

## **Haringey's Housing Allocations Policy**

(including information about the  
Housing Register and Choice Based Lettings Scheme)

November 2010

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## 1. INTRODUCTION

### 1.1 Statement of Choice

1.1.1 We are committed to providing excellent services that ensure the widest possible access to housing and prevent discrimination on the grounds of race, religion, gender or marital status, sexual orientation or disability.

1.1.2 Our aim is to achieve this by:

- Offering choice of accommodation, within the constraints of available supply.
- Giving applicants the opportunity to express preferences about their accommodation whenever possible, whilst at the same time allowing us to meet the needs of the borough in relation to housing, health and social care, sustainable communities and value for money.
- Meeting our legal and strategic obligations and requirements in a way that also takes into account the needs of local communities
- Setting out clear standards for the services we provide, so that everyone knows what to expect
- Writing our publications in plain English and offering translations, large print or a reading service where needed to help customers make informed choices about their housing
- Ensuring that decisions reflect policy and are consistent and transparent, and that all decisions made in relation to applications for housing are closely monitored and confirmed in writing
- Responding to the needs of our customers and partners and ensuring that the views of our customers are heard
- Providing comprehensive and accurate advice and information (in person and over the telephone) about social housing and other housing options, including how to access them
- Directing customers to the appropriate team, service or organisation where specialist advice is required

1.1.3 If you are applying for housing, it is your responsibility to:

- Provide full and accurate details on all forms or correspondence in relation to your application for housing
- Tell us immediately if your circumstances change in any way, for example, your address, family details, medical condition
- Respond to all of our requests for information
- Make a decision on viewed properties within the specified timescale agreed with the landlord.



**Throughout this document, we refer to people seeking access to social housing for rent or low cost home ownership options as “applicants”.**

## **1.2 Haringey’s Housing Register**

1.2.1 Haringey’s Housing Register is a local register of housing need. All applicants seeking social housing in Haringey must apply through its Housing Register.

1.2.2 Applicants are advised that, due to the high demand for social housing in the borough, most of the people who are able to join the Housing Register are unlikely to be offered a council or housing association home. The demand for housing exceeds supply and the Housing Register exists to enable the Housing Allocations Policy to prioritise those households that are in greatest need and to maximise their opportunities for rehousing. Unfortunately, the majority of people on the Register will never be offered a home however long they wait; for them, waiting for a social rented home is unrealistic, and other options will be encouraged.

1.2.3 The Register also provides information on local needs which the Council and its partners use to develop new affordable housing.

1.2.4 The Housing Allocations Policy sets out:

- The objectives of the Housing Allocations Scheme
- How the Housing Register operates
- Who is eligible to be rehoused
- How applicants’ housing needs are assessed
- How social rented homes are let
- How the choice based lettings allocations scheme operates.

1.2.5 The Housing Allocations Scheme will operate through a choice based lettings (CBL) system and a Housing Allocations Policy. However, there may be local variations in order to make best use of social housing, in which case eligibility for properties will be clearly labelled in the advertisement.

1.2.6 The system is designed to be easy to use, and allows applicants to have an understanding of their housing situation, enabling them to make the best choice from the housing options available to them.

## **1.3 Partner organisations**

1.3.1 Homes for Haringey (which manages homes on behalf of the Council) manages the largest stock of social housing in the borough.

1.3.2 All of the homes that Homes for Haringey manages are let in accordance with this Housing Allocations Policy.

1.3.3 Registered social landlords (often referred to as ‘housing associations’) may advertise their available homes through the choice based lettings scheme.

where nomination arrangements exist. This is when the Council has the right to nominate prospective tenants to a property; in these cases the landlord will normally be required to advertise the vacancy through the scheme. The Council will, except where set out below, nominate applicants in accordance with the Housing Allocations Policy.

1.3.4 In the Housing Allocations Policy, unless stated otherwise, references to registered social landlords or housing associations relate to partner organisations that have entered into nomination arrangements with the Council. They may also be referred to as 'partner organisations.'

1.3.5 The names and contact details of the organisations participating in Haringey's Housing Allocations Scheme are constantly changing. Appendix 1 An up-to-date list of the organisations that have agreed to participate can be obtained from the Council's Housing Service.

#### **1.4 Objectives of the Housing Allocations Scheme**

##### **To meet the legal requirements for the allocation of social housing as set out in Part 6 of the Housing Act 1996 (as amended by the Homelessness Act 2002)**

The Council will ensure that its Housing Allocations Policy complies with all legislative requirements, related legislation, case law, local policies and strategies.

##### **To provide a system of choice in housing**

The Council and its partners will develop the Housing Allocations Policy in accordance with the principles agreed locally. All assessments of need and allocations will be made in accordance with the agreed Policy.

The Housing Allocations Scheme aims to provide applicants with sufficient information to explain where homes are more likely to become available. This will allow them to make informed choices about their housing options.

##### **To produce a system that applicants can understand and which is both open and fair**

In order to ensure that it is consistent, fair and transparent, the Housing Allocations Scheme will include:

- Comprehensive feedback on the homes that have been let
- Adoption of a common housing needs banding structure
- Clear labelling of the properties advertised
- Detailed procedures for needs assessment and allocations
- Performance management information
- A consistent review process.

##### **To increase the sustainability of local communities**

Homes may be advertised with criteria aimed at improving the long-term stability of a community. In such cases, properties will be clearly advertised to show that special criteria apply.

**To assist in minimising homelessness and assist applicants in the highest assessed need**

All applicants will have their housing needs assessed and be placed in a housing needs band according to their circumstances. This will take into account the reasonable preference criteria outlined in the Housing Act 1996 (as amended by the Homelessness Act 2002).

Homes will generally be let to the applicant in the highest housing needs band who has been waiting the longest, having expressed an interest in the home and meeting the criteria advertised.

**To minimise the use of temporary accommodation**

A system of auto-bidding, together with the provision of comprehensive advice on housing options, will markedly reduce the length of time that applicants have to stay in temporary accommodation.

**To ensure that vulnerable applicants are supported**

Vulnerable people will be appropriately supported to access the Housing Allocations Scheme. A number of measures will be taken to ensure that vulnerable applicants are not disadvantaged such as:

- Providing appropriate advice and assistance
- Translating documents on request
- Providing information in other formats on request
- Partnership working with support agencies
- Undertaking monitoring and regular reviews of the allocations policy

To ensure that vulnerable groups are not disadvantaged by the Housing Allocations Scheme, the Council and its partners will put in place appropriate support systems and a full monitoring system to ensure that vulnerable people are successfully using the scheme.

**To ensure that the scheme allows the Council and its partner organisations to make best use of homes and in particular adapted properties**

Properties that have been adapted or developed for people with a disability will be advertised as such and, due to the shortage of adapted properties, preference will be given to households needing that adaptation. Property advertisements will show which groups may express an interest in them.

## **1.5 How the Housing Allocations Scheme will operate**

- 1.5.1 Haringey is part of the Home Connections choice based lettings scheme. This is the choice based lettings scheme operating in North London.
- 1.5.2 Applicants who join Haringey's Housing Register are placed in one of five Housing Needs Bands to reflect their housing need.
- 1.5.3 Most vacant homes are advertised for a set period of time on a regular basis. This is called an advertising cycle.
- 1.5.4 Applicants can only express an interest in the homes for which they are eligible. They must, for example, meet the criteria for the number of bedrooms in the home.
- 1.5.5 They may express an interest by telephone, text message, through the website or by calling in person at one of the Council's designated offices.
- 1.5.6 Once the deadline of the advertising cycle is reached, a shortlist of the applicants who have expressed an interest is provided by the Home Connections system.
- 1.5.7 The Housing Allocations Policy is then used to determine who is prioritised for housing from the shortlist.
- 1.5.8 Feedback on lettings is made when a property has been let.
- 1.5.9 The feedback will include information about the priority and effective date of the selected applicant, but not any personal information relating to them.
- 1.5.10 The choice based lettings scheme will not operate when:
  - In accordance with section 6.9 below, applicants are made a direct offer of housing.
  - In accordance with section 6.12 below, applicants are subject to 'auto-bidding'.

## **1.6 Reviewing and monitoring the Housing Allocations Policy**

- 1.6.1 The Housing Allocations Policy will be reviewed regularly to ensure that it meets its stated objectives, complies with existing and proposed legislation and guidance, and does not operate in a manner that disadvantages, or discriminates against, any particular group.
- 1.6.2 An annual report on the application of the Housing Allocations Policy will be considered by the Integrated Housing Board and the Council's Overview and Scrutiny Committee, and will be fed back to stakeholders.

## **2. THE LEGAL FRAMEWORK**

### **2.1 Housing Act 1996 (as amended)**

2.1.1 This policy has been drafted to comply with the requirements of Part 6 of the Housing Act 1996, as amended by the Homelessness Act 2002.

2.1.2 Part 6 of the Housing Act 1996 covers:

- allocations of local authority housing to new tenants;
- transfers requested by local authority tenants;
- allocations of local authority housing to current tenants of registered social landlords; and
- nominations that the Council makes to registered social landlords.

2.1.3 It sets out the circumstances of applicants to whom reasonable preference must be given when deciding who will be offered a property.

2.1.4 The policy has regard to the Allocation of Accommodation, Code of Guidance 2002 and the Allocation of Accommodation: Choice Based Lettings Code of Guidance 2007 (consultation document) for local housing authorities, and the Fair and Flexible Statutory Guidance 2009.

### **2.2 Allocations that are covered by the Housing Allocations Policy but where the rules under Part 6 do not apply**

2.2.1 In the following situations (where the rules under Part 6 of the Housing Act 1996 do not apply), homes will be allocated in accordance with the Housing Allocations Policy:

- Where Homes for Haringey (on behalf of the Council) needs to provide alternative accommodation for its tenant in order to carry out repairs or improvements to their property.
- Where the Council has a duty to re-house home owners following a compulsory purchase, provide suitable alternative accommodation under the Land Compensation Act 1973, s 39, or under the Rent Agricultural Act 1976. If it is not possible to provide an introductory or secure tenancy immediately, the applicant will be registered within Band A of the Housing Allocations Scheme.
- Where the Council grants an introductory or secure tenancy to a former owner-occupier or statutory tenant of a defective home under the Housing Act 1985, s554 or s555.

- Where the Council provides temporary accommodation for council employees under Para 5, Schedule 1 of the 1985 Housing Act (Temporary Accommodation for Persons Taking Up Employment).

## **2.3 Allocations that are not covered by the Housing Allocations Policy (and are also not covered by the rules in Part 6)**

2.3.1 The following allocations of accommodation are not covered by the Housing Allocations Policy:

- Temporary accommodation provided for homeless people under Part 7 of the Housing Act 1996. However applicants in this situation can apply to join the Housing Register and take part in the choice based lettings scheme.
- Mutual exchanges between Council tenants or between Council tenants and the tenants of registered social landlords under the Housing Act 1985, s92.
- Where a secure tenant dies, the tenancy is a periodic one, and there is a person qualified to succeed the tenant under the Housing Act 1985, s89, then that person will be offered the secure tenancy. If the home is bigger than they reasonably need they may be offered a suitable alternative home better meeting their needs.
- Where a secure tenant with a fixed term tenancy dies and the tenancy remains secure by virtue the Housing Act 1985, s90.

2.3.2 Where a secure tenancy is assigned to someone who would have qualified to succeed to the tenancy if the secure tenant died immediately before the assignment. That person becomes the secure tenant.

2.3.3 Where a Court makes an Order about who is to be the secure tenant under:

- a) the Matrimonial Causes Act 1973, s24 (property adjustment orders in connection with matrimonial proceedings);
- b) the Matrimonial and Family Proceedings Act 1984, s17(1) (property adjustment orders after overseas divorce); or
- c) the Children Act 1989, Schedule 1, paragraph 1 (orders for financial relief against parents).

## **2.4 Reasonable preference**

2.4.1 All applicants will be placed in the appropriate Housing Needs Band based on an assessment of their needs. This will ensure that the Council and the Partner Organisations (Homes for Haringey and registered social landlords) let homes to those in the highest assessed need and ensure that they meet their legal obligations as set out in the Housing Act 1996 (as amended by the Homelessness Act 2002).

2.4.2 The law sets out five groups of applicants which the Housing Allocations Policy must give reasonable preference to:

- Applicants who are homeless (within the meaning of Part 7 of the Housing Act 1996, as amended by the Homelessness Act 2002).
- Applicants who are owed a duty by any local housing authority under section 190(2), 193(2) or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by such authority under section 192(3).
- Applicants occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions.
- Applicants who need to move on medical or welfare grounds (including grounds relating to a disability).
- Applicants who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship (to themselves or to others).

2.4.3 The Housing Allocations Policy has been designed to ensure applicants who fall within the reasonable preference categories will be awarded the due reasonable preference.

2.4.4 Every application received by the Council will be considered according to its facts. Because every applicant's situation is different, applications will be considered on an individual basis and individual circumstances will be taken into account.

## **2.5 Equal opportunities and diversity**

2.5.1 The Council will ensure that its Housing Allocations Policy is applied in a manner that actively promotes equality and complies with its statutory obligations relating to equal opportunities and diversity.

### **3. HARINGEY'S HOUSING REGISTER**

#### **3.1 Who can join the Housing Register?**

3.1.1 Anyone aged 16 or over (except those described below as 'ineligible' for housing) can apply to the Council to join the Housing Register. Some landlords, however, may only offer tenancies to applicants under the age of 18 if they have a guarantor.

#### **3.2 Joint applications**

3.2.1 Where more than one eligible applicant wishes to have a shared application they will be joint applicants.

3.2.2 For a joint application, all applicants have to qualify and meet the conditions on eligibility. A joint tenancy will not be granted to two or more people if any one of them is a person from abroad who is ineligible or is a person who is being treated as ineligible because of unacceptable behaviour.

#### **3.3 People who can be included in the application**

3.3.1 An applicant can only include, in their application, people who normally live with them (or might reasonably be expected to reside with them) as a member of their household. Usually this will mean members of the applicant's family as follows:

- Husband, wife or civil partner
- Son and/or daughter
- Brother and/or sister
- Grandparents and/or grand children

3.3.2 The Council can decide whether a person is normally resident as a member of the household. The Assistant Director for Strategic & Community Housing Services has the discretion to allow additional people to be included on the application when s/he considers it is appropriate, taking into account all of the circumstances. When exercising this discretion, the Council will also take into account the prevailing housing conditions in the borough.

