

HANOVER HOUSING ASSOCIATION

LETTINGS POLICY

THE HANOVER WAITING LIST

Anyone over 55 can register on Hanover's waiting list. Generally they will need to be over 60 to be eligible to be re-housed at most of our schemes, but there is no bar to registering on the Waiting List from this age. We do have a small number of general needs schemes for younger people.

Existing tenants wanting a transfer will be treated the same as external applicants, (Appendix 1 Transfer Policy) The association will facilitate the mutual exchange of properties.

Hanover has adopted a system with two categories; Priority Need and Choice Lettings. An applicant will be placed in one of the categories; their date of registration will determine where they are on that list.

- **Priority Need**

This will cover applicants with compelling medical or social reasons why they cannot remain in their existing property. There will be a consistent procedure for assessing applicants that appear to fall into this category.

Applicants who appear to meet the criteria for priority consideration will be referred to the "Regional Lettings Panel". The Panel will assess the application against the agreed criteria for awarding priority. (Appendix 2 – Regional Lettings Panels)

Where an existing applicant's circumstances change and they qualify for a higher priority group, the new priority will take effect from the date they applied for the higher status.

- **Choice Lettings**

Everyone else will be recorded in this group and receive offers in date order.

THE RE-HOUSING PROCESS

There are three separate groups of people that Hanover will look at when a property becomes vacant and a new tenant is sought.

The categories and the relationship between them are as follows:

- **The Local Authority Nominee**

Will have been accepted onto the LA's waiting list & nominated to Hanover. At least 50% of lettings must be offered to the LA for re-housing from this group.

- **The Waiting List Applicant**
Will have applied directly to Hanover & been accepted onto our list. This includes HEMS/Move UK nominees.
- **Sponsored Nominations**
Will have been put forward by organisations to whom Hanover has sold nomination rights. The sponsorship is for a specific number of people (or properties), & therefore when a "vacancy" exists they take precedence over waiting list nominees.

The Associations Transfer policy outlines the precise "pecking order" that will be followed by staff when letting properties. Generally however When a property becomes available for letting it will be offered alternately to the LA's Waiting List and the Hanover Waiting List

When offers are refused for no justifiable reason the applicants may lose their position at the top of the list. This approach is not intended as a punitive measure. It simply recognises that an individual applicant cannot maintain a preferential status indefinitely as this discriminates against those lower on the list, and limits their choice and access to housing. (Appendix 3 - Refusals Policy)

INDIVIDUAL ESTATES AND THE APPLICATION OF LOCAL LETTINGS CRITERIA

The Association has been building and developing properties throughout England for 40 years. Whilst building these properties we have sometimes had to agree to variations in our normal lettings criteria. These agreements have usually been with the local authority and will often include restrictions on the lettings we can make. In some areas we will be restricted to only letting to people who have a local connection. At other locations we may be expected to take a higher percentage of nominees from the local authority than from our own waiting list.

On other estates we may have decided to impose our own variations on our lettings criteria. We may open up lettings from the waiting list to those under 60. Alternatively we might restrict the waiting list based on how much equity someone may expect to have from the sale of their own existing property. These variations, (and others not mentioned) to our own lettings policy will have been agreed to by the Associations Residents Council.

Our estates directories will show where these variations to our usual lettings policy apply.

OWNER OCCUPIERS

Hanover welcomes owner-occupiers onto its waiting list but as stated above there will be a limited number of estates where equity limits apply. This limit will generally be based on the cost of similar property types in the local area.

We reserve the option of offering a different type of tenure, such as shared equity or shared ownership, on some estates.

ETHNIC MINORITY HOUSEHOLDS

Hanover is committed to providing housing services to the whole community and will not discriminate against any applicant on the basis of their ethnic origin, religion, gender, sexual orientation, or race.

We are conscious that in some areas minority ethnic households are under-represented, both on our waiting lists and in our properties. Where that is so, we may undertake special publicity drives aimed at minority communities and adopt other measures to increase the number of minority ethnic households re-housed into our properties.

We will actively monitor ;

- the number of BME applicants on our list
- the number of lettings to those from a BME community as a proportion of those on the waiting list.

GENERAL NEEDS PROPERTIES

Hanover manages a small number of general needs properties. Applicants aged 18 or over can register on the waiting list for these properties. The allocation of these properties is based on the same principles as the sheltered list. Local authority nominations will also be sought.

eXTRACARE SCHEMES

ExtraCare housing vacancies are usually allocated by a scheme based Panel. Representatives from the Local Authority housing & social services departments will decide on tenancy offers in partnership with Hanover staff. Applicants on the waiting list for extracare properties will not be rehoused unless a full care assessment has been completed.

PEOPLE WITH DISABILITIES

Within our housing stock there are a number of properties that have been specially adapted for use by tenants with disabilities. Priority will be given to applicants who have shown that they have a specific need for the adapted facilities. This may at times mean taking people out of turn.

LARGER PROPERTIES

The Association will always seek (except in emergency circumstances) to let properties which ;

- Match the size of the household seeking re-housing
- Meet the medical and support needs of residents.

This means that, (for example);

- A couple with a child
- A brother and sister
- A household that has support from a live in carer

Will always receive offers of two bedroom accommodation before applicants who are single or part of a couple.

This approach will mean at times we will seek to let properties out of turn. Appendix 4 - " Allocation of Two Bedroom Accommodation" explains the process in detail.

MANAGEMENT PRIORITIES

There will be circumstances when it makes good management sense to take account of exceptional circumstances and re-house someone out of turn. Management priorities will only ever be allocated by the Regional Lettings panel after full consideration of the circumstances of the case. Any such letting will be clearly documented to show why a decision was made outside the normal lettings criteria.

