive a direct offer of suitable accommodation when one becomes available.
- 4.12.8.** The housing pressures faced, limit the degree of choice that the council can offer, along with the responsibility the council has to some groups in urgent housing need and to reduce the financial impact of temporary accommodation on the council.
- 4.12.9.** For all applicants eligible and registered under the scheme, the council believes that any applicant should be able to express a preference over the area in which they would like to live and the type of property they would ideally like but should be fully aware that the council's ability to satisfy their preference might be severely limited. Expressing a preference over where an applicant would prefer to live does not mean that the council will be able to meet that preference, or that the council will not offer suitable accommodation outside of a preferred area in order to meet the duty owed to any applicant under the section 189B(2) Relief of homelessness duty or the main section 193(2) duty under Part 7 of the Housing Act 1996.
- 4.12.10.** There may be circumstances where for urgent operational or financial reasons there is a need to make a direct offer of housing outside the CBL, banding and date order criteria set out in this policy.

Specifically, this would be where there may be urgent operational or financial reasons to allocate outside of the band and date order criteria namely:

- 4.12.11.** Where an applicant is homeless and in temporary accommodation and owed a section 189B(2) Relief duty or 193(2) main duty and the council decides it needs to move applicants out of temporary accommodation to manage the budgetary impact on the council, the council may make a direct offer of suitable accommodation at any time, to reduce the financial burden on the council of the cost of temporary accommodation.
- 4.12.12.** Furthermore, the council may restrict the time an applicant is therefore able to bid for accommodation in an area where they would prefer to live. The offer of accommodation would be in any area of the district that the council has assessed is suitable and safe for the applicant to live in.
- 4.12.13.** A decision to make a direct offer of accommodation outside of the choice based letting band and date order system could therefore be:
  - a) Where an applicant is not being realistic in the areas they are bidding for accommodation and as a result they may be occupying a temporary accommodation unit that may be needed for another newly presenting homeless applicant.
  - b) To reduce the financial burden on the council of the cost of temporary accommodation

#### 4.13. Exceptional needs awards

- 4.13.1.** If a council housing tenant is assessed as having an emergency need for rehousing, as assessed by the Exceptional Needs Panel, they will receive one direct offer of suitable accommodation.
- 4.13.2.** Whilst we will look to rehouse in the tenant's preferred areas, if none are available or that area is not deemed safe by the panel, we will offer the next suitable available property. This could be any social housing property, anywhere within the Lancaster district area.
- 4.13.3.** If they do not feel that the property they are offered is suitable for them, they have 7 days from the date they are offered the property to request a review of the offer. This will be reviewed by the Exceptional Needs panel.
- 4.13.4.** If it is decided that the property was not suitable, another direct offer of a suitable property will be made. If the applicant rejects this offer there will not be any further direct offers of property made. Their application will be reassessed, and they will be placed in the appropriate band.

#### 4.14. Band A applicants who are not homeless or given exceptional needs status

- 4.14.1.** If applicants have been placed in Band A due to other emergency housing needs, they will either have the option to bid on properties for a two-week period before receiving a direct offer or they may just receive one direct offer of suitable accommodation. This will be explained to the applicant in writing when they are placed in this band.
- 4.14.2.** If they do not feel that the property they are offered is suitable for them, they have 21 days from the date they are offered the property to request a review of the offer.

- 4.14.3.** If it is decided that the property was not suitable, another direct offer of a suitable property will be made. If the applicant rejects this offer, there will not be any further offers of property made and the applicant will be removed from Band A. Their application will be reassessed, and they will be placed in the appropriate band.





## 5. Review Process

An applicant has a right to request a review if:

- They have not been accepted onto the Lancaster City Council Housing Register
- Their application has been removed from the Lancaster City Council Housing Register
- They disagree with how their application has been assessed and/or the band they have been placed into.

To request a review the applicant will need to put this in writing within 21 days of receiving our written decision. The applicant will need to give the reasons why they believe an incorrect decision has been made. If an applicant is unable to put their point across in writing, they can request a meeting with a senior officer.

The review will be undertaken by a senior officer who was not involved in making the original decision and will take account of information provided by the applicant. They will notify the applicant of the decision within 56 days of receiving the request.

Following the conclusion of a review, applicants will be notified of their right to apply for a judicial review on any point of law. Applicants will be notified of their right to make a complaint to the local authority, if they remain dissatisfied upon conclusion of any internal complaints investigation and their right to ask the Local Government and Social Care Ombudsman or the Housing Ombudsman to investigate claims of maladministration.

# Appendix A

## Local Lettings Plan - Independent Living Accommodation

### Background

We have several properties, which are currently designated as Independent Living schemes.

Independent Living accommodation offer self-contained homes, with regular contact from a scheme manager during working hours and the reassurance of 24-hour emergency personal alarms.

Some of the schemes also offer communal lounges and other facilities for the benefit of tenants.

### Allocation Criteria

To be eligible for an allocation of one of these properties, applicants will need to meet the following criteria:

- The applicant or their partner will need to be aged over 60 and be able to demonstrate that they would benefit from the key aspects of Independent Living accommodation. They will need to complete an additional application form, which will assess their need and suitability for the service.
- If a member of the household has a history of anti-social behaviour or unspent convictions, then they may be rejected if there is concern that their activities will affect other residents in the scheme.
- If a member of the household has support needs, they will only be accepted with a recognised support package and they will need a history of previous positive engagement.
- Applicants will need to be able to live independently and not have a requirement for specialist health services, personal or nursing care which cannot be met in a community-based setting.

Please note, where necessary, supporting information for applicants will be sought from a wider range of agencies/sources than usual.

Normal exclusion criteria will still apply as outlined in the allocation policy.

### Under Occupation

Under occupation for these properties may be considered where there are no suitable applicants who meet the additional criteria. In these circumstances we may refer the applicant(s) for a financial assessment to ensure the tenancy is affordable.

### Review of Policy

This policy will be reviewed on an annual basis by the Housing Allocation Review Steering Group to monitor its effectiveness.

# Appendix B

## Local Lettings Plan - Sensitive Lettings

### Background

We occasionally have properties where there is a need for a sensitive let. This can be for several reasons such as a history of serious anti-social behaviour in property or due to the location of the property. These can be approved by the Principal Housing Manager and are closely monitored.

### Allocation Criteria

To be eligible for an allocation of one of these properties, applicants will need to meet the following criteria:

- The main applicant will need to be over the age of 30 (unless they are in full time [minimum 35 hours per week] employment)
- No member of the household can have a history of heavy drug or alcohol over the previous 12-months
- If a member of the household has a history of anti-social behaviour or unspent convictions, then they may be rejected if there is concern that their activities will affect the local neighbourhood.
- If a member of the household has support needs, they will only be accepted with a recognised support package and will need a history of previous positive engagement
- Applicants will need to provide two appropriate tenancy references

Please note, where necessary, supporting information for applicants will be sought from a wider range of agencies/sources than usual for previous anti-social behaviour, arrears etc. Normal exclusion criteria will still apply as outlined in the allocation policy.

### Under Occupation

Under occupation for these properties may be considered where there are no suitable applicants who meet the additional criteria. A financial assessment will be undertaken to ensure that the tenancy is affordable for the tenant.

### Review of Policy

This policy will be reviewed on an annual basis by the Housing Allocation Review Steering Group to monitor its effectiveness.