#### **3.4 Applicants who are ineligible for housing**

3.4.1 Section 160A of the Housing Act 1996 (as amended) sets out who is ineligible to receive an allocation of housing. Applicants who are ineligible for housing fall into three categories:

- Certain persons who are subject to immigration control, unless they are re-included by order of the Secretary of State or are exempt because they are already a secure tenant
- Other persons from abroad whom the Secretary of State deems to be ineligible for an allocation of housing accommodation by a



local housing authority or are exempt because they are already a secure tenant

- Certain persons who the local authority decides to treat as ineligible due to unacceptable behaviour, which would prevent them from being considered as a suitable tenant.

3.4.2 When deciding whether or not an applicant is eligible for housing, the Council may decide that the applicant should be treated as ineligible for housing if it is satisfied that:

- The applicant, or a member of their household, has been guilty of unacceptable behaviour serious enough to make them unsuitable as a tenant of the Council; and
- In the circumstances at the time their application is considered, they are unsuitable to be a tenant of the authority by reason of that behaviour.

3.4.3 Behaviour that may be regarded by Haringey Council as unacceptable includes the following:

- Behaviour of the applicant(s) which would (if they were a secure tenant of the Council) entitle the Council to a possession order of their property under section 84 of the Housing Act 1985 on any ground mentioned in Part 1 of Schedule 2 to that Act (other than ground 8); or
- Behaviour of a member of the applicant's household which would (if they were a person living with a secure tenant of the Council) entitle the Council to such a possession order of their property under section 84 of the Housing Act 1985 on any ground mentioned in Part 1 of Schedule 2 to that Act (other than ground 8).

3.4.4 The Council cannot allocate housing to anyone who is not eligible to join the Housing Register, even jointly with someone else who is eligible to join the Housing Register.

3.4.5 Where an application is refused because the applicant falls into one of the three ineligible categories defined in 3.4.1 to 3.4.3 above, applicants will have the right to request a review of that decision under section 167 (4A) of the Housing Act 1996 (as amended). In making a decision whether to accept or refuse an application, the decision shall be notified to the applicant in writing, giving full details of the reason for refusal.

3.4.6 An applicant who has been deemed ineligible due to unacceptable behaviour may make a fresh application if s/he considers their behaviour should no longer be a factor due to a change in circumstances. It will be the applicant's responsibility to show that his/her circumstances or behaviour have changed.

## **4. HOW THE HOUSING REGISTER WORKS**

### **4.1 How to apply to join the Register**

4.1.1 To apply to join the Housing Register, applicants must complete a housing application using the on-line form (through Haringey Council's website: [www.haringey.gov.uk](http://www.haringey.gov.uk)) or by visiting one of the Council's designated offices.

4.1.2 Multiple applications are not allowed. An applicant may have only one active application on the Housing Register.

### **4.2 Civil partnerships and cohabitees**

4.2.1 Civil partnership is a legal relationship, which can be registered by two people of the same sex. The Civil Partnership Act came into force on 5 December 2005.

4.2.2 For the purpose of the Housing Register, civil partners will be treated in the same way as married applicants in the following cases:

- Parental responsibility for the other civil partner's child
- Succession and assignment of a tenancy agreement
- Protection from domestic violence
- Immigration and nationality purposes

4.2.3 Cohabiting couples will be treated in the same way as married applicants, except that some evidence of an abiding relationship will be required before a joint tenancy is awarded.

### **4.3 Applicants' consent and declaration**

4.3.1 When applicants apply to join the Housing Register, they must sign a declaration to confirm that:

- The information they have provided is complete, true and accurate.
- They will inform the Council immediately of any change in circumstances.
- They understand that information will be shared with the Partner Organisations (Homes for Haringey and the registered social landlords) together with other relevant organisations in order to complete or verify information or to prevent fraud or protect public funds in other ways.
- They consent to the Council making enquiries of any relevant persons (including credit checking / referencing companies) to confirm that the information on the application form is correct or to add to the information given where this is necessary to complete an assessment of need or to consider suitability for housing.

#### **4.4 Notification of changes in circumstances**

4.4.1 Applicants must notify the Council if their circumstances change.

4.4.2 Examples of such a change in circumstances include someone joining or leaving the household, the birth of a child, a change of address, the purchase or acquisition of an interest in a home, or a change in the health or welfare of the applicant and/or a member of their household.

#### **4.5 Renewal of housing applications**

4.5.1 To keep the Housing Register up to date, applicants may be contacted to see if they still want help with housing.

4.5.2 Applicants are required to re-register their housing application once a year, in order to confirm that they still want to be considered for housing.

4.5.3 On the anniversary of the date their housing application was registered, applicants will be required to renew their application. Applicants will be notified of the arrangements for completing this renewal and must do so within the specified time period.

4.5.4 When completing their renewal, applicants must confirm that they still want to be considered for housing and provide details of all changes in their circumstances.

4.5.5 Failure to complete renewal within the time period specified (or to respond to a written request for information needed to assess their housing application) will result in the applicant being removed from the Housing Register.

#### **4.6 Cancellation of housing applications**

4.6.1 A housing application will be cancelled (and removed from the Housing Register) in the following circumstances:

- When the applicant requests it
- When the applicant becomes ineligible for housing
- When the applicant has been housed through the Allocations Scheme
- When the applicant accepts an Assured Shorthold Tenancy via a Council scheme
- When an applicant fails to maintain their housing application (through the renewal process) or they move home and fail to provide the Council with a contact address.
- When an applicant fails to respond to a request for further information within the specified time.

- 4.6.2 Should an applicant whose application has been cancelled wish to re-join the Housing Register they will receive a new effective date.
- 4.6.3 In exceptional circumstances the Council may agree to reinstate a cancelled application without revising the effective date if the applicant notifies it within 3 months of the application being removed from the Register.

#### **4.7 Verification of housing applications**

- 4.7.1 Before offering an applicant the tenancy of social housing, the Council will need to verify what the applicant has said in their housing application.
- 4.7.2 The verification interview may take place before or after an applicant is shortlisted for a particular property. The purpose of the interview is to check on the accuracy of the Council's initial assessment.
- 4.7.3 During the interview, a record will be made of the applicant's current circumstances, a check will be made to ensure that the applicant has been put into the correct Housing Needs Band, and a photograph will be taken of all applicants.
- 4.7.4 All applicants who are eligible for housing will be expected to produce original documents to verify their housing need at the verification appointment. If they are unable to produce the relevant documents, they may not be able to go ahead with any current bid.
- 4.7.5 For everyone included in the housing application, the Council will require proof of identity, together with proof of residence for all addresses used during the past five years. It will also require proof of income, proof of pregnancy, medical conditions and any disabilities, and a range of other documents, including for example birth certificates, marriage certificates, divorce papers, tenancy agreements, and bank statements, as appropriate.

#### **4.8 Data protection**

- 4.8.1 The Council and the Partner Organisations (Homes for Haringey and registered social landlords) will make every effort to keep information provided by applicants safe and confidential. They will comply with policies on Data Protection, which can be viewed on their websites.
- 4.8.2 Computer records are covered by the Data Protection Act 1984 which controls the way in which personal data is collected, processed, distributed and stored.
- 4.8.3 The Data Protection Act 1984 gives rights to individuals about whom the information is recorded. These rights include the rights of access to the information and the right to challenge the accuracy of that information.
- 4.8.4 Requests for access to data must be made in writing to the Council's Feedback and Information Team. Although a fee will not normally be charged for data access, a £10 charge will be made for a copy of the applicant's file.

#### **4.9 Misrepresentation and fraud**

- 4.9.1 Haringey Council and its partners are committed to prosecuting any applicant who deliberately misrepresents their circumstances or attempts to deceive or

defraud the Council in order to secure the tenancy of a council or housing association home to which they are not entitled.

- 4.9.2 The law imposes severe penalties (including substantial fines or imprisonment) where an offence is proved. If the applicant has gained a tenancy through misrepresentation or fraud, legal action will be taken to recover possession of the property and evict them.

#### **4.10 Councillors' involvement in decision making**

- 4.10.1 Elected Councillors cannot be involved in assessing housing applications or the allocation of housing.
- 4.10.2 This does not prevent them, however, from seeking or providing information on behalf of their constituents, or from being involved in developing and approving future policy.

#### **4.11 Members of the Council, staff and their relatives**

- 4.11.1 In order to ensure that the Council is treating all applicants fairly, any application for housing or re-housing from Councillors or employees of the Council or associated persons must be disclosed.
- 4.11.2 These applications will be assessed in the normal way but any allocation of housing must be approved by the Assistant Director for Strategic & Community Housing Services.

#### **4.12 Equal opportunities and monitoring**

- 4.12.1 The Council is committed to the principle of equal opportunities in the delivery of all of its services. The Council will seek to ensure that its Housing Allocations Policy is applied in a manner that is fair to all sections of the community regardless of nationality, ethnic origin, marital status, age, gender or disability.
- 4.12.2 The Council and its partners will be responsive, accessible and sensitive to the needs of all applicants. They will not tolerate prejudice and discrimination and will actively promote equality
- 4.12.3 Applicants will be invited to indicate if they wish to make use of the Council's translation and interpretation services, and if they require other special services as a result of visual impairment, hearing difficulties or other disability.
- 4.12.4 Confidential interview facilities are provided at all Customer Service Centres and the Broadwater Farm Neighbourhood Office, all of which are wheelchair accessible. Home visits will be carried out as required, especially where the applicant has a disability or mobility problems.
- 4.12.5 All applicants for housing or re-housing will be asked to provide details of ethnic origin, age, gender, faith, sexuality and disability. This will not, however, be a requirement for acceptance of an application. Diversity records will be kept and monitored on a regular and systematic basis to ensure properties are being offered and allocated fairly, and will be reported to the Overview and Scrutiny Committee.

4.12.6 The Housing Allocations Policy (including amendments) will be reviewed regularly in order to ensure that it does not operate in a manner that disadvantages, or discriminates against, any particular group.

#### **4.13 Confidentiality**

4.13.1 Information about a housing application must only be disclosed to a third party on a “need to know” basis and in the following circumstances:

- For the purpose of effective joint working with health, education, social services and other agencies, in appropriate cases, to ensure the safeguarding of children and vulnerable adults and positive outcomes for households
- For the purpose of detecting and preventing fraud
- For the promotion of community safety and the detection and prevention of crime
- For efficient administration of offers of re-housing, lettings, housing association nominations and rent and benefit accountancy
- Where disclosure of information is a legal requirement.

#### **4.14 Access to personal files**

4.14.1 Housing applicants have the right to see what information is held about them on non-computerised records by virtue of the Access to Personal Files (Housing) Regulations 1989 in respect of records made after 1 April 1989.

4.14.2 Applicants also have a right of access to information held about them and their households. This right of access extends only to “personal” information.

4.14.3 In certain circumstances, the Council may refuse access where, for example, the information has been provided in confidence by a third party or disclosure may identify a third party who has not consented to disclosure.

4.14.4 Requests for access to data must be made in writing to the Council’s Feedback and Information Team. A fee of £10 may be charged for supplying an applicant (or their representative) with a copy of their file.

## **5. ASSESSMENT OF HOUSING NEED**

### **5.1 Housing Needs Bands**

5.1.1 To apply for housing, all applicants must join the Housing Register by completing the on-line housing application form.

5.1.2 Following assessment, the application will be placed on the Housing Register (if the applicant is eligible for housing) in one of 5 Housing Needs Bands, based on the information provided:

**Band A**  
**Band B**  
**Band C**  
**Band D**  
**Band E**

5.1.3 Band A will contain those applicants in highest housing need and Band E those applicants in lowest need (see Section 14 for more information on banding).

5.1.4 Some allocations will be dealt with outside the choice based lettings scheme; these are explained in Section 6.8 and 6.9).

### **5.2 Assessment of housing applications**

5.2.1 When the Council has assessed their housing application, the applicant will receive a letter setting out the outcome.

5.2.2 In that letter, the Council will:

- Confirm what Housing Needs Band the applicant has been placed in on initial assessment. Some assessments (such as those relating to medical conditions) may take longer and may result in a change in banding
- Confirm the size (and, if applicable, the type) of property the applicant is eligible for
- Confirm the applicant's effective date
- Include a reminder about informing the Council of any change in the household's circumstances
- Provide details of the appeal and review procedures
- Provide a registration number and unique pin number

- Explain the reasons for any temporary restriction from bidding or reduced preference
- Explain the requirement for annual re-registration.

### **5.3 Deciding the effective date**

5.3.1 Priority within Bands is determined by an applicant's effective date. The effective date is usually the date the application is received, except:

- Where an applicant is moved from one Band to another Band their new effective date will be the date when the change of circumstances causing the banding change is processed and accepted. In the event that an applicant moves up a Band and subsequently has a further change of circumstances that causes a band demotion, the original effective date in the lower band will be retained where this demotion is within six months of the band change upwards.
- Where an applicant receives priority on medical or welfare grounds, their effective date will be the date they applied for this award.
- Where an applicant has been accepted as being 'homeless', the effective date will be the date of the determination of their homelessness application, unless they already qualify for Band B with an earlier date.

### **5.4 Local connection to Haringey**

5.4.1 To establish a local connection with Haringey, applicants must be able to demonstrate that they can meet at least one of the following conditions:

- Their principal home is situated in Haringey and they have been living in the borough continuously for at least 12 months;
- They are a secure tenant of Haringey Council and living in an out-of-borough property;
- They have received confirmation, from Haringey Council, that they will be rehoused under the homelessness legislation and that duty has not yet been discharged;
- They have been placed in specialised housing by Haringey Council or the Health Authority and are continuing to receive services from the Council and/or the Health Authority;
- They are resident in a women's refuge outside the Borough and had been living in Haringey continuously for at least 2 years immediately prior to moving into the refuge;



- They are temporarily residing outside Haringey in prison, hospital or residential care but have the intention of returning to Haringey and had been living in Haringey continuously for at least 2 years immediately prior to moving into prison, hospital or residential care;
- They have a son, daughter, brother, sister, mother or father, who is over 18 and lives in Haringey, and has done so for at least 5 years before the date of application;
- They are being nominated to the Council as part of Haringey's multi agency Move-On Strategy;
- They are a member of Her Majesty's Armed Forces and have completed 5 years' service after enlisting from an address in Haringey.

5.4.2 Applicants will lose their local connection with Haringey if their circumstances change in any of the following ways:

- Since applying to join the Housing Register, they have moved out of the borough and no longer meet any other local connection conditions;
- They had a local connection through a close relative but the relative is no longer residing in Haringey;
- They had a local connection because Haringey Council had a rehousing duty to them under the homelessness legislation but that duty has since been discharged.

5.4.3 Applicants whose principal home is situated in Haringey but are unable to establish a local connection and have not been living in the borough continuously for at least 12 months will have their housing application reassessed when they have supplied the Council with evidence they have been living in the borough continuously for at least 12 months.