EXCLUSIONS AND SUSPENSIONS

The association always aims to successfully house qualifying applicants and will seek to identify appropriate measures to assist applicants to sustain tenancies. The association also recognises that our accommodation may not be the best solution for some applicants"

Being on the list does not mean that you are actively being considered for re-housing and the following circumstances may result in individuals being suspended temporarily from the list:

- Existing tenants with rent arrears exceeding one months rent debit will not usually be considered for a transfer;
- Persons subject to immigration control and applicants currently living abroad who are not initially able to prove their right to live in this country cannot be offered a tenancy but may register to establish a date priority for the future; (

appendix 5 – “Eligibility for the Rehousing of Foreign Nationals and Persons from Abroad” provides guidance used by staff in determining a persons eligibility in these circumstances)

- Where the property is not suitable for that person’s needs (due to mental/physical incapacity) and cannot be made so within a reasonable timescale.

The association will only use the power to exclude applicants from the waiting list in exceptional circumstances. It will always be the Associations underlying intention to re-house qualifying applicants. As such we will always work initially to identify solutions to help sustain tenancies rather than to immediately exclude people from our properties. Appendix 6 outlines the Associations policy on suspension and exclusions in detail. Exclusions and suspensions can only be agreed upon by the regional lettings panel.

REMOVAL FROM THE WAITING LIST

Hanover carries out periodic reviews of its waiting list to ensure that applicants want to remain on the list. Each region will determine its own procedure for periodic review but all applicants will be contacted at least once a year.

Applicants who do not respond to the review will be removed from the waiting list after a period of 1 month.

COMPLAINTS AND APPEALS

The Complaints Procedure

Applicants who are not satisfied with the way their application has been dealt with can use the association’s complaints procedure. Such complaints might include applications that have gone missing, not been dealt with quickly enough etc.

Appeals against specific decisions affecting a persons eligibility for re-housing would be made through the appeals process.

The Appeals Process

Applicants will be entitled to appeal against decisions of the Regional Lettings Panel. All appeals will be to the Regional Operations Director, whose decision will be final.

Appeals might be made for such reasons as a refusal to grant a priority status or because of an exclusion from the waiting list..

The two processes are not interchangeable. All decisions of Lettings Panels can be challenged by appealing to the Regional Operations Director. The complaints procedure cannot be used to challenge these decisions.

Ombudsman

Residents who have completed the Associations complaints or appeals process have the right to refer the matter onto the independent housing ombudsman.

Kevin Lorimer, (Policy Manager – Housing Services)
Review June 2008.

HANOVER HOUSING ASSOCIATION
TRANSFER POLICY STATEMENT

INTRODUCTION

Hanover is a national provider of housing with over 11,000 properties in management. The association is therefore often in a good position to help residents seeking to move to another, more suitable, property in another part of the country.

This policy statement outlines the way in which we will let our properties. As such it should help you to understand what your chances are of being re-housed to another Hanover property.

Applications for re-housing are divided into four main categories and are offered accommodation in priority order:

PRIORITY ONE: APPLICANTS GRANTED A MANAGEMENT MOVE PRIORITY STATUS

This top priority status will usually be granted to existing Hanover residents in the following circumstances :

- Where the Association believes that a resident is at immediate risk of serious injury from other people
- Where a resident loses their home temporarily or permanently as a result of an incident(such as a fire or flood) or through actions taken by Hanover to re-develop their home.
- Other urgent reason.

The management move status will be awarded by a panel of Hanover staff.

PRIORITY TWO: LOCAL AUTHORITY AND SPONSORED NOMINATIONS.

If there is no one in the priority one group then we will next look to let a property under a nomination agreement which we will have with the local authority or with a benevolent organisation.

A nomination agreement is where we have entered into a contract to let a certain number of properties (either by estate or nationally) to applicants whose names are given to us by another organisation. These agreements are most often with local authorities. We usually agree to let 50% of our vacancies to local authority nominees.

We have to abide by these nomination agreements and will therefore always re-house nominees, above those in the priority groups mentioned below, as long as it is their turn under the agreement.

This avenue of being re-housed by Hanover will not be available to our own residents.

PRIORITY THREE: WAITING LIST APPLICANTS WHO HAVE BEEN GRANTED A PRIORITY STATUS.

Some applications on our waiting list (be they our residents or the general public) will have been considered by a panel of Hanover staff and will have been allocated a priority status. These applications will have identified on their application form that they have an urgent medical or support need for re-housing.

This status will usually be granted in those situations where the applicants' existing home is clearly seen to be a problem. Examples of such situations will be where;

- It is impossible or extremely difficult for the person to get in and out of their home **and** there is no prospect of the situation being improved by adaptations being carried out in the property.
- An applicant cannot be discharged from hospital back to their existing property which is considered unsuitable.
- Applicant has a life threatening illness which is being made significantly worse by their housing conditions.

In every case it will need to be demonstrated by the applicant or resident how an alternative Hanover property will meet that applicant's specific needs.

Applicants granted a priority status will be let properties in date order. This means that if there are three priority cases seeking re-housing on the same estate then the one who has been waiting longest will be offered a property before the other two.

PRIORITY FOUR: WAITING LIST APPLICANTS

Though listed last most lettings made by the Association are made to applicants from this group.

Existing residents and the general public can both register on our waiting list. No distinction will be made between the two groups. Properties will be offered and let solely on the basis of date order.

The person who has been waiting longest will therefore be offered an available property before others on the list. Only if they refuse a property will those lower down the list be offered the same property.

SIZE OF PROPERTY

The Association will always seek (except in certain emergency situations) to let properties which;

- Match the size of households seeking re-housing and/or
- Meet the medical needs of residents.