5.4.4. Applicants with no local connection will be assessed and relegated in accordance with the banding details set out in section 14. In these circumstances, local connection will take priority over effective dates.

## **5.5 Applicants from outside of Haringey who have no local connection with the borough**

5.5.1 Haringey is a high demand borough where demand for social housing is in excess of supply. For this reason, applicants who live outside of the borough and have no local connection with Haringey cannot expect the same priority for housing as those applicants who have a local connection.

5.5.2 Applicants living outside of the borough will be assessed in the same way as others to establish their Housing Needs Band. If the applicant has no local connection to Haringey, the application will be placed two Bands lower than the assessment, except where:

- An application is assessed as qualifying for Band C, in which case it will be placed in Band D but will have a lower relative priority than those applicants in Band D who do have a local connection (regardless of their effective date)
- An application is assessed as qualifying for Band D, in which case it will be placed in Band E but will have a lower relative priority than those applicants in Band E who do have a local connection (regardless of their effective date)
- An application is assessed as being in Band E, in which case it will stay in Band E but will be shortlisted below those applicants in Band E who do have a local connection (regardless of their effective date).

## **5.6 Applicants given reduced priority**

- 5.6.1 A number of local authorities use temporary accommodation in Haringey to accommodate their homeless households.
- 5.6.2 Applicants owed a rehousing duty under Part 7 of the Housing Act 1996 (as amended) by another council are entitled to join Haringey's Housing Register if they are eligible for housing and have a local connection with Haringey. Although they are entitled to reasonable preference, their application will be placed in Band C rather than Band B.
- 5.6.3 Some applicants in Band A may have their priority reduced (to Band B) if they have not made a bid under the Home Connections choice based lettings scheme within 6 months of being placed in Band A.

## **5.7 Applicants given reduced preference**

- 5.7.1 Section 167 (2A) of the Housing Act (1996) as amended by the Homelessness Act 2002 allows allocation schemes to give reduced preference to the following groups of applicants:
- An applicant with significant financial resources and where s/he is financially able to secure alternative accommodation at market rent for himself
  - An applicant whose behaviour (or that of a member of his household) affects their suitability to be a tenant.
- 5.7.2 The decision to give reduced preference to an applicant because of their behaviour (or the behaviour of a member of their household) is a sanction. It should not be confused with the Council's power to decide that an applicant is ineligible to join the Housing Register.
- 5.7.3 Where an applicant with reasonable preference has sufficient resources to buy (or lease) a suitable home applies to join the Housing Register, their housing need will be assessed in the usual way, but their priority may be reduced due to their financial resources.

- 5.7.4 In reaching a decision, the Council will take into account the applicant's income, capital and any equitable interest they hold in their existing home and any other property, together with their ability to get a mortgage and the size and type of property they require.
- 5.7.5 Applicants who cannot afford to buy a property on the open market but who could afford to buy through low-cost home ownership will be placed in Housing Needs Band D under reduced preference if they have an assessed need.
- 5.7.6 Where an applicant with reasonable preference has an assessed need, they may be given reduced preference if any of the following situations applies:
- They are a tenant of the Council or a registered social landlord and have property-related debts (such as rent arrears, council tax arrears or a Housing Benefit overpayment) that are owed to the Council and/or Homes for Haringey and/or their landlord in relation to an existing or former home, due to property damage and/or non-payment.
  - They are a tenant of a private landlord and have property-related debts (such as rent arrears, council tax arrears or a Housing Benefit overpayment) that are owed to the Council and/or their landlord in relation to an existing or former home, due to property damage and/or non-payment, and have been served with a Possession Order.
  - They are a tenant who has breached the terms of a postponed possession order within the last five years.
  - They (or someone they have included as part of their household) have committed acts of anti social behaviour that have caused, or are likely to cause, a serious nuisance or annoyance to their neighbours or others in the locality of where they live or have previously lived.
  - They have been convicted of assaulting or harassing an employee or agent of Haringey Council, Homes for Haringey or a registered social landlord (including those with whom the Council does not have nomination arrangements).
  - They (or someone they have included as part of their household) have deliberately damaged a property that they are renting, or were previously renting, from Homes for Haringey, a registered social landlord, a local authority or a private landlord.
- 5.7.7 In the above situations, an applicant who has an assessed need will generally be placed in Band D to reflect reduced preference. If they have no assessed housing need, they will be placed in Band E.

- 5.7.8 The Council will notify applicants given reduced preference. Applicants can ask for the decision to be reviewed. The Council will inform applicants in writing if there is any action they can take to improve their assessment.
- 5.7.9 If the applicant owes money to the Council or their existing or former landlord and they are able to demonstrate that they have entered into and maintained effective arrangements for repaying this debt, it may not necessarily result in them being given reduced preference.
- 5.7.10 This is not a blanket policy and each case will be considered on its merits. In exceptional circumstances, applicants retain additional preference despite meeting the criteria outlined above. This may occur, for example, where an owner-occupier has a severe medical need and needs sheltered housing, or someone who is fleeing domestic violence has rent arrears.

## **5.8 Applicants who have deliberately made their housing situation worse**

- 5.8.1 The Council will consider whether an applicant has deliberately made their housing situation worse to increase their housing need, and consequently improve their chances of rehousing through the Housing Register.
- 5.8.2 If the Council decides that the applicant has made their housing situation worse, the applicant will remain in the Band that reflects their housing need before the deliberate action (or inaction) that made their situation worse.
- 5.8.3 If the applicant was not on the Housing Register when the deliberate action (or inaction) that made their situation worse occurred, the assessment of housing need will be based on their housing need immediately before that date.
- 5.8.4 The assessment will be reviewed on request but not normally within the first twelve months of the application being made. If the restriction is removed, the application will be placed in the Band that reflects the applicant's current circumstances and their 'effective date' will be the date that the application was moved to the new Band.

## **5.9 Owner-occupiers**

- 5.9.1 Owner-occupiers and applicants who own other residential property (freehold or leasehold) will be placed in Band E. Applicants who have previously owned a property and have sold it will be asked to provide proof of the sale, together with evidence of the proceeds received from the sale.
- 5.9.2 Unless they are unable to meet their housing needs from their own resources and require an adapted property or are over the age of 60, owner-occupiers generally will not be able to move to another Band or be awarded medical or welfare priority.
- 5.9.3 Owner-occupiers will be able to express an interest for a property if they wish to do so. However, as tenancies provided by councils or registered social landlords can only be held as a main home, homes are not usually offered to applicants who still own their home or are buying their home with a mortgage.
- 5.9.4 An exception may be considered where an elderly owner-occupier is interested in low demand sheltered accommodation.

5.9.5 Owner-occupiers may be able to be moved to a higher Band and awarded medical or welfare priority if they fall within one of the following groups:

- They are over 60 and have been assessed as being unable to meet their housing needs from their own resources; or
- They have a disability, require an adapted property and have been assessed as being unable to meet their housing needs from their own resources.

5.9.6 The Council will decide whether or not an applicant is able to meet their housing needs from their own resources. To make this assessment, it will require details of the applicant's income and savings.

5.9.7 After considering all of the information, the Council may decide that:

- The applicant has sufficient resources to buy or lease a suitable home outright, without the need for shared ownership or a mortgage.
- The applicant has sufficient resources and the mortgage potential to buy or lease a suitable home with a mortgage.
- The applicant cannot afford to buy or lease a suitable home.

5.9.8 If the applicant meets the criteria in paragraph 5.9.5 above and the Council decides that they are unable to buy or lease suitable accommodation, their application will be moved to a higher Band if they are awarded priority on medical or welfare grounds.

## **5.10 Applicants in Haringey 'tied' accommodation which is suitable for their needs**

5.10.1 Applicants are considered to be residing in tied accommodation if the occupation of their home is essential for the performance of their duties as an employee. This includes applicants who are accommodated by Her Majesty's Armed Forces.

5.10.2 Applicants residing in tied accommodation will be placed in Band E, but moved to Band C if they are 6 months away from retirement or have received a legally binding notice asking them to leave their home.

## **6. FINDING A HOME**

### **6.1 Choice based lettings**

- 6.1.1 Anyone who is on the Housing Register can bid for properties that are appropriate to their housing need.
- 6.1.2 Although applicants cannot bid for homes that are larger than they need, applicants who need 3 bedrooms or more may bid for homes that have one bedroom less than they need.
- 6.1.3 In exceptional circumstances (involving very large families that have little or no prospect of obtaining a home that is large enough for their needs), applicants may be permitted to bid for properties that are up to three bedrooms smaller than they need. Before this can happen, however, the applicant must obtain the permission of the Council.
- 6.1.4 Where an applicant chooses to accept an offer of accommodation that has fewer bedrooms than they need and subsequently re-applies to join Haringey's Housing Register, they will not be awarded any priority for overcrowding unless their circumstances have changed significantly since they accepted the tenancy of their existing home.
- 6.1.5 Registered social landlords have their own standards for occupancy and may not offer properties that are smaller than the applicant needs.

### **6.2 Circumstances when eligible applicants will not be able to participate in choice based lettings**

- 6.2.1 Some applicants who are eligible for housing will not be allowed to participate in the choice based lettings scheme if the Council considers that, due to their age or their need for specialist support, they are not yet ready to sustain a tenancy. The circumstances in which this may occur are described in section 6.6 below.
- 6.2.2 Applicants who are eligible for housing will also not be allowed to participate in the choice based lettings scheme if they have accepted an offer of housing but the property is not yet ready for occupation, or if it has been agreed that they will only receive a 'direct offer' of accommodation.
- 6.2.3 Applicants who are eligible for housing can be suspended from bidding for homes through the choice based lettings scheme if they refuse two written offers after making successful bids. Any suspension will be effective for up to twelve months.
- 6.2.4 Decisions on whether or not applicants should be temporarily prevented from participating in the choice based lettings scheme will be made by the Council. Where it decides that an applicant should not be allowed to participate, the Council will inform the applicant of the reasons why they are not able to take part, any conditions that will need to be met before they will again be entitled to take part, and the date that they may request a review of the decision to prevent them from taking part.

### **6.3 Advertising available homes**

- 6.3.1 All of the homes offered through Haringey's choice based lettings scheme will be advertised as widely as possible.
- 6.3.2 Some registered social landlords may decide not to advertise all of their homes through the choice based lettings scheme. This will depend on the level of tenancy nomination rights that the Council has agreed with them.
- 6.3.3 In exceptional cases, a home may be excluded from the advertising scheme because it is needed, for example, to deal with an emergency or for use as alternative accommodation for a tenant who has to move out of their home because it has become unsafe or requires extensive repairs. Other examples include homes that are needed for applicants who have specific housing needs or have been specially adapted and meets the particular needs of an applicant. (See Sections 6.8 and 6.9 for further details).
- 6.3.4 To ensure that applicants are aware of the homes that are available, they will be advertised on the choice based lettings website ([www.homeconnections.org.uk](http://www.homeconnections.org.uk))
- 6.3.5 Advertisements will include a description of the home and any other relevant information, for example the rent, size and any special facilities or adaptations.
- 6.3.6 In the advertisement, the home will be labelled to show whether it is restricted to any particular group of applicants.

### **6.4 Labelling of properties**

- 6.4.1 The Council will label the advertised homes in a way that provides as much information as possible about the property and which applicants are eligible to express an interest.
- 6.4.2 Where an applicant does not meet the criteria outlined, they will not be considered for the home.
- 6.4.3 Labelling criteria will include:
- Transferring tenant: The Council and registered social landlords may sometimes decide that a home will only be available for their own existing tenants.
  - Property size: Applicants must be eligible for the size and type of the property they are bidding for – they will be advised of what they can bid for when they join the scheme.
  - Housing needs bands: Some homes may only be offered to applicants who are in particular Bands.
  - Adapted homes: Homes that are particularly suitable for people with disabilities will have special symbols to help applicants with those needs to identify them. Adverts for adapted or accessible

homes (for example those with wheelchair access) will specify that they are only available for people assessed as needing them.

- Age restrictions: Some homes may have a minimum age requirement.
- Local lettings policies: In order to promote sustainable and settled communities, the Council, Homes for Haringey and registered social landlords may introduce specific lettings policies in some areas which will vary from this Housing Allocations Policy. They may do this, for example, where there are too many vulnerable residents in an area or there is a need to reduce child density, tackle serious anti social behaviour or increase the proportion of tenants who are in employment, education or training.
- Pets: The advertisement will identify whether pets are allowed.
- Home type and facilities: The advertisement will show the type of home, the floor level, the type of heating, the service charges and any other relevant details.

## **6.5 Expressing an interest in available homes**

- 6.5.1 To be considered for an available home, applicants must apply for the home by the publicised deadline and meet the labelling criteria.
- 6.5.2 Applicants will generally be able to make expressions of interest each advertising cycle. The bidding cycle will be weekly.
- 6.5.3 In each weekly cycle, applicants will be able to express an interest in up to three properties for which they are eligible.
- 6.5.4 The number of homes in which an applicant may express an interest each bidding cycle, the length of the bidding cycle and the frequency with which details of newly available properties are added to the choice based lettings website may be changed after monitoring of the scheme and applicant consultation.
- 6.5.5 Support will be offered to applicants who require assistance in using the scheme.
- 6.5.6 Applicants will be able to express an interest in a property by several methods:
  - By telephone
  - Using the website
  - In person at their local designated Council office
  - By text (using a mobile phone)



- By using an advocate for any of the above methods

6.5.7 In certain circumstances applicants may bid for properties by proxy. Council staff, support agencies and other providers may be used as proxies for this purpose, subject to the Council's agreement to any such request.

## **6.6. Applicants who may be suspended from bidding through the choice based lettings scheme**

6.6.1 An applicant who is eligible for housing may be suspended from bidding through the choice based letting scheme (or any bid that they make may be disregarded during shortlisting) in any of the following circumstances:

- Where the applicant has been assessed as being incapable of independent living or sustaining a tenancy;
- Where the applicant is only capable of sustaining a tenancy if they are provided with support, but that support is not being provided;
- Where the applicant's eligibility or level of priority is being reviewed because of, for example, a change of circumstances or concerns about possible fraud or the accuracy of the information that has been supplied in relation to their application for housing;
- Where the applicant has already accepted an offer of another property or has been formally offered another property and has not yet confirmed whether or not they will accept that offer;
- Where the applicant repeatedly fails to attend viewings of properties for which they have bid and been shortlisted;
- Where the applicant repeatedly refuses, without good reason, formal written offers of properties for which they have made a successful bid under the choice based lettings scheme.