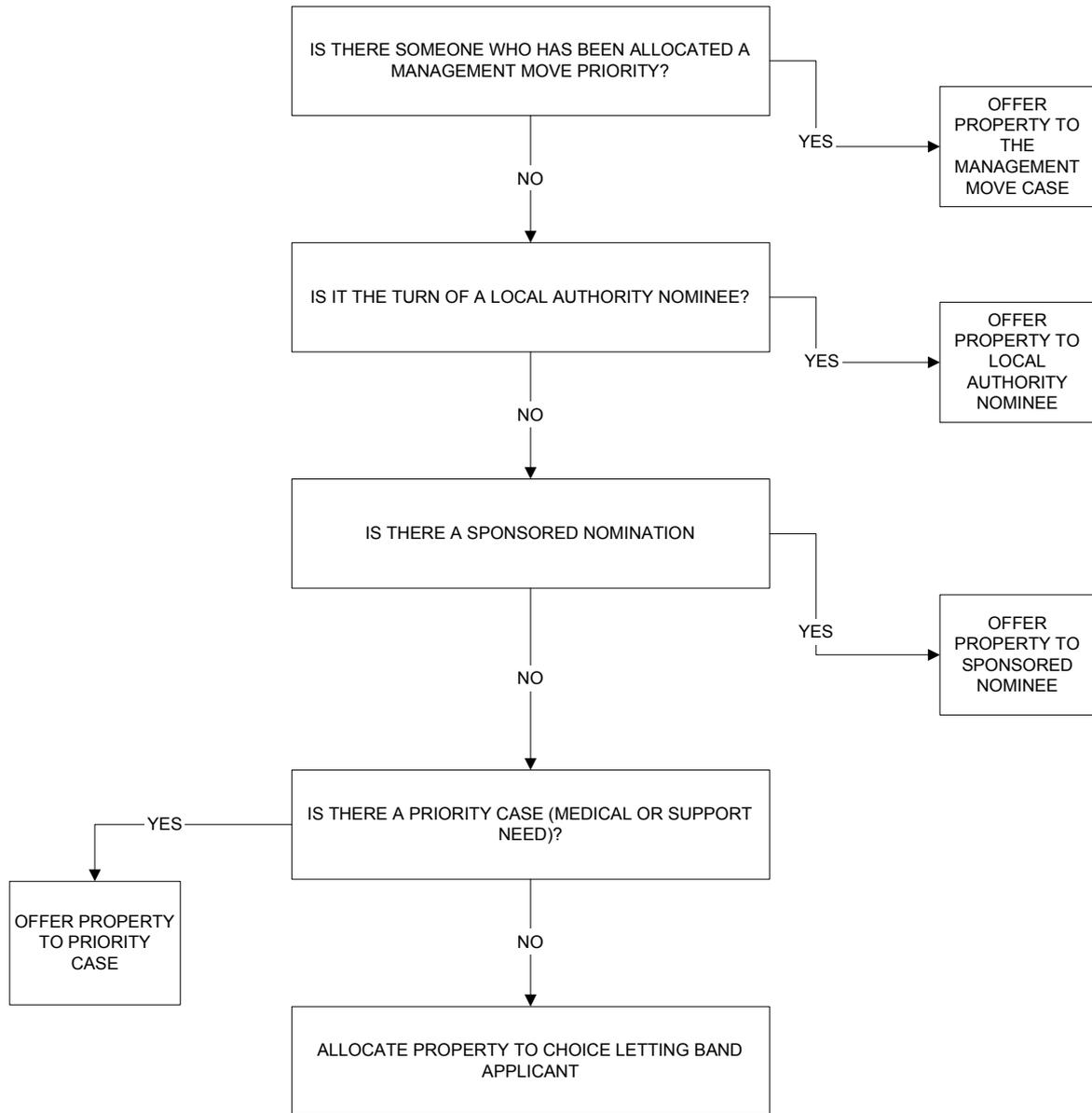
This means that, (for example);

- a couple with a son or daughter
- a brother and sister
- a household that has support from a live in carer

will always receive offers of two bedroom accommodation before applicants who are a couple or single.

This approach will mean that at times we will seek to let properties to applicants out of turn. If the local authority has a nominee who **needs** two bedroom accommodation (and there is no such person on Hanover's own waiting list) then we may offer that property to their nominee even though it is not their turn under the agreement.

ROUTE TO BE TAKEN WHEN ALLOCATING PROPERTIES TO PRIORITY CASES



REGIONAL LETTINGS PANELS (RLP's)

Introduction

Each region will establish a Lettings Panel to determine the following in the application process:

- if an applicant should be given priority status
- how to deal with any complex applications
- whether to exclude or suspend an applicant from the waiting list
- whether an offer has been unreasonably refused and in the case of priority need applicants, agree to the priority being withdrawn

Frequency & Composition

Each regional panel would normally schedule meetings on a monthly basis and advise the housing teams of these dates. This will allow them to keep applicants advised of when the next Lettings panel is due to meet.

The region to which the applicant wishes to move will consider the case for awarding priority status. However where applicants have applied for housing on estates in more than one region, the region where most of the applicant's choices are will lead, and any decisions that need to be considered will be looked at by them, in consultation with the other region(s) concerned.

The composition of the panel will be determined regionally but should comprise at least one Area Manager. The panel must have at least two members present, and minutes kept of decisions made.

After each panel the senior staff member on the panel will ensure that a summary report of the decisions made is posted onto N:Drive for future access & reference by all regions.

N:Drive / HSDIVISION / LETTINGSPANEL / Regional Folders

In exceptional circumstances it may be necessary to make decisions outside of the scheduled meetings. Again two people including at least one Area Manager must be present and a written record of the decision must be kept

It is not appropriate for the Regional Operations Director to sit on the panel, given that applicants who are not satisfied with the decision of the panel will be expected to appeal to the ROD. The ROD will have responsibility to ensure that decisions made in their own region are consistent with the decisions of other regions.

Consistency

As applicants awarded priority status will be given preference over other waiting list applicants it is important that such priority is determined in a consistent manner and that no applicant is either discriminated against or given unfair preference compared with another. Decisions of the Panels will be monitored and statistics kept centrally by the Policy Team.

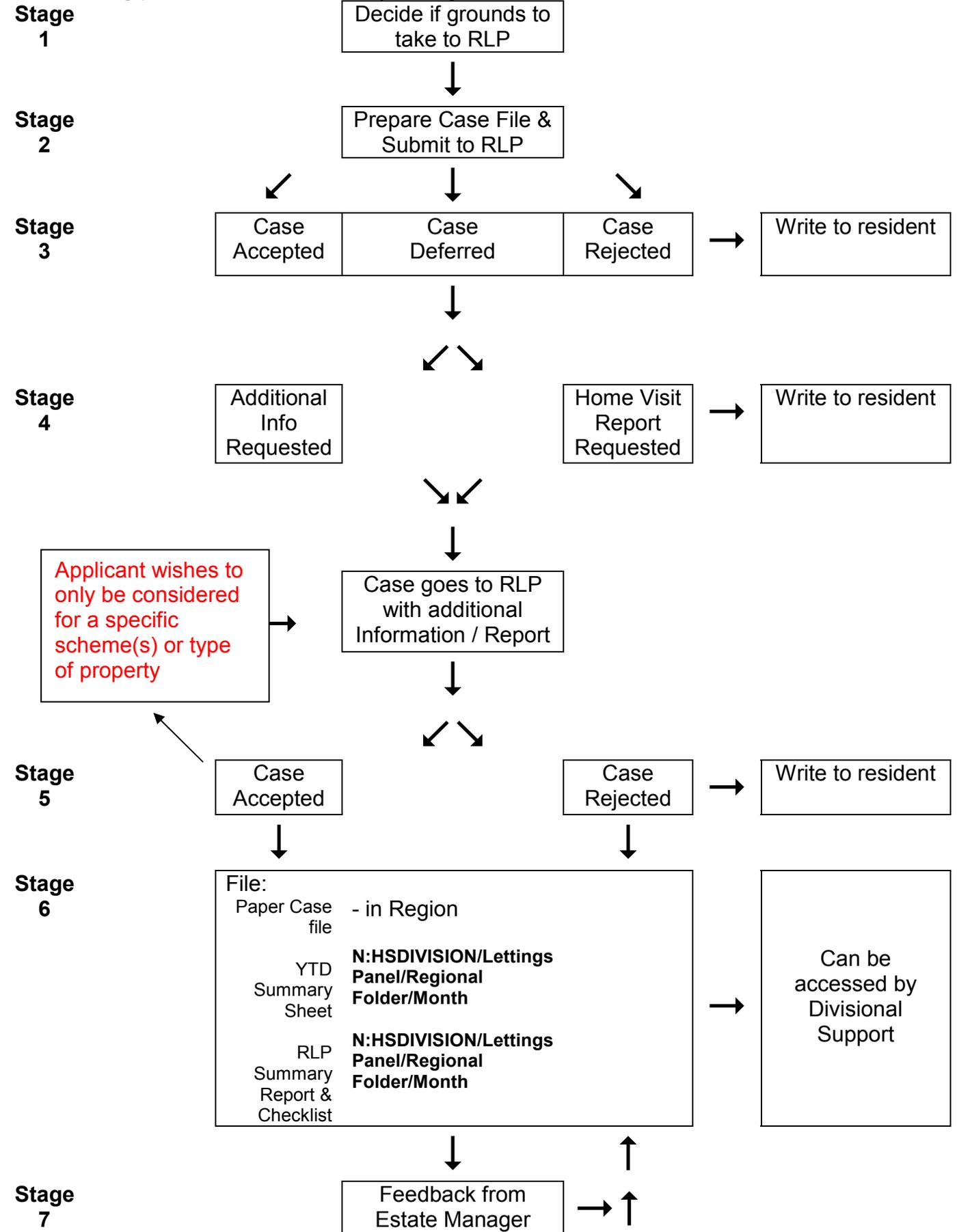
To ensure further consistency members of each regions lettings panel will meet annually to discuss and review the process.

The following document templates are to be used by all regions:

File Title	Description	Template Location
YTD Summary Sheet (of all cases) Cover	YTD Summary Sheet (of all cases) Cover - To be completed as index and filed in: N:HSDIVISION/Lettings Panel/Regional Folder/Month	N: HSDIVISION/Lettings Panel/Standard Forms & Letters/ YTD Summary Sheet
Summary Report & Checklist	Summary Report & Checklist - To be completed prior to any case going to panel to aid assessment of Priority Status & updated on outcome. To be filed in: N:HSDIVISION/Lettings Panel/Regional Folder/Month	N: HSDIVISION/Lettings Panel/Standard Forms & Letters/ Summary Report & Checklist
Cover Letter / Medical Support Form	Request Medical / Support Form to be completed - To be sent out with every Medical / Support Need form	Standard letter on IBS
Pre RLP 'Request for Further Info' LETTER	General Request for more information <u>prior to RLP</u> - To be sent to applicant specifying information required and date required by.	Standard letter on IBS
Lettings Panel Priority	Priority Status Accepted by RLP - To be sent out if applicant has been given Priority Status	Standard letter on IBS
REFUSE 'No Priority' LETTER	Priority Status Refused by RLP - A template for this can be copied and customised for the specific case. There are also examples of text for insertion.	Standard letter on IBS
REFUSE 'No Priority' LETTER	Priority Status FOR EXTRA CARE SCHEME refused by RLP - A template for this can be copied and customised for the specific case. There are also examples of text for insertion.	Standard letter on IBS
DEFER 'Request for Further Info' LETTER	Priority Status Deferred by RLP – Request for more information - To be sent to applicant specifying information required and date required by.	Standard letter on IBS
2nd Unreasonable Refusal	To be sent out if an applicant has refused to reasonable offers of accommodation and the case referred to the RLP.	Standard letter on IBS
Application Date Changed Following 2nd Unreasonable Refusal	To be sent out if an applicant has refused to reasonable offers of accommodation and the RLP have decided that the application date should be changed to current date as a result.	Standard letter on IBS
Priority Status Removed	Priority Status Removed by RLP -To be sent out if an applicant's Priority Status has been removed.	Standard letter on IBS
Home Visit Report	Home Visit Report - To be used for internal and external home visit reports	N: HSDIVISION/Lettings Panel/Standard Forms & Letters / Home Visit Report / Home Visit Report.doc

Procedure – Summary Flow Chart

The following procedure will be used by **all** regions:



Procedure Stage 1 – Deciding if grounds to take to Regional Lettings Panel

Does the Applicant Have a Priority Need?