6.6.2 In deciding whether or not an applicant is ready for independent living and capable of sustaining a tenancy, the Council will be guided by its specialist housing teams, by support providers and the relevant health and social care professionals.

6.6.3 Where it is decided that the applicant is not yet ready for independent living (or is not receiving the support they need to live independently), their situation will be closely monitored by the Council's specialist housing teams and action will be taken to ensure that appropriate housing and support are provided as soon as practicable.

6.6.4 An applicant will normally be deemed to have 'repeatedly' failed to attend viewings or refused formal offers when, without good reason, they have failed to attend 2 viewings or accept 2 formal written offers.

6.6.5 Where it decides that an applicant should be suspended from bidding through the choice based lettings scheme, the Council will inform the applicant of the reasons why they are not able to take part, any conditions that will need to be

met before they will again be entitled to take part, and the date that they may request reconsideration of the decision to suspend them from bidding for properties.

## **6.7 Shortlisting of interested applicants**

- 6.7.1 Once the advert deadline has passed, a shortlist of applicants expressing an interest in the home will be produced from those who are eligible and meet the labelling criteria.
- 6.7.2 Following production of the shortlist, arrangements will be made by the relevant landlord (Homes for Haringey or a registered social landlord) for the shortlisted applicants to see the property as soon as possible.
- 6.7.3 The landlord will decide whether the applicants view the property individually (with separate appointments) or all at the same time.
- 6.7.4 During the viewing and/or on the telephone, applicants will be given further information about the property, the repairs to be carried out, the date when the property is expected to be available, and any special conditions of tenancy.
- 6.7.5 After the viewing, the property will be offered to the eligible applicant who is highest in the shortlist and is either subject to 'auto-bidding' or has confirmed their interest in being offered the tenancy.
- 6.7.6 The selected applicant will have up to 24 hours to make up their mind as to whether or not to accept the offer. In exceptional circumstances, this period of time may be increased.
- 6.7.7 When an applicant says that they are no longer interested in a property after the viewing, the applicant who is next on the shortlist will normally be considered for the tenancy.

## **6.8 Properties not offered through choice based lettings**

- 6.8.1 The following types of property will not be advertised and let through the Home Connections choice based lettings scheme:
  - Council homes used as temporary accommodation which are then let to the existing resident as an introductory or secure tenancy
  - Service tenancies
  - Supported housing, including housing for older people
  - Properties selected for 'direct lets'
  - Shared ownership, rent-to-purchase and keyworker homes (although these will be publicised through the choice based lettings advertisements).

## **6.9 Properties selected for 'direct lets'**

6.9.1 Although most vacancies (except those in supported housing, sheltered housing and extra care supported housing) will be advertised through the choice based lettings scheme, the Council will make a direct offer of accommodation to applicants in exceptional circumstances.

6.9.2 A 'direct let' may be considered for any applicant whose assessment results in them being placed in Band A of the Housing Register and where, in the judgement of the Council, a 'direct let' offers a much better prospect of securing a move than may be achieved by bidding for a suitable home. This reflects the urgency of the move, and examples include the following:

- Where an existing council tenant or partner housing association tenant in Haringey has been approved for an emergency management transfer because of harassment, domestic violence or hate crime
- Where an applicant needs to move urgently because of a critical medical or welfare need, including emergencies and situations where there are serious safeguarding implications
- Where it is in the overriding interests of the Council to prioritise an allocation of housing to a particular household and/or it is necessary to comply with a Court Order and/or fulfil an urgent statutory or legal duty
- Where a council tenant or housing association tenant in Haringey is occupying a specially-adapted home or under-occupying a large family home and is willing to transfer to a home that is more appropriate to their needs.

6.9.3 A 'direct let' may also be considered in other situations, such as:

- Where an applicant has been assessed by a Multi Agency Public Protection Panel (MAPPA) and it is decided by that Panel that the applicant should be offered social housing
- Where the type and/or location of the accommodation offered to a particular applicant is likely to have significant implications in relation to child protection and/or public protection
- Where an applicant is being moved under a national witness mobility / protection scheme
- Where a specially adapted property has been built, acquired or adapted in order to meet the needs of a specific applicant
- Where a council tenant or housing association tenant in Haringey requires extensive disabled facilities that can be provided more appropriately in alternative accommodation of a particular type

- Where a property is currently occupied by a homeless household (as temporary accommodation and on the basis of a non-secure tenancy) and that property is then offered to them as an introductory / starter tenancy or secure / assured tenancy
- Where an applicant is a former council tenant who has previously surrendered their tenancy (without the need for possession proceedings) on the understanding that, when they leave prison, hospital, rehabilitation or residential care, or have successfully completed a supported housing tenancy, they will be offered the tenancy of a bedsit or one-bedroom home
- Where any delay in providing the applicant with suitable accommodation is likely to prove costly to the Council.

6.9.4 Properties will be selected for direct offers on the basis of the assessed requirements of the applicants.

6.9.5 Where a 'direct let' is made, the property will not be advertised through the choice based lettings scheme. However, to ensure transparency, the Council will report that the property has been used as a 'direct let'.

## **6.10 Circumstances when homeless households living in temporary accommodation may be made a 'direct offer'**

6.10.1 Where an applicant meets the criteria for 'auto-bidding' and the Council decides that they are unsuitable for 'auto-bidding' (because of the specific nature of their housing requirements, for example), the applicant will be encouraged to continue bidding but may be considered for a 'direct offer' of accommodation.

6.10.2 When considering the need for a 'direct offer', the Council will take into account all of the circumstances, including any reasons why they must or must not reside in a particular part of the borough or type of property.

6.10.3 A 'direct offer' may be made, for example, where an applicant needs to move urgently because of a critical medical or welfare need, including situations where there are child protection and/or public protection implications and/or the applicant or a member of their household is a victim of harassment, domestic violence or hate crime.

6.10.4 Such offers may also be made, in exceptional circumstances, where it is in the overriding interests of the Council to prioritise an allocation of housing to a particular household and/or it is necessary to comply with a Court Order and/or fulfil an urgent statutory or legal duty.

## **6.11 Making an offer of accommodation**

6.11.1 Before offering an applicant the tenancy of social housing, the Council will need to verify what the applicant has said in their housing application and ensure that the applicant is in the appropriate Band, has the correct effective date and is eligible for the size and type of the property available (see Section 4.7 for details of verification process).

- 6.11.2 If an applicant fails the verification process, they will not be offered the tenancy of the accommodation even if they are the highest in the shortlist of applicants who have confirmed an interest in being offered the tenancy. In such cases, the applicant will be told why they were not being offered the tenancy of the accommodation.
- 6.11.3 The successful applicant for each home will normally be the one who is eligible, meets any labelling criteria, and has been verified as being in the highest Band and having the earliest effective date. This is subject to the local connection exceptions set out in section 5.5.2.
- 6.11.4 The Offer letter describes the action the applicant must take to accept the offer of accommodation. The tenancy will commence on an agreed date after the property is ready for occupation and with reasonable notice given to the tenant.
- 6.12 Circumstances when homeless households living in temporary accommodation may be subject to 'auto-bidding'**
- 6.12.1 Applicants living in temporary accommodation are actively encouraged to bid for properties through the choice based lettings scheme.
- 6.12.2 In order to minimise the cost of temporary accommodation (and the amount of time that homeless households spend in temporary accommodation), the Council may bid for properties on behalf of homeless households or, exceptionally, make them a 'direct offer' of suitable accommodation.
- 6.12.3 Under the Council's 'auto-bidding' arrangements, applicants who have been living in temporary accommodation and are in a position to make a successful bid for accommodation through choice based lettings will be interviewed by one of the Council's Officers. The purpose of that interview is to confirm the applicant's circumstances and housing requirements, review their bidding history and discuss the full range of housing options available to them.
- 6.12.4 Although an applicant who is subject to 'auto-bidding' may continue to bid for properties under the choice based lettings scheme, the auto-bidding system will normally bid (on their behalf) for all properties that have the number of bedrooms that the applicant requires.
- 6.12.5 Where an applicant is subject to 'auto-bidding' and requires at least 3 bedrooms but is willing to accept a home with fewer bedrooms, it is essential that they bid for any smaller homes they like, as the 'auto-bidding' system will only place bids on properties that have the number of bedrooms that the applicant has been assessed as needing.
- 6.12.6 If an applicant is living in temporary accommodation and makes a successful bid for accommodation (or if an 'auto-bid', made on their behalf, is successful), they will be offered the tenancy of that accommodation. This is irrespective of whether or not they have chosen to attend the viewing.
- 6.12.7 Such an applicant will only be entitled to withdraw their interest in a property without penalty if they are not already subject to 'auto-bidding' and they withdraw their interest before they receive a written offer.

## **6.13 Refusing an offer of accommodation**

- 6.13.1 When a shortlisted applicant (who is not subject to 'auto-bidding') views a home and says they are no longer interested in being offered the tenancy, the next applicant on the shortlist will be considered.
- 6.13.2 The consequences of refusing an offer of accommodation depends on the circumstances in which the offer is made. It is important for an applicant who is owed a rehousing duty under Part 7 of the Housing Act 1996 (as amended) to understand that the refusal of a suitable offer of accommodation is highly likely to result in the Council's duty to accommodate them under Part 7 being discharged, the loss of any temporary accommodation as well, and the loss of priority under this Housing Allocation Policy.

### Applicants who bid for properties, but are not subject to 'auto-bidding'

- 6.13.3 If an applicant (who is not subject to 'auto-bidding') bids for a property through the choice based lettings scheme, they can withdraw their interest in that property without penalty.
- 6.13.4 However, if they refuse two written offers after making successful bids, the Council may suspend the applicant from bidding for homes through the choice based lettings scheme for a period of up to 12 months. This provision does not apply to supported housing, which is dealt with in section 9 below.

### Applicants in temporary accommodation and subject to 'auto-bidding'

- 6.13.5 If an applicant is living in temporary accommodation and subject to 'auto-bidding', they are expected to accept any suitable offer of accommodation that is made to them. They have the right, however, to request a review of the suitability of that offer of accommodation.
- 6.13.6 Where such an applicant refuses an offer of suitable accommodation, the Council's duty to accommodate them under Part 7 of the Housing Act 1996 (as amended) will be discharged.
- 6.13.7 This means that, subject to the outcome of any review, the Council will stop providing the applicant with temporary accommodation. As well as losing their priority for housing (based on them being homeless), the applicant will have to make their own arrangements for housing.

### Applicants who are offered a 'direct let'

- 6.13.8 If an applicant is offered a 'direct let' (based on an individual assessment of their requirements; see Section 6.9), the Council will consider the applicant's reasons for refusing the offer and decide whether or not it was reasonable for them to refuse the offer:
- Where the Council decides that it was reasonable for the applicant to refuse the accommodation offered, the Council will make one further offer of a 'direct let' of suitable accommodation
  - Where the Council decides that it was unreasonable for the applicant to refuse the accommodation offered, the Council will

make no further offers of a 'direct let' and, if the applicant is living in temporary accommodation, consideration will be given to whether or not that offer discharges the Council's duty to accommodate them under Part 7 of the Housing Act 1996 (as amended).

6.13.9 If an applicant is living in temporary accommodation and is offered a 'direct let', they will be expected to accept any suitable offer of accommodation that is made to them. They have the right, however, to request a review of the suitability of that offer of accommodation (except in management transfer cases):

- Where the Council decides that the accommodation offered was not suitable (so it was reasonable for the applicant to refuse the offer), the Council will make one further offer of a 'direct let' of suitable accommodation.
- Where the Council decides that the accommodation offered was suitable, the applicant will be invited to reconsider the offer and, if they still refuse the offer, the Council's duty to accommodate them under Part 7 of the Housing Act 1996 (as amended) will be discharged. This means that the Council will stop providing the applicant with temporary accommodation and the applicant will have to make their own arrangements for housing.

#### **6.14 Failing to respond to an offer of accommodation**

6.14.1 If an applicant fails to respond to a written offer of accommodation within the timescales specified, without good reason, they will be considered to have refused that offer of accommodation. In these circumstances, the Council will have discharged its duty under the law and no further offers of accommodation will be made.

#### **6.15 Accepting an offer of accommodation**

6.15.1 The Offer letter describes the action the applicant must take to accept the offer of accommodation, including signing the tenancy agreement and collecting the keys.

6.15.2 If an applicant signs a tenancy agreement and then rejects the property, this does not count as a refusal of an offer of accommodation because, at this stage, they are the tenant of that property.

6.15.3 If they have already given notice on their previous home, it may not be possible for them to withdraw the notice. Also, as they have accepted a tenancy, it is likely that their landlord will insist on receiving 4 weeks' notice (and will be entitled to rent during that time) if the tenant decides that they do not want to continue with their new tenancy.

6.15.4 Where the applicant is living in temporary accommodation and refuses to move out of that accommodation after signing a tenancy agreement in respect of alternative, settled accommodation, they will be evicted from their temporary accommodation and the Council's duty to accommodate them under Part 7 of the Housing Act 1996 (as amended) will be discharged. This

means that the applicant will have to make their own arrangements for housing.

## **6.16 Withdrawing an offer of accommodation**

6.16.1 A written offer of accommodation can only be withdrawn from an applicant (before the tenancy agreement is signed) where one or more of the following situations applies:

- The applicant has made a false declaration or failed to provide the Council with up-to-date information and that, after reviewing their housing application, the Council has determined that the applicant is not eligible for the property;
- The property details available at the time that the written offer was made were incorrect and it was subsequently discovered that the size and type of the property is not, in fact, suitable to the applicant's needs;
- The applicant's eligibility has changed, since the written offer of accommodation, following a review of the application;
- The Assistant Director for Strategic & Community Housing Services decides that, taking all factors into account, the property should not have been offered to the applicant.

## **6.17 Feedback on the letting of social housing**

6.17.1 After each advertising cycle, the Council will provide feedback on the outcomes of the bids it has received in respect of the social housing advertised through the choice based lettings scheme.

6.17.2 For each letting, the Council will provide the following information:

- The size, type and location of the home
- The number of applicants who bid for the property
- The Band and effective date of the successful bidder

6.17.3 In order to ensure transparency, the feedback will also include any homes that were let as 'direct lets' and were not advertised through the choice based lettings scheme.

6.17.4 Feedback is important because it helps applicants to assess their housing prospects and make informed choices about their future housing.

## **6.18 Homes in lower demand**

6.18.1 Where there are no expressions of interest from eligible applicants, a home will be re-advertised or the criteria for selection will be reviewed.



## **7. OFFERING HOUSING TO TENANTS WHO OWE RENT**

- 7.1.1 Tenants on the Housing Register will not normally be offered a new tenancy if they are in arrears with their rent.
- 7.1.2 Where a tenant owes no more than four times their weekly rent (less any housing benefit payable), they may still be offered housing if they are willing and able to pay all of the rent owing before they sign the new tenancy or, if they are a housing association tenant, before they are offered the tenancy. This is checked with the housing association at the time.
- 7.1.3 If they are a housing association or council tenant, they may still be offered a new tenancy (despite owing more than four weeks' rent) if:
- They need to move urgently because of a critical medical or welfare need, including emergencies and situations where there are serious safeguarding implications;
  - They have been approved for an emergency transfer because of harassment, domestic violence or hate crime;
  - They need to move out of their home (temporarily or permanently) in order to allow repairs or redevelopment to take place;
  - They are under-occupying a family home that has three or more bedrooms and they are willing to transfer to a home that has at least two fewer bedrooms;
  - They are occupying a specially-adapted home and are willing to transfer to a home that is more appropriate to their needs.
- 7.1.4 Where the applicant is under-occupying their home and is entitled to receive a financial incentive for transferring to a smaller home, the transfer incentive payment will be used to reduce or clear any arrears.
- 7.1.5 If the applicant is living in temporary accommodation provided by the Council under Part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002), they may still be offered housing if they have been paying their rent regularly, reducing their arrears to the satisfaction of their landlord and entered into an agreement to pay all outstanding rent, by affordable instalments, over an agreed period.
- 7.1.6 In exceptional circumstances, where there is an urgent need for a housing association or council tenant to move on social or housing management grounds, a new tenancy may still be approved, despite the arrears. Approval will be subject, however, to the support of the Assistant Director for Strategic & Community Housing Services and the applicant's landlord.

## **8. TYPE OF PROPERTY OFFERED**

### **8.1 Property size and household size**

- 8.1.1 The Council, Homes for Haringey and registered social landlords will always aim to make best use of their housing stock.
- 8.1.2 When determining the number and ages of the people who may occupy a property, the Council will have regard to the bedroom entitlement set out in 8.7 below.
- 8.1.3 Sometimes the applicant with the highest priority may not be allocated a home if this would result in either overcrowding or under-occupation, or if it would not make best use of ground floor or specially adapted accommodation.
- 8.1.4 Properties that have level access will be prioritised for those applicants who have a very serious medical need (so are in Band 'A') and require such accommodation.
- 8.1.5 With the agreement of the landlord, an applicant will be allowed to move into a home that is smaller than their needs, where this improves their situation. For example, if an applicant has 4 children and is entitled to a 4-bedroom home but is living in one with 2 bedrooms, their application for a 3-bedroom home may be considered.
- 8.1.6 Registered social landlords may apply different standards. The Home Connections advert will confirm how many people can be accommodated.

### **8.2 Parents with 'staying access' to dependent children or shared residence orders**

- 8.2.1 Applicants with a shared residence order or staying access for children are not automatically entitled to bedrooms for their children.
- 8.2.2 The general principle is that a child needs one home of an adequate size, and that the Council and registered social landlords will not accept responsibility for providing a second home for children.
- 8.2.3 In determining the size of accommodation required for a household, children from current or former relationships will only be counted as part of the household if they live with the applicant for more than 50% of the time. Suitable evidence must be provided, in the form of a Residency Order and a child benefit statement.

### **8.3 Parents with a dependent child who is in foster care or being looked after by the local authority**

- 8.3.1 When assessing bedroom entitlement, the Council will only take into account children who are currently in foster care or being looked after by the local authority if the Children & Young People's Service (CYPS) confirms that the children will be returned to the applicant when the applicant is rehoused in accommodation of a suitable size.

#### **8.4 Support for fostering and adoption**

- 8.4.1 When assessing bedroom entitlement, the Council will take into account the Children & Young People's Service's assessment of the requirements of prospective foster carers and adopters. This will not, however, result in any priority being given for overcrowding.

#### **8.5 Applicants with a medical or social need for a larger property**

- 8.5.1 Applicants can apply for an extra bedroom due to their medical or social needs. Their circumstances will be considered and evidence supporting the need for an extra room will be required.

#### **8.6 Extra rooms for carers**

- 8.6.1 If an applicant states that they need an extra room for a carer, the Council will carry out an assessment of the applicant's needs and decide whether or not an extra room is required. Due to the high demand for housing, such requests are only likely to be agreed in exceptional circumstances.
- 8.6.2 The Council's Adult Social Care service should be able to provide evidence of the need for a 'live in' carer and confirmation (where appropriate) that, if the support was not provided, the applicant would qualify for funding for a 'live in' carer.
- 8.6.3 Where the Council is satisfied that there is a need for a live-in carer who is not cohabiting with another member of the household, the household will be entitled to an additional bedroom.
- 8.6.4 To qualify for an additional bedroom for a carer, the applicant must demonstrate that this care is provided by someone who would not otherwise live with the applicant and that, if they are a relative or friend, they are in receipt of a Carer's Allowance.
- 8.6.5 In exceptional circumstances, an extra bedroom may be awarded where a substantial amount of specialist medical equipment has been installed in the home.

#### **8.7 Guidance on bedroom entitlement**

- 8.7.1 Although the assessment of applicants' bedroom entitlement is complex and based on a range of factors, the table on the next page provides guidance on how many bedrooms an applicant should have.
- 8.7.2 It should be noted that, if a member of the applicant's household is pregnant, this does not entitle them to an extra bedroom. Instead, their application will be amended on receipt of the birth certificate.
- 8.7.3 For the purposes of assessing the applicant's bedroom entitlement, adults under the age of 25 will be assessed as young people in accordance with the table below.

Household size	Lowest number of bedrooms needed
1 adult	Bedsit
2 adults living together as a couple	1 bedroom
Adults living together but not as a couple	1 bedroom each
1 adult (or 2 adults living together as a couple) with 1 child	2 bedrooms
1 adult (or 2 adults living together as a couple) with: <ul style="list-style-type: none"> <li>▪ 2 children of the opposite sex (both under 10); <b>or</b></li> <li>▪ 2 children/young people of the same sex</li> </ul>	2 bedrooms
1 adult (or 2 adults living together as a couple) with: <ul style="list-style-type: none"> <li>▪ 2 children of the opposite sex (one aged 10 or over); <b>or</b></li> <li>▪ 3 or 4 children / young people of the same sex; <b>or</b></li> <li>▪ 4 children / young people (two male &amp; 2 female); <b>or</b></li> <li>▪ 4 children / young people (3 of one sex &amp; 1 of the other) – where at least one male and one female are aged under 10</li> </ul>	3 bedrooms
1 adult (or 2 adults living together as a couple) with: <ul style="list-style-type: none"> <li>▪ 4 children / young people (3 of one sex &amp; 1 of the other, where the former and/or the latter are aged 10 or over ); <b>or</b></li> <li>▪ 5 or 6 children / young people of the same sex; <b>or</b></li> <li>▪ 5 or 6 children / young people (3 or 4 of one sex &amp; 1 or 2 of the other); <b>or</b></li> </ul>	4 bedrooms
1 adult (or 2 adults living together as a couple) with: <ul style="list-style-type: none"> <li>▪ 6 children / young people (three male &amp; 3 female) – where all males and/or all females are aged 10 or over; <b>or</b></li> <li>▪ 7 or more children / young people.</li> </ul>	5 or more bedrooms

## **8.8 Additional properties for large families**

- 8.8.1 Due to the shortage of family homes, very large families that are in urgent need of rehousing may prefer to be offered two separate properties, rather than bid for a property that is smaller than they need.
- 8.8.2 For this to happen, there must be an adult member of the household who is eligible for housing and is willing to hold the second tenancy. They must join the Housing Register and be rehoused after the original applicant, who will be offered alternative accommodation that is of a size that reflects the reduced size of their household.

## **9. ALLOCATION OF PROPERTIES DESIGNED FOR OLDER PEOPLE AND PEOPLE WITH PHYSICAL DISABILITIES**

### **9.1 Supported housing for older people**

9.1.1 The purpose of supported housing is to provide residents with the housing support they require to enable them to continue living independently, in their own home, for as long as possible.

9.1.2 In Haringey, there are 3 types of supported housing for older people, the main difference between them being the facilities and the level of support provided:

- Community good neighbour schemes – for people who require only low level support. Although the schemes lack the communal facilities offered by sheltered housing, residents are invited to attend activities at nearby sheltered housing schemes.
- Sheltered housing schemes – for people who require a medium or high level of support due to frailty, ill-health or restricted mobility. Communal facilities include a lounge and laundry, and a dedicated scheme manager provides residents with advice and support.
- Extra care supported housing schemes – for people who require a substantial amount of personal care and housing support, and who might otherwise have to move into residential care.

9.1.3 Although most of the people moving into supported housing will be aged 50 or over, younger people may also benefit from supported housing if, for example, they have mental health support needs or a physical or learning disability and have been assessed as requiring both housing and support.

### **9.2 Eligibility criteria for supported housing**

9.2.1 All applicants for supported housing must be eligible for housing and be able to meet the eligibility criteria for joining Haringey's Supported Housing Register.

9.2.2 They must also meet other criteria relating to the strategic priorities affecting older people, community care and housing-related support.

9.2.3 To be eligible for supported housing, applicants must have an unmet housing need and have been assessed, by the Council, as requiring 'housing-related support' and ongoing monitoring of their condition and/or situation.

#### An unmet housing need

9.2.4 To satisfy the requirement that they have an unmet housing need, applicants must demonstrate that they meet at least one of the following criteria:

- They are homeless or about to become homeless and are entitled to rehousing under Part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002);
- Their existing accommodation is wholly unsuitable (due to their health, mobility, social care and access requirements) and/or contains hazards that present a serious risk to their health and safety, to the extent that it is unreasonable to expect them to continue occupying their home.
- They are currently in hospital or residential care and are unable to return to their home but have been assessed as being able to live independently in supported housing with appropriate support.
- They need to move urgently, to avoid an inappropriate admission to hospital or long-term residential care.
- They are in need of 'move-on' after being temporarily accommodated in supported housing as part of Haringey's 'step down' service.
- They are under-occupying a family home that they are renting from Haringey Council or a registered social landlord.

#### Examples of 'housing-related support'

9.2.5 To determine whether or not an applicant is in need of 'housing-related support', they will be assessed by a member of the Council's specialist housing teams who will consider, amongst other things, the following:

- The extent to which the applicant needs help with daily living
- The nature and extent of any mobility problems, respiratory problems or sensory impairment
- Evidence of frailty, self-neglect or nutritional deficiency
- Whether or not the applicant is feeling socially isolated and/or vulnerable to crime or abuse by others
- Evidence of mental health or cognition problems, including depression, schizophrenia and dementia
- The extent to which substance misuse is affecting the applicant's ability to cope
- Evidence of a chaotic lifestyle and the applicant's need for support to enable them to cope.

Many supported housing tenants may also have (or develop over time as they age) care needs. Care may be provided by health or

social service providers as an addition to the support service in supported housing.

### **9.3 Applicants who may not be offered supported housing**

9.3.1 Irrespective of their age, applicants who are not in housing need (or are in housing need but are not in need of 'housing-related support') may not be offered supported housing. Where they are in housing need, such applicants are advised to apply for general needs housing.

9.3.2 Even where an applicant is in housing need and requires 'housing-related support', they may not be offered supported housing if:

- They are unwilling to accept the support services offered;
- They require a level of care and support that is more appropriate to a nursing or residential care home and is beyond even that provided in extra care supported housing;
- They are likely to put themselves or other residents at risk of serious harm or injury (or to cause a serious nuisance to their neighbours) because of, for example, unresolved problems relating to substance misuse, anger management or violence;
- They insist that someone lives with them who is neither their spouse/partner nor their registered carer and who does not, in their own right, meet the eligibility criteria for supported housing.

9.3.3 If an applicant meets the above criteria but only needs low level support, they will be offered accommodation in a Community Good Neighbour Scheme. Applicants who meet the above criteria but who need medium or higher level support will be offered Sheltered Housing or Extra Care supported housing.

9.3.4 Applicants who have been assessed as needing accommodation in a Community Good Neighbour Scheme will not normally be offered sheltered housing (and those assessed as needing sheltered housing will not normally be offered a Community Good Neighbour Scheme) except where an extended waiting period may place them at risk or prevent their prompt discharge from hospital or residential care.

9.3.5 Where an applicant is displaying challenging behaviour (such as overt sexualised behaviour or a tendency toward violence and aggression) as a result of a medical condition, they may not be offered accommodation in sheltered housing or a Community Good Neighbour Scheme. However, they may be considered for Extra Care Supported Housing if it has the capacity to cope with such behaviour.

9.3.6 Extra Care Supported Housing is aimed at mentally or physically frail older people (and younger people with disabilities) who would otherwise be considered for residential care. Extra Care schemes have a dedicated on site care and support team available, 24 hours a day, to help with personal care



and support, who meet the statutory requirements for care and support providers.

#### **9.4 Applying for supported housing**

- 9.4.1 To join Haringey's Supported Housing Register, applicants must be assessed by a Supported Housing Assessment Officer and complete a supported housing application form.
- 9.4.2 Although applicants will usually only be considered for the type of supported housing they have been assessed as needing, they have the opportunity to express an interest in particular housing schemes or areas and are actively encouraged to visit the schemes before they make their final choice. The Council's specialist housing staff can help with this.
- 9.4.3 Following the housing needs assessment and based on the applicant's circumstances, the Supported Housing Assessment Officer will determine the type of supported housing each applicant is eligible for and place them (in date order) in the appropriate Priority Band:

##### **Priority Band 1**

- They are awaiting discharge from hospital or residential care (or move-on from 'Step Down' accommodation) and are unable to return to their home because it is no longer suitable;
- They are no longer able to live independently and, unless they are provided with supported housing, they will have to be admitted to long-term residential care;
- They are unintentionally homeless, in priority need and owed a housing duty by Haringey Council in accordance with Part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002);
- They are threatened with homelessness, in priority need and owed a housing duty by Haringey Council in accordance with Part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002);
- The condition or layout of their existing home is such that there is a significant risk of death or serious injury (confirmed by an assessment carried out under the Housing Health and Safety Rating System) and, in the opinion of the Council, the nature and extent of the hazards are such that the offer of supported housing is more appropriate and/or cost effective than eliminating the hazards to enable the applicant to continue living in their home;
- They are experiencing abuse, this can include elder abuse or domestic violence;

- Their home is the subject of a Compulsory Purchase Order or they are living in supported housing or social housing and need to move out of their home to enable major repairs, regeneration or redevelopment of the property or site.