What is 'Priority'? - There are certain groups of people who must always be given priority. Staff members dealing with lettings should bring cases they believe to be priority cases to the Regional Lettings Panel.

We split this into 5 groups:

- Medical Need
- Support Need
- Management Grounds
 - Suspension or exclusion from the Waiting List
 - Withdrawing priority status
 - Financially based decisions & making the best use of stock
- 2 Bedroom Need
- Exceptional Circumstances
 - Unforeseen Circumstances
 - Vulnerability

To award priority status these cases need to be verified and clearly documented in the case file. This may also involve a home visit or specialist report from: GP, Health Visitor/Nurse, Current Landlord, Social or Health worker, other agencies etc.

Can an Applicant insist on a specific scheme(s) or type of property ?

If an applicant wishes to only be considered for a specific scheme(s) or type of property, they must clearly be able to demonstrate ALL of the following:

- They fall into a Priority Need Group
- Only a move to that specific scheme(s) or property will address the specific priority need issue
- They have registered for all alternative accommodation in that area

Assessing Medical and Support Needs

When assessing Medical & Support Needs, consideration should be taken of the details given on the application form. If the applicant has not asked for sheltered housing (i.e. responded '**NO**' to the question: 'Do you think you want the security of an estate Manager/24 hour HOC service?') then the need for priority status should be questioned and the case should not go to panel unless a clear priority need can be established.

Medical Need

Medical needs will be assessed by reference to the information provided by the applicant and must be supported by factual information from an appropriate health professional (GP, Consultant, CPN).

Medical Need Definition

- If applicant or person who can be reasonably expected to live with them :
 - has life threatening health problems that are induced, made worse or difficult to treat in current accommodation (may include space needed for medical equipment / treatment or carer)
 - has mobility problems that make it impossible or severely restricts mobility, entry or egress in current accommodation
 - needs intensive help & support with day to day activities
 - suffers from a diagnosed mental illness or depression, that has a significant impact on their lifestyle & is made worse by current accommodation
 - can not be discharged from hospital until suitable accommodation is provided.

AND all of the following apply:

- A Hanover property will significantly improve their quality of life **or** reduce the risk of the need for institutional care
- the scheme the applicant is registered for / only a move to Supported housing will address the specific need (e.g. need for Estate Manager presence / scheme covered by Estate Manager service).
- the structure/design/layout of current accommodation is unsuitable for their physical needs & can not be adapted

Medical priority will usually not be granted in the following cases:

- Where housing affects medical condition to some degree, but the applicant can cope, albeit with existing support.
- Applicant has a medical condition but re-housing would not improve / stabilise the condition
- Current accommodation does not put applicant at risk and is not worsening applicant's condition.

N.B. – When a case reaches RLP, the panel may defer it & request a Home Visit to be completed to gain further Medical / Support information.

Support Need

Support needs can be assessed by reference to the information provided by the applicant and by taking any relevant factual information from support workers, agencies and professional advocates. Determining priority for housing due to support needs is difficult as there are many different situations which can exist.

Support Need Definition

- If applicant or person who can be reasonably expected to live with them :
 - are at risk of significant violence, harassment, racial harassment, abuse or threats (must be supported by external agencies documentation)
 - applicant is neglecting self and unable to establish a suitable support network in current accommodation
 - **resides, or might reasonably be expected to reside with person who is pregnant and all of the following apply:**
 - **which will result in overcrowding in current accommodation**
 - **no other suitable accommodation is available in areas of choice (i.e. LA, other RSL)**
 - **there is a proven support need in areas of choice**
 - has dependent children (or is their legal guardian), or who resides or might reasonably be expected to reside with a person who has dependent children (or is their legal guardian)
 - applicants mental ill health is due to isolation, loneliness or fear and is at risk of deteriorating and the situation would be improved by having security / support of Estate Manager presence / HOC

AND all of the following apply:

- the current situation can not be improved / resolved with other additional support, help or advice
- A Hanover property will significantly improve their quality of life
- the schemes the applicant is registered for / only a move to Supported housing will address the specific need (e.g. need for Estate Manager presence / scheme covered by Estate Manager service).
- the structure/design/layout of current accommodation is unsuitable for their physical needs & can not be adapted

N.B. – When a case reaches RLP the panel may defer it & request a Home Visit to be completed to gain further Medical / Support information.

Management Grounds

This will include:

- Suspension or exclusion from the Waiting List
- Withdrawing priority status
- Financially based decisions (for Hanover Making the best use of stock)

To suspend or exclude an applicant there must be clear documented evidence of:

- Decisions must be based on the criteria listed in Appendix 6 of the Lettings Policy - 'Suspending Applicants from the Waiting List'

To withdraw priority status there must be clear documented evidence of:

- 2 unreasonable 'offer of housing' refusals – the case must then be brought to the attention of the next RLP to decide if priority status is withdrawn the applicants position on the waiting list will automatically revert to their application date and a further unreasonable refusal would result in them being re-registered (and subsequently put at the bottom of the waiting list on that date). See Appendix 3 of the Lettings Policy – Refusal Policy & Procedure.

Financially based decisions & making the best use of stock

Occasionally the Lettings panel will need to make a decision based on the best interests of the business. This could include for example a situation where:

An applicant is on the adaptations waiting list for an estate where in order to make the property suitable a significant amount of money would need to be spent. However if a suitable property became vacant (for which they would not ordinarily be given priority) they may be given priority in order to save on the cost of the adaptation.

2 Bedroom Need

Two bedroomed accommodation will be offered first to those applicants who have a proven medical or support need for a second bedroom or whose household is such that a second bedroom is required.

Medical Need – the household consists of a couple who can no longer sleep together due to the illness/disability/treatment of one party or the illness/disability/treatment of a single person is such that the RLP feel it would be better addressed with a two bedroomed property

Support Need – night time cover is required from a third party or live in carer as part of a sanctioned support plan.

- See Appendix 4 of the Lettings Policy – Allocation of Two Bedroom Accommodation.

Exceptional Circumstances

Unforeseen Situations

From time to time un-foreseen situations will arise which will be deemed as 'Exceptional' by the RLP. In such cases the RLP should seek advice on any similar cases from the other RLP's. After considering this advice, the regional panel involved must come to a unanimous decision to allow this to become a priority case (as this will set the precedence for future panels nationally). The case must be clearly supported by verified evidence in the case file.

Vulnerability

Due to the client base we are dealing with we do not accept age alone as a reason to give priority. **We define vulnerability as:** "An adult who is or may be in need of community care services by reason of mental or other disability, age or illness **and** who is or may be unable to take care of him or herself * **or** unable to protect him or herself against significant harm or exploitation * " (*No Secrets* Department of Health guidance, 2000).

NB – This may be resultant from the following circumstances:

- being in HM forces
- custodial sentence/remand to custody/contempt of court/kindred offence
- leaving accommodation because of they are at risk of violence, harassment, racial harassment, abuse or threats

But not everyone who has a background in care, prison or the armed forces will be deemed to be vulnerable based on that alone.

Procedure Stage 2 – Prepare and Submit a Case File

The panel will be provided with:

- application
- RLP summary report (includes check list)
- medical/support need assessment– if request is based on a medical or support need priority
- any received supporting information * / letters from applicant
- If the applicant is an internal transfer who wishes to move based on a medical/support need priority, a copy of their support plan should be provided to the Panel
- If the applicant is already in Supported Housing & wishes to move based on a medical/support need priority, a copy of their support plan should be obtained from their current landlord & provided to the Panel
- A home visit * may have already been carried out by an external agency. If this is the case then this report should be submitted with the case. A home visit should not be requested prior to a case going to Panel, only at the request of the Panel.

* Supporting information may have already been supplied with the application (such as any relevant **factual** information from; Support Workers, External Agencies, GP, CPN, Consultant, Occupational Therapists, Professional Advocates, Estate Managers, Housing Management Officers, and the Police).

If this is the case then this information should be submitted with the case. It should not be requested (with the exception of information from Hanover Staff) prior to a case going to Panel, only at the request of the Panel.

A DIARY NOTE MUST BE MADE ON THE APPLICATION ON IBS THAT THE CASE IS GOING TO PANEL, DATE GOING TO PANEL AND WHERE ANY SUPPORTING DOCUMENTATION CAN BE FOUND.

If the case is granted priority – Once the applicant starts a tenancy, the documents from the RLP case file should be transferred into the tenants house file.

Procedure Stage 3 – The Regional Lettings Panel - Decision & Notification

On the basis of:

- the definitions of 'Priority Status' given in Stage 1
- clear documented supporting evidence in the case file

the panel will decide whether to:

- Agree a priority status
- Decline a priority status
- Request further information – (Defer decision until next RLP)

Questions to consider when making a decision:

- What difference would a Hanover property make to their quality of life?
- Who is supporting them currently (friends/family)? .i.e. taking them to bingo
- Who will be able provide the support for them if they move?
- Do they meet all priority need criteria (see definitions)

Notification

The lettings panel must keep a record of meetings and decisions made. A letter explaining the decision should be sent to the applicant **within 5 working days after the panel has met.**

Case accepted – advise that they have been granted priority status

Case Rejected – advise them that the panel is not satisfied that their situation warrants them being treated as a priority case for housing. This letter must also advise the applicant they have the right of appeal to the Regional Operations Director in the event of their being dissatisfied with the decision of the lettings panel.

Case Deferred – advise them that the panel requires further information to assess their case. List the information required from the applicant, to whom & by when they should send it. Also inform them of the date the case is due to go to the next RLP subject to receiving the information requested.

Procedure Stage 4 – Requesting Additional Information / Home Visit Report

This could include (but is not exhaustive):

- Relevant **factual** information from; Support Workers, External Agencies, GP, CPN, Consultant, Occupational Therapists, Professional Advocates, Estate Managers, Housing Management Officers, and the Police.
- Details of LA housing; other RSL's or other suitable housing in area wanted*
- Options available through an existing landlord*
- Homes/HEMS/Move UK Options*

Home Visit Report - Home visits should only be carried out where it is considered that meeting & seeing a person in their existing home might have a substantial effect on the priority given to that individual. It is important to understand the impact of the patient's environment on their problems, particularly problems with fall risk and functional disability. The home visit adds to the functional assessment via direct observation of a patient carrying out activities of daily living.

- When requesting a home visit from an outside agency it is essential that you ask them to use our home visit proforma. This ensures that we receive and assess the same (& correct) information.

A home visit report can be carried out by:

- Other RSLs – we need to make connections especially when long distance applicant
- Existing landlords
- Estate Manager
- Housing Management Officer
- Occupational Therapist
- Social Worker
- Health Nurse / Professional

*The outcomes & justifications/evidence of why alternative options above can not be considered should be noted and kept with the case file.

Procedure Stage 5 – The Regional Lettings Panel - Decision & Notification

As stage 3

Procedure Stage 6 – Filing & Monitoring

Paper Case Files

If the case is granted priority – Once the applicant starts a tenancy, the documents from the RLP case file should be transferred into the tenants house file. This should be noted on the **YTD Summary Sheet** so that anyone looking at it will know that they have been removed and where to find them.

YTD Summary Sheet & RLP Summary Report & Checklist

These should be posted onto:

N:Drive/HSDIVISION/LETTINGS PANEL/Regional Folder/Month

This will enable future access of the information by all regions and Divisional Support.

Procedure Stage 7 – Feedback from Estate Manager / HMO

The RLP summary report has a section entitled 'POST PANEL FEEDBACK' – this section enables regions to record feedback on how the tenant is settling in and is a useful tool to monitor whether the priority decision made was valid. Staff should note if the accommodation has or has not improved the tenants life/condition and why.