### **Priority Band 2**

- They have severe medical and social problems that are being aggravated by their existing home (for example, they have chronic bronchitis and are living in a damp house and being harassed by their landlord);
- They have received a Notice to Quit (NTQ) or Notice of Seeking Possession (NoSP) and their landlord has applied to the Court for a Possession Hearing, so they are at risk of homelessness;
- They are in hospital or have recently been discharged from hospital and have a severe medical condition that is aggravated by their existing home (for example, they are housebound because of access problems).

### **Priority Band 3**

- They have a severe medical problem that is being aggravated by their existing home (for example, they have chronic bronchitis and they are living in a damp house);
- They have a severe social problem that is being aggravated by their existing home (for example, they have chronic bronchitis and they are being harassed by their landlord).

### **Priority Band 4**

- They have severe medical and/or social problems, but these problems are not aggravated by their existing home (for example, they are housebound by a stroke, but their home is in good repair and they have no access problems).

### **Priority Band 5**

- They would benefit from supported housing, but have a lower level of medical, housing or social need than those in higher bands.

## **9.5 Allocation of supported housing**

- 9.5.1 Supported housing (including Community Good Neighbour Schemes, Sheltered Housing & Extra Care Supported Housing) is not let through the choice based lettings scheme.

- 9.5.2 Applicants who are eligible for housing and on the Supported Housing Register will be allocated properties on the basis of need, suitability and choice, and in accordance with the Priority Bands system.
- 9.5.3 Two bedroom properties will usually only be offered to siblings who apply together, couples who need separate bedrooms for verified medical reasons, and applicants who have a live-in carer who qualifies for Carer's Allowance and where it is beneficial to the applicant to have them living with them and it is necessary for their carer to live with them rather than somewhere else.
- 9.5.4 Priority for ground floor accommodation will be given to applicants who have been assessed as needing ground floor for medical reasons.
- 9.5.5 When a unit of supported housing becomes available, the Council's specialist housing teams will draw up a shortlist of suitable applicants who have expressed an interest in that scheme or area and been assessed as needing that type of supported housing.
- 9.5.6 Generally, properties will be offered to suitable applicants within Priority Band 1 before they are offered to suitable applicants in Priority Band 2, and so on. Within each Priority Band, applicants will be prioritised in accordance with their date of application.

## **9.6 Refusing an offer of supported housing**

- 9.6.1 When an applicant is invited to view a property but says (before or after the viewing) that they are not interested in being offered the tenancy, the next applicant on the shortlist will be considered.
- 9.6.2 The consequences of refusing an offer of supported housing depends on the circumstances in which the offer is made.

### Applicants who are living in temporary accommodation

- 9.6.3 If an applicant is living in temporary accommodation and has been accepted for rehousing under Part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002), they are expected to accept any suitable offer of accommodation that is made to them. They have a right, however, to request a review of the suitability of that offer of accommodation.
- Where the Council decides that the accommodation offered was not suitable (so it was reasonable for the applicant to refuse the offer), the Council will make one further offer of suitable accommodation.
  - Where the Council decides that the accommodation offered was suitable, the applicant will be invited to reconsider the offer and, if they still refuse the offer, the Council's duty to accommodate them under Part 7 of the Housing Act 1996 (as amended) will be discharged. This means that the Council will stop providing the applicant with temporary accommodation and the applicant will have to make their own arrangements for housing.

Applicants who meet supported housing eligibility criteria who are not living in temporary accommodation

- 9.6.4 If an applicant is not living in temporary accommodation, they will usually receive more than one offer of supported housing and, to a limited extent, they may refuse an offer without penalty up to a maximum of three offers.
- 9.6.5 Where the applicant repeatedly fails, without good reason, to attend viewings of suitable properties (or refuses three consecutive offers of accommodation in schemes for which they have expressed a preference), the Council may decide to make the applicant no further offers of supported housing for a period of up to 12 months.

**9.7 Failing to respond to an offer of supported housing**

- 9.7.1 If an applicant fails to respond to a written offer of supported housing within the timescales given, without good reason, they will be considered to have refused that offer of accommodation.

**9.8 Accepting an offer of supported housing**

- 9.8.1 The Offer letter describes the action the applicant must take to accept the offer of accommodation, including signing the tenancy agreement and collecting the keys.
- 9.8.2 If an applicant signs a tenancy agreement and then rejects the property, this does not count as a refusal of an offer of accommodation because, at this stage, they are the tenant of that property.
- 9.8.3 If they have already given notice on their previous home, it may not be possible for them to withdraw the notice. Also, as they have accepted a tenancy, it is likely that their landlord will insist on receiving 4 weeks' notice (and will be entitled to rent during that time) if the tenant decides that they do not want to continue with their new tenancy.
- 9.8.4 Where the applicant is living in temporary accommodation and refuses to move out of that accommodation after signing a tenancy agreement in respect of supported housing, they will be evicted from their temporary accommodation and the Council's duty to accommodate them under Part 7 of the Housing Act 1996 (as amended) will be discharged. This means that they will have to make their own arrangements for housing.

**9.9 Withdrawing an offer of supported housing**

- 9.9.1 A written offer of accommodation can only be withdrawn from an applicant (before the tenancy agreement is signed) where one or more of the following situations applies:
- The applicant has made a false declaration or failed to provide the Council with up-to-date information and that, after reviewing their housing application, the Council has determined that the applicant is not eligible for the property;

- The property details available at the time that the written offer was made were incorrect and it was subsequently discovered that the size and type of the property is not, in fact, suitable to the applicant's needs;
- The applicant's eligibility has changed, since the written offer of accommodation, following a review of the application;
- The Assistant Director for Strategic & Community Housing Services decides that, taking all factors into account, the property should not have been offered to the applicant.

## **9.10 Properties designed or adapted for people with physical disabilities**

- 9.10.1 The Council and a number of registered social landlords own and manage purpose-built and specially adapted housing in the borough.
- 9.10.2 Designed or adapted for people with mobility problems or physical disabilities, these homes will be let to households who have an assessed need for such accommodation.
- 9.10.3 Although some registered social landlords may decide not to advertise all of their homes, the Council is committed to ensuring that as many of these homes as possible are advertised through the choice based lettings scheme. To enable applicants to identify them easily, these properties will be clearly labelled.
- 9.10.4 Some specially designed or adapted properties, however, may not be included in the choice based lettings scheme, so will be directly allocated. Examples include the following:
- Where a specially adapted property has been built, acquired or adapted in order to meet the needs of a specific applicant;
  - Where the property is required in an emergency or for use as alternative accommodation (with disabled facilities) for a tenant who is required to move out of their home because it has become unsafe or requires extensive repairs;
- 9.10.5 The Council (or the relevant registered social landlord, if the property is not owned by the Council) will decide which homes should be included in the choice based lettings scheme.
- 9.10.6 Applicants who need a home that is suitable for wheelchair users will usually need to be assessed by an Occupational Therapist before an offer of appropriate accommodation can be considered.
- 9.10.7 If a council tenant is occupying an adapted property that they no longer need, the Council will actively encourage them to transfer to more suitable accommodation in order that someone else (who is in need of the disabled

facilities) is able to benefit from the adaptations. To enable this to happen as soon as practicable, the tenant will be placed within Band A of Haringey's Housing Register.

- 9.10.8 Although applicants who require disabled facilities may bid for any property they believe can be adapted to meet their needs, the Council will assess the feasibility of such adaptations and, based on the needs of the client, the cost of the adaptations and the availability of other more suitable accommodation, decide whether or not it is reasonable for them to be offered that accommodation.

## **9.11 Age restrictions on homes**

- 9.11.1 Where there is an age restriction on who is able to live in the accommodation, this will be made clear in the choice based lettings advert. Although age restrictions are most commonly applied to supported housing, exceptions are made for younger people who have mental health support needs or a physical or learning disability and have been assessed as requiring both housing and support.

## **10. TYPES OF TENANCY OFFERED**

### **10.1 Introductory and starter tenancies**

- 10.1.1 Applicants who are offered permanent housing where the landlord is the Council will be offered an introductory tenancy (when these are introduced in April 2011) or a secure tenancy. Where the landlord is a registered social landlord, a starter tenancy or assured tenancy will be offered.
- 10.1.2 Introductory tenancies and starter tenancies are 'probationary tenancies' and provide reduced security of tenure during their first year. If the tenancy is conducted to the landlord's satisfaction, it will automatically convert to a secure tenancy or assured tenancy after 12 months have elapsed.
- 10.1.3 Tenants with an introductory or starter tenancy cannot mutually exchange their home or assign their tenancy but are eligible to transfer.

### **10.2 Letting permanent housing on a temporary licence**

- 10.2.1 Homes are sometimes let temporarily to homeless households under a licence agreement or non-secure tenancy. This accommodation will not be let through choice based lettings.

### **10.3 Joint tenancies**

- 10.3.1 The Council will normally only offer joint tenancies to applicants (including existing tenants) who have satisfied the Council of their intention to live together on a long term basis.
- 10.3.2 There is no right to a joint tenancy and a request for one will not be agreed in the following cases:
- Where there is a current Notice of Seeking Possession or Notice to Quit against the tenant;
  - Where Homes for Haringey is contemplating serving or re-serving a Notice of Seeking Possession or Notice to Quit;
  - Where there are management problems such as nuisance or anti-social behaviour;
  - Where an acceptable agreement is not being maintained in respect of rent arrears;
  - Where one of the proposed joint tenants is ineligible for an allocation of housing due to their immigration status or behaviour.
- 10.3.3 Haringey Council tenants who hold a joint tenancy but who have experienced a relationship breakdown can apply to the housing register. Should one or other party be successful in securing an offer of accommodation, s/he will be required to serve notice to terminate the joint tenancy. The Council will then make a decision on the future of the remaining joint tenant in accordance with section 15.25 below. In cases of proven domestic violence the Council will always seek possession of the property.

## **11. LOCAL LETTINGS POLICIES**

### **11.1 Introduction**

11.1.1 It is important that, in most circumstances, priority for accommodation goes to those households in greatest need. Consideration needs to be given, however, to whether or not it is may also possible to:

- Achieve a balance between meeting the housing needs of existing tenants and new applicants; and
- Promote more sustainable and balanced communities by ensuring a mix of households and widening the opportunities for those who are not in greatest housing need.

11.1.2 In exceptional circumstances, the Council and its partners may decide to allocate properties on a slightly different basis from normal, in the interests of building strong and sustainable communities or to deal with particular local issues. This is done through a Local Lettings Policy.

### **11.2 Legislation and guidance**

11.2.1 Section 167 (2E) of the Housing Act 1996 (as amended) enables housing authorities to allocate accommodation to people of a particular description, whether or not they fall within the reasonable preference categories (see paragraph 2.4.2 of this Policy).

11.2.2 The decision to apply a Local Lettings Policy will be made jointly by the Council and the landlord of the property. Such policies should not directly or indirectly discriminate against any particular person.

11.2.3 Agreed for a specific period of time, a Local Lettings Policy will only be approved if it forms part of a strategy to tackle identified problems or contribute to sustainable communities.

11.2.4 Local lettings may be dealt with by restrictive labelling of vacancies advertised through the choice based lettings scheme.

### **11.3 Purpose of Local Lettings Policies**

11.3.1 The purpose of Local Lettings Policies is to ensure a balance between housing priority (in accordance with legal duties and responsibilities) and the longer term sustainability of local communities.

11.3.2 Local Lettings Policies may be used to achieve a wide variety of housing management and other policy objectives, including:

- Reducing the incidence of anti-social behaviour
- Dealing with concentrations of deprivation
- Improving difficult-to-let estates
- Protecting existing stable communities



- Preventing future problems occurring on newly developed estates or in relation to recently modernised properties
- Helping to create balanced communities and achieve wider community objectives, such as a broader social mix and supporting and encouraging people into employment
- Making best use of the Council's housing stock.

#### **11.4 Local Lettings Policies – properties**

11.4.1 Local Lettings Policies may be used, for example, in an area or a block of flats with serious management problems, which put other tenants at significant risk and where other action has failed.

11.4.2 If a Local Lettings Policy is applied to an area due to a history of anti social behaviour, applicants applying for such properties may be asked to supply a tenancy reference and confirm that they, or a member of their household have no history of criminal convictions (this does not cover those convictions that are legally spent or are covered by the Rehabilitation of Offenders Act 1974).

11.4.3 **For existing social housing**, action against the perpetrators must be identified and agreed if possible with the other involved agencies before a decision is made as to whether or not a local lettings policy should apply.

11.4.4 Where it is proposed to introduce such a policy, there will need to be clear evidence that it is desirable and a time limit for review of not more than 2 years will apply. The implications for equal opportunities and the 'reasonable preference' criteria of the law will be considered..

11.4.5 **For new social housing**, the landlord in agreement with the Council may decide to let properties under a Local Lettings Policy. The reasons for doing so need to be clearly stated and should fall into one or more of the following categories:

- Targeting some properties to lower need bands on first lettings. Equal opportunities and legal issues would need to be taken into account;
- On first lettings the landlord in consultation with the Council may consider under-occupying properties to achieve lower child densities;
- On first lettings, the landlord in consultation with the Council may consider restricting the number of vulnerable applicants with high support needs from being offered a property.

11.4.6 Sometimes registered social landlords may have agreed that they will allow a certain amount of their stock to go to their own tenants. If this happens, homes may be advertised accordingly, subject to the Council's agreement.

## **11.5 Local Lettings Policies – people**

- 11.5.1 A Local Lettings Policy may be used if the Council knows that an applicant has committed serious offences that restrict where they can live. This may include Registered Sex Offenders or those identified as posing a serious risk to a specific community. In such cases, the Council will consult fully with the Police, the Probation Service and other interested parties.
- 11.5.2 There may also be occasions when it is necessary and appropriate to make a sensitive letting to a property that has become vacant following a period of serious nuisance or anti social behaviour that has been caused by the drug, alcohol or mental health issues of the former tenant and/or their associates. In such instances, applicants who have such issues (and are likely to cause similar problems to arise) will be prevented from being considered for the property.
- 11.5.3 Local Lettings Policies may also be used to support the delivery of local initiatives set up to strengthen local communities and improve residents' life chances. This may involve, for example, prioritising key workers or setting aside a proportion of available lettings in the locality for applicants who are in employment, education or training.

## **11.6 Monitoring and review**

- 11.6.1 To ensure that housing allocations continue to comply with the duty to give reasonable preference to applicants in the reasonable preference category, and also with the Council's equalities duties, the Council will record and monitor the number of local lettings that result from the use of Local Lettings Policies.