This information should be gathered at the first scheme visit or no later than a month after the tenancy has started. The information should be fed back to the housing team via the HMO or EM. The team should then update the relevant **RLP Summary Report & Checklist** filed

in their regional folder on:

N:Drive/HSDIVISION/LETTINGS PANEL/Regional Folder/Month

Lisa Tooth - December 2006

Review Date – December 2008

Refusal Policy & Procedure

Introduction

The principle of Hanover's Lettings policy is to promote choice to applicants. We have developed publicity material which enables applicants to see what facilities a particular estate has to offer. We also encourage applicants to visit the estates of their choice to enable them check the estate meets their requirements.

We therefore have an expectation that applicants will only apply for those estates they are genuinely interested in.

Applicants who refuse offers of accommodation for reasons not related to their housing need may lose their position on the waiting list. This applies to both new applicants and existing residents registered for housing.

This is in recognition that an individual applicant cannot maintain a preferential status indefinitely. That is they cannot stay at the top of the waiting list as this discriminates against those lower on the list, and limits their choice and access to housing.

Offer of Accommodation

An offer of accommodation is where we have a vacant property and have contacted an applicant, by phone or in writing to see if they want to be re - housed there.

Unreasonable Grounds for Refusal

Unreasonable refusals are those where the offer meets the applicants requirements as detailed in their application and their circumstances haven't changed. This would include the following:

- Applicant does not want to move yet. This covers situations where applicants who meet the age criteria for offers have registered to establish a date priority for the future.
- Applicant has been offered a preferred estate, but having visited decides they do not want to live there.

Reasonable Grounds for Refusal

Reasonable refusals are those where although the offer meets the applicant's requirements as detailed in the application form, the applicants circumstances have changed. This would include the following:

- Applicant can no longer manage stairs
- Applicant is in hospital or awaiting hospital treatment
- Applicant has recently suffered bereavement
- Applicants current ill health

Lettings Procedure V3 (2005)

Other reasonable grounds for refusal will be determined as necessary on a case by case basis by the Regional lettings panel.

Refusals Procedure - First Refusal

All applicants who refuse an offer will be asked to tell us the reason and this will be noted on their application.

If the first refusal is considered to be unreasonable we will go through the applicants list of preferred estates to confirm they still wish to be considered for them. They will not be removed from any of their preferred estates at this point.

They will be told in writing of their preferences and that if they unreasonably refuse a subsequent offer of housing they will lose their place on the waiting list for all the estates for which they are registered and not just the one they have refused.

Refusals Procedure - Second Refusal

The applicant will be asked to give their reason for refusal. If this is the second refusal considered to be unreasonable the matter will be considered by a member of the Regional lettings panel. They will confirm whether the refusal is unreasonable and whether the applicant loses their place on the list.

This approach will ensure an objective and consistent approach. Applicants will be advised in writing of the decision of the panel member. If they are found to have refused two reasonable offers they will be allocated a new registration date from the date the decision is made. This will effectively place them at the bottom of the list at this time.

This approach will also apply to applicants granted management transfer status.

Applicants with priority need for housing

Generally the same guidelines as set out above will apply, but at the point of second refusal the applicant's application will be suspended and their case brought to the Regional lettings panel next meeting. After considering all the facts in the case the panel will decide whether the applicant's priority status is to be withdrawn.

The applicant's position on the list would then revert back to their date of application. A further refusal will lead to the awarding of a new registration date, thereby placing them at the bottom of the list on that date.

Removal from the waiting list

Applicants who are removed from the waiting list may make a new application for housing. The date of application will be the date it is registered onto the computer.

Complaints

Lettings Procedure V3 (2005)

Applicants who are dissatisfied with how the process has operated will be able to use the complaints procedure. Appeals against decisions must be made to the Regional Operations Director. Such appeals must state why the decision made by the panel is incorrect. There is no further right of appeal.

Ann Molloy 17.10.02
Policy review 2004

Appendix 4

ALLOCATION OF TWO BEDROOM ACCOMMODATION

1. TWO BEDROOM ACCOMMODATION

Two bedroomed accommodation will be allocated on a date order basis.

Lettings Procedure V3 (2005)

Two bedroom accommodation will be offered first to those applicants who have a proven medical or support need for a second bedroom or whose household is such that a second bedroom is required. Examples of the relevant cases will include;

- Medical need - this will exist where the household consists of a couple who can no longer sleep together due to the illness/disability of one party.
- Support need - this will exist where there is a single person/couple who on occasion will receive night time cover from a third party as part of a sanctioned support plan.
- Households which consist of a parent and a child/grandchild living with them on a permanent basis, (i.e. it is the child's only or principal home)
- Households which comprise a non co-habiting couple for example siblings or friends.
- Households which receive support from a live-in carer.

None of the above type of cases will receive priority over the other. All will be treated equally and allocated properties in date order.

The medical information required by applicants with a medical or support need should be obtained by housing staff (on basis of a discussion with medical personnel). It is not necessary for these sort of cases to go to the Regional Lettings Panel (RLP) unless there is doubt over the eligibility of the applicant for two bedroom accommodation. Such cases if referred to the RLP will not receive priority over those others on the list for two bed roomed accommodation.

The permitted number for a property will not determine how many people need to be in the household, (it only determines how many should not be). For example a two bed four person property can be offered to two non co-habiting single people, a couple and an additional household member etc. It cannot be offered to a family of 5 people. Maximization of people to spaces is irrelevant as long as there is a need for both bedrooms.

The exception to the above rule will apply if the property has been specifically adapted to meet the needs of a particular client group (i.e. severely disabled/wheelchair accessible). In this situation priority will be given to the applicant that matches the need for these adaptations.

If there are no applicants with the above circumstances then the property must be offered to the local authority (even if it is not their turn to see if they have any applicants who specifically need 2 bed accommodation. This is because our overriding aim is to maximise the usage of the property on need basis. If the LA gives us a nominee which we re-house then the next two properties go to a Hanover waiting list applicant to re-set the balance.

If the LA has no nominees for two bedroomed accommodation then the property is to be offered to the next person on the waiting list be it a single person or co-habiting couple who is requesting two bed accommodation (this follows on from the logic above where maximising the household size does not determine the letting of two bedroom properties once a need for two bedrooms has been established).

The exception to the above rule will be if the scheme consists of all two bedroomed properties in which case the Local Authority would not receive any additional 'out of turn' preference.

2. ALLOCATION OF LARGER ACCOMMODATION

The principles underlying the allocation of two bedroom properties will apply also to the allocation of larger accommodation.

3. HOUSING BENEFIT CONSIDERATION

Applicants who do not have a need (as opposed to a preference) for two bedroom accommodation must be advised that their entitlement for Housing Benefit may not cover the whole rent. Staff should check beforehand the policy of the local housing benefit department.

Outlined below is the advice given to Housing Benefit departments;

"when considering whether the accommodation is unreasonably large this is something you should decide on the facts of the individual case Extra rooms may be needed for a number of reasons, including

- *A child or a relative who visits,*
- *A room being too small*
- *A planned expansion in the family*
- *Special problems of a member of the family which means that they need their own bedroom.*

Where a HB office consider that the accommodation is larger than is needed they can reduce the HB eligible part of the rent, but only to a reasonable figure for accommodation of reasonable size."

Staff should be prepared to assist residents to challenge unfavourable decisions especially if the older single person has regular family visitors.

Kevin Lorimer
Policy Manager (Housing Services)
September 2003

Review September 2006

ELIGIBILITY FOR THE REHOUSING OF FOREIGN NATIONALS AND PERSONS FROM ABROAD

1. INTRODUCTION

This paper seeks to provide clarification on the rules that are to be applied when receiving an application for re-housing from ;

- A person subject to immigration control
- An EU national seeking housing
- A UK citizen seeking to return to this country

This guide should enable staff, in most cases , to determine if the Association can assist an individual.

2. EXISTING TENANTS

If the applicant is currently residing in a local authority or housing association property as an Assured , Secure or introductory tenant then no checks on their eligibility are necessary.

Any local authority nominee will also be deemed to be automatically eligible for re-housing.

3. KEY ELIGIBILITY RULES FOR EUROPEAN UNION CITIZENS* AND UK CITIZENS RETURNING TO THIS COUNTRY

Housing applicants from the EU and from UK citizens returning to this country/coming to this country for the first time will fall into two main groups.

- a) Those applicants who are economically active or who have retired from being employed or self employed in this country**. Such applicants have an automatic and unconditional right to housing. There is no residency test.
- b) Those applicants who are not economically active (students, those unemployed/ not seeking work and the retired). These applicants have to pass the test of “habitual residence” and establish a right of residence.

The Habitual Residency Test

Any EU citizen or British national (who returned to this country **) who has lived in this country for over two will in most cases automatically have passed the habitual residency test.

If the applicant has lived in this country** for less than two years or is a UK citizen who has not yet returned then they must pass the test of “habitual residence”. This test revolves around making a decision on the following;

- Is it the applicants intention to live permanently in this country and not return to the country from where they came ?

- Is the applicants actions consistent with this intent ?

It appears that to be considered for re-housing the applicant must currently be residing in this country**, **unless** it is clear that the applicant is returning to resume a former period of habitual residence.

Guidance on passing the “habitual residence” test is attached at appendix 1.

All decisions where a persons “habitual residence” qualification is in doubt must be referred to the Regional Lettings Panel before approval for an allocation is made.

Right of Residence

Before making an offer it must be clarified if the applicant has a right of residency.

A right to reside is a conditional right which revolves around whether or not the person can support themselves and not become an unreasonable burden on the social assistance system of the UK.

This right of residence test will apply to students, those people of working age who are not working and those who are retired, (unless the person has retired from employment/self employment in the UK).

In essence therefore it seems to be that unless the applicant qualifies for benefits (such as HB/CTB) or is financially self-sufficient then an offer of a property should not be made.

In cases of doubt it is legitimate to ask how the applicant expects to pay the rent. If they are expecting to receive housing benefit then the applicant must be instructed to clarify their eligibility for this benefit with the local authority, (the HB dept will also apply a residency test and it is possible their conclusions on this may differ from ours). Failure to secure such a benefit will mean the person has also failed to establish a right of residence and will therefore be ineligible for an offer of a property.

Applicants denied a right of residence can apply to the Home Office for a right of residence permit.

4. PERSONS SUBJECT TO IMMIGRATION CONTROLS

Any person who is subject to immigration control will not have any right to housing unless :

- They have been granted refugee status – This will happen when their request for asylum has been accepted. If an applicant has this status then it can be proved as they will have been issued with a letter marked GEN 22 or GEN 23 and validated with an Immigration and Nationality Directorate (IND) stamp.
- They have been granted exceptional leave to remain – This status is given to some people if there request for asylum has been refused or if there are

compelling compassionate reasons . However being given exceptional leave to remain may often have been granted on the basis that they do not place a charge on public funds. In this circumstance the person will be ineligible for any offers of accommodation. A person who has exceptional leave to remain will have a letter marked GEN19 with an IND stamp.

- They have been granted indefinite leave to remain – This is given to people who have been given permission to remain in the UK indefinitely and who are regarded as having a settled status. To qualify for housing they must pass the habitual residency test and if their permission to be in this country was because they were being sponsored by someone then five years must have elapsed since their arrival in the UK. These people will have an appropriate IND stamp in their passport.

5. APPLICATIONS

The Association will allow all the above categories of applicants onto our waiting list, in order to establish their date precedence. However offers will only be made to those residents whose right to be offered accommodation has been established. If an applicants right to housing is unclear their application should be suspended until the matter has been clarified.

If Housing Officers are unable to determine the eligibility of any applicant the matter should be referred to the Regional Lettings Panel for a decision.

Kevin Lorimer
Policy Manager (Housing Services)
May 2004

Footnotes :

- * European Union – the rights described in this paper are not restricted just to citizens of the EU. There are several other countries whose citizens have the same rights as those of the EU countries. These include Norway, Iceland and Liechtenstein. This wider grouping of nations is called the EEA, European Economic Area.
- ** The term country applies to the British Isles Common Travel Area – it includes Eire, the Channel Islands, the Isle of Man and the UK.