**12.1 Tenants of registered social landlords where no nomination rights exist**

- 12.1.1 There are some registered social landlords in Haringey that are not subject to nomination agreements and can therefore choose to let all of their homes according to their own rules.
- 12.1.2 Applications received from tenants of these landlords will be treated in the same way as an application from a tenant in the private sector.
- 12.1.3 This recognises that, when the tenant moves out of their current home, the accommodation will not become available to help meet Haringey's unmet housing need.

**12.2 Council tenants and tenants of registered social landlords who are living outside Haringey**

- 12.2.1 Where an application is received from a council tenant (who is not a tenant of Haringey Council) or tenant of a registered social landlord and they are not living in Haringey, the application will be treated in the same way as an application from a private sector tenant.
- 12.2.2 This recognises that, when the tenant moves out of their current home, the accommodation will not become available to help meet Haringey's unmet housing need.
- 12.2.3 These tenants will be placed in Band E if they are adequately housed. Although they are able to apply for medical or welfare priority, any application for overcrowding priority will be assessed in the same way as an application from a private sector tenant.
- 12.2.4 Where there is no local connection to Haringey, such tenants will be assigned to lower bands (following assessment) than they would have been assigned if they had a local connection to Haringey.

## **13. REVIEWS, APPEALS AND COMPLAINTS**

### **13.1 Right of review**

- 13.1.1 Applicants have the right to ask for a review of certain decisions that the Council has made about their application for housing or an offer of accommodation. This includes a review of:
- Decisions about refusing an application to join the Housing Register
  - Removing an application from the Housing Register
  - Offers of housing
  - The facts of an applicant's case which are likely to be or have been taken into account in considering whether or not to allocate accommodation to them
- 13.1.2 An applicant may request a review, for example, if the Council decides to exclude them from the Register, remove them from the Register or give their application reduced preference, or where they dispute a fact that is taken into account when deciding whether or not to make an allocation of accommodation.
- 13.1.3 Homeless applicants may also have a statutory right of review on certain homelessness decisions, including decisions on the suitability of accommodation offered and any discharge of duty.

### **13.2 How to request a review**

- 13.2.1 Applicants who disagree with a decision that the Council has made must request a review, in writing, within 21 days of the date of the letter that informed them of that decision. The review request must outline the reasons why the applicant thinks the decision is wrong.
- 13.2.2 If an applicant is unable to put the request in writing, they may be offered an interview to explain why they disagree with the decision.
- 13.2.3 Where an applicant has requested a review, the Council is required to respond to it, in writing, within 56 days. This period starts from the date that the Council receives the applicant's request for a review.
- 13.2.4 Where the Review Officer finds in favour of an applicant who has been prevented from joining the Housing Register or has been given 'reduced preference', the original decisions will be cancelled and the housing application will be awarded the correct 'effective date' and priority.

### **13.3 Requesting a review of the suitability of an offer of housing**

- 13.3.1 Under the choice based lettings scheme, there are generally no penalties for most applicants who refuse an offer of permanent accommodation. However, if applicants receive a direct offer and refuse that offer, their priority may be reduced and, if they are homeless and subject to 'auto-bidding', the Council may discharge its homelessness duty if they refuse an offer of suitable accommodation.
- 13.3.2 Where an applicant refuses an offer of accommodation, the Council may ask them to complete a form to record the reasons why the property has not been accepted. This information will be used to monitor the lettings process and the standard of accommodation, and to inform future decisions on the way in which services are delivered.
- 13.3.3 If an applicant wishes to request a review of the suitability of an offer of housing, they must submit their request to the Council in writing within 21 days of the offer being refused. The Council will normally confirm, in writing, the outcome of the review within 56 days and, in its reply, it will describe any further rights of appeal that the applicant has if they are still not satisfied with the decision.
- 13.3.4 Where the Review Officer decides that the offer of accommodation was not suitable, any penalty that has been imposed (including the discharge of the Council's homelessness duty) will be cancelled:
- Applicants who have not accepted the offer will be entitled to another offer of accommodation (through choice based lettings, a direct offer or 'auto-bidding', as appropriate)
  - Applicants who have accepted the offer and taken on the tenancy of that accommodation will be placed in Band A of the Housing Register and will be given an effective date that matches the date that they accepted the tenancy.

### **13.4 The Council's complaints procedure**

- 13.4.1 If an applicant is dissatisfied with any aspect of the way in which their application for housing is dealt with (other than one for which a review can be requested), they should contact the Council and, if the matter is not resolved to their satisfaction, complete a complaints form.
- 13.4.2 Complaints may include:
- Not being considered for supported housing for older people.
  - The quality of the service they have received
- 13.4.3 Complaints will be dealt with in accordance with the Council's Corporate Complaints Policy.

## **13.5 Local Government Ombudsman**

- 13.5.1 The Local Government Ombudsman investigates complaints of injustice and unfairness resulting from maladministration by local authorities and other organisations. They can be asked to investigate complaints about most council matters, including housing.
- 13.5.2 The Ombudsman normally asks complainants to give the Council an opportunity to deal with a complaint first, before agreeing to investigate. However, if the complainant remains dissatisfied with the action that the Council has taken, they can send a written complaint to the Ombudsman.
- 13.5.3 The Local Government Ombudsman can be contacted at:

Local Government Ombudsman  
PO Box 4771  
Coventry  
CV4 0EH  
**Tel:** 0300 061 or 0845 602 1983  
**Email:** [advice@lgo.org.uk](mailto:advice@lgo.org.uk)

## **13.6 Housing Ombudsman Service**

- 13.6.1 If an applicant wishes to make a complaint against a registered social landlord (housing association) – rather than the Council – they can contact the Housing Ombudsman:

Housing Ombudsman Service  
81 Aldwych  
London, WC2B 4HN  
**Tel:** 0300 111 3000  
**Email:** [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)  
**Web:** <http://www.housing-ombudsman.org.uk/>

## **14. THE BANDING SCHEME**

### **14.1 Introduction**

- 14.1.1 Each application for housing will be assessed and placed in the appropriate Housing Needs Band (A, B, C, D or E), based on the individual circumstances of each case.
- 14.1.2 Reasonable preference, where appropriate, is awarded in accordance with legislation and guidance.

### **14.2 The Housing Needs Bands**

#### **HOUSING NEEDS BAND 'A'**

1. Applicants who need to move urgently because of a critical medical or welfare need, including emergencies.
2. Applicants who, at the discretion of the Council, need to move urgently because there are serious safeguarding circumstances.
3. Tenants of the Council or of partner housing associations who have been approved for an emergency management transfer because of harassment, domestic violence or hate crime, including cases agreed through reciprocal arrangements with other local authorities.
4. Haringey Council tenants and partner housing association tenants living in Haringey who are under-occupying a family home (with three or more bedrooms) and are willing to transfer to a home that has at least two fewer bedrooms.
5. Haringey Council tenants and partner housing association tenants living in Haringey who are under-occupying a two-bedroom family home and are willing to transfer to a bedsit or one-bedroom home.
6. Haringey Council tenants and partner housing association tenants living in Haringey who are occupying a specially-adapted home and are willing to transfer to a home that is more appropriate to their needs.
7. Applicants who have a right of succession to a Council tenancy but are under-occupying their accommodation (or occupying a specially-adapted home) and are required to move to somewhere smaller and/or more appropriate to their needs.
8. Haringey Council tenants and partner housing association tenants living in Haringey who require extensive disabled facilities that can be provided more appropriately in alternative accommodation.
9. Applicants who are in severe need and have been accepted for rehousing, by Haringey Council, under the homelessness legislation.
10. Haringey Council tenants and partner housing association tenants living in Haringey who need to be permanently decanted in order to enable essential repairs or redevelopment to be carried out, or as part of a regeneration scheme in Haringey.

11. Applicants who are required to leave their homes as a result of an prohibition order served by the Council or the Fire Service in relation to the premises.
12. Applicants (including young care leavers and people leaving hospital, residential care and supported housing) who are nominated for move-on accommodation by named agencies in accordance with an agreed nominations agreement that includes specific quotas.
13. Retiring service tenants who are living in Council accommodation and for whom Haringey Council has a contractual obligation to provide accommodation.
14. Situations where it is in the overriding interests of the Council to prioritise an allocation of housing to a particular household and/or it is necessary to fulfil an urgent statutory or legal duty.
15. Applicants (except homeless households for whom the Council has accepted a rehousing duty) who have two or more needs in Band B.

**Note:** Applicants assessed as meeting Housing Needs Band A criteria but with no local connection with Haringey will be placed in Band C, except in those cases of emergency management transfer through reciprocal arrangements with other local authorities.

#### **HOUSING NEEDS BAND 'B'**

1. Applicants who need to move because they have been assessed as having a serious medical or welfare need.
2. Haringey Council tenants and partner housing association tenants living in Haringey who are severely overcrowded and have at least two rooms less than the number of rooms to which they would be entitled to under Haringey's Housing Allocations Policy. This includes reception rooms that could reasonably be used as bedrooms.
3. Adult (aged over 25) members of the households of Council and partner housing association tenants living in Haringey who require single person accommodation, and are severely overcrowded and have at least two rooms less than the number of rooms to which they would be entitled under Haringey's Allocations Policy. This includes reception rooms that could reasonably be used as bedrooms.
4. Applicants for whom Haringey Council has accepted a full rehousing duty under the homelessness legislation.
5. Applicants who need to move to a particular locality in the Borough, where failure to meet that need would cause hardship to themselves or to others.
6. Applicants living in accommodation for which an improvement notice has been served, or is about to be served, by Haringey Council in relation to the applicant's dwelling and the Council has determined that the dwelling must be vacated because the remedies that are needed to reduce the hazard will require the property to be vacated for a significant period of time or will make the property unsuitable for occupation by the applicant.
7. Applicants with 4 or more needs in Housing Needs Band C.



**Note:** Applicants assessed as meeting Housing Needs Band B criteria but with no local connection with Haringey will be placed in Band D. They will have a lower relative priority than those applicants in Band D who do have a local connection, regardless of those applicants having later 'effective dates'.

### **HOUSING NEEDS BAND 'C'**

1. Applicants who need to move because they have been assessed as having a moderate medical or welfare need.
2. Haringey Council tenants and partner housing association tenants living in Haringey who are overcrowded because they have one bedroom less than the number of bedrooms to which they would normally be entitled under Haringey's Housing Allocations Policy.
3. Applicants who are homeless or threatened with homelessness but have been assessed by the Council within the previous 12 months as having no right to rehousing under the homelessness legislation because they are not in priority need.
4. Applicants who are homeless or threatened with homelessness but have been assessed within the previous 12 months by the Council as having no right to rehousing under the homelessness legislation because they are considered to have become homeless intentionally, and have not been resident in settled accommodation.
5. Applicants who have no fixed abode.
6. Applicants who the Council has placed in specialist or supported accommodation, or applicants (including young care leavers and people leaving hospital, residential care and supported housing), and require move-on from that accommodation.
7. Protected tenants and tenants of tied accommodation who have been served with a valid notice to quit and the Council is satisfied that they have little or no prospect of successfully defending the possession proceedings.
8. Applicants who are severely overcrowded and living in private rented (including non-partner housing association) accommodation in Haringey.
9. Applicants living in accommodation for which a hazard awareness notice has been served, by Haringey Council in relation to a Category 1 or 2 hazard in the applicant's dwelling and the remedies needed to reduce the hazard will require the property to be vacated for a significant period of time or will make the property unsuitable for occupation by the applicant.
10. Council tenants and partner housing association tenants in Haringey who are under-occupying a family home (with three or more bedrooms) and are willing to transfer to a home that has at least one fewer bedroom.

**Note:** Applicants assessed as meeting Housing Needs Band C criteria but with no local connection with Haringey will be placed in Band D. They will have a lower relative priority than those applicants in Band D who do have a local connection, regardless of those applicants having later 'effective dates'.

## **HOUSING NEEDS BAND 'D'**

1. Applicants who have an identified housing need but are awarded 'reduced preference' under the law.
2. Applicants who are overcrowded and living in private rented accommodation in Haringey.
3. Applicants who are tenants of a non-partner housing association (whose housing is not subject to a tenancy nominations agreement with Haringey Council), are overcrowded and have a local connection with Haringey.
4. Applicants living in accommodation lacking permanent facilities or sharing facilities with others not included on their application.

**Note:** Applicants assessed as meeting Housing Needs Band D criteria but with no local connection with Haringey will be placed in Band E. They will have a lower relative priority than those applicants in Band E who have been relegated from Band D because they do not have a local connection, regardless of those applicants having later 'effective dates'.

## **HOUSING NEEDS BAND 'E'**

1. Applicants who are living in tied accommodation, a caravan or mobile home, but with no identified housing need.
2. Applicants who live in a property that is adequate to meet their needs in terms of property type, size and facilities.
3. Applicants who are in prison.
4. Applicants whose homes are (or will be) the subject of a hazard awareness notice or improvement notice, but the specified remedies are low-cost and straightforward to achieve.
5. Applicants who are owner-occupiers (but see section 5.9).
6. Applicants who are overcrowded and living in private rented accommodation outside Haringey.

**Note:** Applicants assessed as meeting Housing Needs Band E criteria but with no local connection with Haringey will be placed in Band E. They will have a lower relative priority than those applicants in Band E who have a local connection, regardless of those applicants having later 'effective dates'.

## **15. HOUSING PRIORITY**

### **15.1 Deciding who has priority on the Housing Register**

15.1.1 Applicants will be placed in the relevant Housing Needs Band, defined by their specific circumstances. Reasonable preference, where appropriate, will be awarded in accordance with legal responsibilities.

### **15.2 Overcrowding**

15.2.1 When assessing overcrowding, the Council will only take into account those people who are part of an applicant's household. Applicants will be deemed to be severely overcrowded when they are lacking two or more rooms than they would be entitled to under Haringey's Allocations Policy. Applicants will be deemed to be overcrowded when they have one room less than they would be entitled to under Haringey's Allocations Policy.

15.2.2 Priority will not be given for overcrowding if the overcrowding is the result of someone moving into the applicants' household. If applicants need an extra room for medical or welfare/hardship reasons, they will instead be assessed for medical or welfare priority. If applicants need an extra room for any other circumstances, this will be assessed and the Council will exercise discretion in these cases. Due to the high demand for housing, it is likely that this discretion will only be exercised in exceptional cases.

15.2.4 Where an applicant is pregnant and will be entitled to a larger property, priority may only be given for overcrowding when that baby is born.

15.2.5 Where the applicant is not the main person who cares for the children named in their housing application, the children may not be taken into account in the assessment of overcrowding.

15.2.6 A second reception room will be counted as a bedroom in the assessment of overcrowding where it could reasonably be used as such.

15.2.7 As the Council has a responsibility to provide suitable temporary accommodation, homeless households will be provided with a home that is of the appropriate size when they first become homeless and, if they subsequently become 'severely overcrowded', they will be offered alternative temporary accommodation as soon as practicable. They will not, therefore, attract any additional priority for overcrowding.

15.2.8 The Housing Needs Band in which an applicant is placed depends on their tenure, the extent of their overcrowding and whether or not they have a local connection with Haringey:

- Applicants who are tenants of Haringey Council or a registered social landlord whose housing is subject to a tenancy nominations agreement with Haringey Council will normally be placed in Housing Needs Band B if they have a local connection with Haringey and have at least two bedrooms less than the number to which they would be entitled under Haringey's Housing Allocations Policy

- Applicants who are tenants of either Haringey Council or a registered social landlord that has entered into a nominations agreement with Haringey Council will normally be placed in housing Needs Band C if they have a local connection with Haringey and have one bedroom less than the number to which they would be entitled under Haringey's Housing Allocations Policy
- Applicants who are tenants of private rented accommodation (or are living with relatives or friends) will normally be placed in Housing Needs Band C if they are severely overcrowded and have a local connection with Haringey, or in Band D if they are overcrowded.
- Applicants who are tenants of a registered social landlord whose housing is not subject to a tenancy nominations agreement with Haringey Council will normally be placed in Housing Needs Band C if they are severely overcrowded and have a local connection with Haringey or in Band D if they are overcrowded.

15.2.9 Applicants who are overcrowded but have no local connection with Haringey will usually be placed two Bands below the Band in which they would have been placed if they had a local connection with the borough, as set out in section 5.5.

### **15.3 Children sharing bedrooms**

15.3.1 Children and young people of the same gender up to the age of 25 are expected to share a bedroom unless there is a medical, behavioural or social reason why the children cannot share a bedroom.

15.3.2 Where children of different genders are sharing a bedroom, they will be assessed as requiring their own bedroom (if they are unable to share a bedroom with someone else) when the oldest child is aged 10 or over.

15.3.3 Applications will only be considered for overcrowding priority if the applicant is the main person who cares for the child(ren) named on the housing application. Welfare or medical grounds may be considered in other circumstances.

### **15.4 Applicants without children**

15.4.1 Applicants who do not have children and are living in overcrowded conditions will only be given priority for overcrowding if they are living in self-contained accommodation which is too small.

15.4.2 This means that, although young adults (up to the age of 25) living with their parents (and people temporarily sharing with friends) will not be given overcrowding priority, a couple occupying a one-person bedsit will.

## **15.5 Disrepair, poor design and lack of facilities**

- 15.5.1 Any complaint about disrepair in homes managed by the Council or a registered social landlord must be reported to the Repairs Service of the applicant's landlord.
- 15.5.2 Applicants living in private sector accommodation in poor condition must be referred to the Council's Housing Improvement Team (Private Sector) who will assess the situation and then make their recommendations according to the Banding Scheme (see section 14).
- 15.5.3 If an applicant's home lacks permanent facilities (such as cooking facilities, washing facilities, toilet facilities or heating) they will be placed in Housing Needs Band D.

## **15.6 Sharing with another household**

- 15.6.1 Applicants will be placed in Housing Needs Band D if they share any of the following facilities with someone else (including friends or relatives) who is not included in their housing application:
- Living room
  - Kitchen / food preparation facilities
  - Bathing and washing facilities
  - Inside toilet

## **15.7 People living in mobile homes, houseboats or caravans**

- 15.7.1 Applicants living in a caravan, mobile home or houseboat will be placed in Housing Needs Band E if there is no other housing need, reflecting parity with other private sector applicants.
- 15.7.2 It does not matter if the caravan is on a site or not, or if they own or rent the caravan.
- 15.7.3 If their accommodation lacks permanent facilities (see 15.6.1), applicants living in a caravan, mobile home or houseboat will be placed in Band D.

## **15.8 Applicants for whom Haringey Council has accepted a rehousing duty under the homelessness legislation**

- 15.8.1 All homeless households for whom the Council has accepted a rehousing duty (which has not yet been discharged) under Part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002) will be placed in Housing Needs Band B.

15.8.2 Homeless households will be actively encouraged to bid for properties through the choice based lettings scheme.

15.8.3 In order to minimise the cost of temporary accommodation (and the amount of time that homeless households spend in temporary accommodation), the Council may bid for properties on behalf of homeless households or, exceptionally, make them a 'direct offer' of suitable accommodation (see Section 3).

## **15.9 Accepted homeless households in severe need**

15.9.1 In exceptional circumstances, homeless households (for whom Haringey Council has accepted a full rehousing duty under the homelessness legislation) will be placed in Housing Needs Band A if they are assessed, by the Council, as being in 'severe need'.

15.9.2 An 'accepted' homeless household will be regarded as being in 'severe need' (so may be placed in Housing Needs Band A) if any of the following situations applies to the applicant or a member of their household:

- They have a terminal or life-threatening illness
- They are permanent wheelchair users
- They are frail and elderly
- They have severe mental health problems and/or have been 'sectioned' under the Mental Health Act and have been unable (or are likely to be unable) to cope with living in temporary accommodation
- They have a critical medical or welfare need, including situations where there are serious safeguarding implications
- They are especially vulnerable and the Council is unable to provide them with suitable temporary accommodation.

15.9.3 The Council will decide which of these applicants will be placed in Housing Needs Band A.

## **15.10 Other homeless households not owed a duty**

15.10.1 Other applicants who are homeless (including those who have no fixed address) or threatened with homelessness within 28 days but are not owed a rehousing duty under Part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002) are still entitled to 'reasonable preference'.

15.10.2 This covers people who are intentionally homeless and those who are not in priority need, but not those ineligible for assistance.

15.10.3 If they have a local connection with Haringey, these applicants will be placed in Housing Needs Band C.

#### **15.11 Tenants of tied accommodation under notice**

15.11.1 Tenants in tied accommodation with no need to move will be placed in Housing Needs Band E.

15.11.2 If the applicant has been served with a valid Notice to leave their accommodation and the Council is satisfied that they have little or no prospect of successfully defending the possession proceedings, they will be placed in Housing Needs Band C.

#### **15.12 Protected tenants under notice**

15.12.1 This applies to a tenant with a 'protected' tenancy (that is a tenancy with protection from eviction, but not an assured shorthold tenancy).

15.12.2 If the applicant has been served with a valid Notice to leave their accommodation and the Council is satisfied that they have little or no prospect of successfully defending the possession proceedings, they will be placed in Housing Needs Band C. If a possession order has been granted because of a breach of tenancy, an applicant may be given reduced preference and placed in Band D instead.

#### **15.13 Qualifying Agricultural workers (protection under the Rent Agricultural Act 1976)**

15.13.1 Certain categories of agricultural workers who are provided with accommodation as a condition of their employment, may be protected against eviction even if their employment comes to an end.

15.13.2 The worker can only be asked to leave their accommodation if an Agricultural Dwelling House Advisory Committee (ADHAC) decides that the accommodation will be required by a successor or that the property is no longer in the interest of efficient agriculture

15.13.3 If ADHAC decides that a worker must leave their accommodation, the local housing authority must use their best endeavours to offer housing to the worker.

15.13.4 An authority would not be properly carrying out its duty if it were to refuse to offer suitable accommodation to the worker because they did not have enough priority on the register.

15.13.5 In such cases this applicant will be placed in Housing Needs Band C

#### **15.14 Emergency Management Transfers**

15.14.1 In exceptional circumstances, tenants of Haringey Council and tenants of certain registered social landlords (where Haringey Council has nomination rights) may be provided with an emergency management transfer. This will occur when a Management Transfer Panel has

determined that a transfer to alternative social housing offers the most appropriate way of ensuring the personal safety of the tenant, members of their household and/or the local community.

- 15.14.2 Although most of the transfer requests that are approved relate to extremely serious incidents involving domestic violence, intimidation and harassment, hate crime or threats to kill, the Management Transfer Panel will only approve a transfer where it is satisfied that all other ways of resolving the problem have been exhausted and that it would not be reasonable to expect the tenant to continue living in their home.
- 15.14.3 Where the Management Transfer Panel approves the transfer, the tenant will be placed in Housing Needs Band A and will be made a 'direct offer' of alternative accommodation on a like-for-like basis in terms of number of bedrooms.
- 15.14.4 Where the applicant has already been awarded medical priority, the home that they are offered will reflect their assessed needs.
- 15.14.5 Given the urgency of the situation, it is essential that the transfer takes place quickly. For this reason, the Council and the relevant tenancy management officer will work closely with the tenant to ensure effective communication and that all available options are fully explained and properly considered.
- 15.14.6 On completion of the emergency management transfer, the tenant's transfer application will be either cancelled or reassessed in accordance with the wishes of the applicant. If the transfer application is reassessed, the original date of application will apply.

### **15.15 Decant Moves (for essential repairs / redevelopment)**

- 15.15.1 A decant is where the landlord needs to do major repairs to their property or redevelop the area and the property needs to be vacant for this work to be carried out.
- 15.15.2 Decants will only apply to tenants of local authorities or tenants of housing associations who allocate all their properties through the Haringey Council Allocations Scheme. Moves will usually be temporary but in some circumstances consideration will be given to permanent moves arising from a decant.
- 15.15.3 All such cases will be dealt with outside the Choice Based Lettings Scheme to enable the landlord to move applicants as quickly as possible. To ensure full transparency, these moves will be included in the feedback given in relation to lettings outcomes.
- 15.15.4 Decants occur when a Decants Panel has decided that a transfer to alternative accommodation offers the best way of ensuring that essential repairs and redevelopment take place without causing huge disruption or hardship to the tenants.



- 15.15.5 If a tenant does not want to be permanently decanted to alternative accommodation, they have the right to return to their existing home.
- 15.15.6 When reaching a decision on whether or not a tenant should be offered another property, the Decants Panel will consider the likely impact of the planned repairs and improvements and whether they will be so disruptive that it would be unreasonable to expect the applicant to remain in the property while the works are carried out.
- 15.15.7 The Decants Panel will also consider whether or not, for technical or safety reasons, it is feasible for the applicant to remain in their home while the works are carried out around them.
- 15.15.8 For the tenant to be awarded decant priority, the Decants Panel will need to be satisfied that the work is so disruptive that it cannot be completed with the tenants remaining in occupation and either:
- The work is likely to take more than 3 months to complete; or
  - The health of the tenant or a member of their household will be severely affected if they have to leave their home and then move back again at a later date.
- 15.15.9 If the work is estimated to take less than three months but cannot be completed with the tenants in occupation, the tenant will be expected to move into temporary accommodation and to return to their permanent home after the work has been completed.
- 15.15.10 In the event of the tenant refusing a reasonable offer of temporary accommodation, their decant priority will be removed and possession proceedings will be commenced.
- 15.15.11 If the work is likely to take more than 3 months to complete and/or it would not be reasonable for the tenant to have to leave their home and then move back again at a later date, the tenant may be awarded priority for a transfer to suitable alternative accommodation.
- 15.15.12 If the work is estimated to take less than three months but then runs on for longer, the tenant will be awarded decant priority.
- 15.16 Move-on from specialist or supported accommodation**
- 15.16.1 Applicants living in a supported housing scheme will be placed in Housing Band C if they have a local connection with Haringey and are seeking move-on accommodation
- 15.16.2 Where the applicant has been assessed as being capable of sustaining a tenancy and is ready for independent living, they may apply for medical / welfare priority (see sections 15.20 and 15.21). If they are awarded extra priority, they will be placed in the appropriate Housing Needs Band.

15.16.3 Applicants who are nominated for move-on accommodation by named agencies (in accordance with the Move-On Strategy and an approved nominations agreement that includes a commitment to provide rehousing for an agreed number of residents) will be placed in Housing Needs Band A for six months.

15.16.4 If the applicant has not been rehoused within six months of being placed in Housing Needs Band A, the Council will interview the applicant and decide whether or not they should remain in Band A.

### **15.17 Applicants in prison**

15.17.1 Applicants in prison will be placed in Housing Needs Band E.

15.17.2 However, in exceptional circumstances (where they have negotiated the surrender of their former council tenancy and Haringey Council has given them an undertaking to make them one offer of social housing upon their release from prison – see section 15.27), they will be placed in Housing Needs Band A six months immediately prior to their scheduled date of release from prison.

### **15.18 Medical, welfare and hardship**

15.18.1 **Important:** priority can be awarded under three headings: medical, welfare and hardship.

15.18.2 Although applicants can be assessed under all three headings, they can only be awarded priority under one heading.

15.18.3 Any medical, welfare or hardship priority can be reassessed if an applicant's circumstances change.

### **15.19 Medical assessments**

15.19.1 Where an applicant's current housing is detrimental to their health, or a move to more suitable accommodation would have a positive effect on their health, they may ask to be awarded medical priority.

15.19.2 Medical priority may also be awarded if the applicant is asking to be rehoused so they can receive care or specialist support.

15.19.3 Applicants accepted for rehousing under the homelessness legislation will not normally be eligible for medical priority because, if their temporary accommodation is detrimental to their health, or a move to more suitable accommodation would have a positive effect on their health, the Council will first look to provide alternative temporary accommodation.

15.19.4 Applications for medical priority will be considered by the Council's Special Needs Team which will assess the extent to which the applicant's health is affected by their housing conditions and the expected benefits of providing suitable alternative housing.

15.19.5 Extra information may be sought from landlords, housing officers, doctors, occupational therapists, health visitors and other parties.

15.19.6 The applicant will be awarded one of four categories and the table below is used as a guide to medical priority:

MEDICAL PROBLEM	EFFECT OF CURRENT HOUSING ON APPLICANT'S HEALTH			
	Very Serious 1	Serious 2	Moderate 3	Low 4
Very Serious 1	Band A	Band B	Band C	No award
Serious 2	Band B	Band B	Band C	No award
Moderate 3	Band C	Band C	Band C	No award
Low 4	No award	No award	No award	No award

15.19.7 Applicants who have an urgent need to move because they have a critical medical condition or very serious disability that is being made much worse by their current housing will be placed in Bands A or B.

15.19.8 Where it is decided that the applicant has a medical condition but it is decided that this is not being significantly worsened by their current housing, no medical priority will be awarded.

15.19.9 Although each application for medical priority is assessed on its individual merits, examples of the type of situation in which an applicant may be assessed as having a critical medical housing need include the following:

- The applicant's condition is life threatening and the existing accommodation is a major contributory factor
- The applicant's health is so severely affected by their current housing that it is likely to become life threatening
- The applicant's medical condition is expected to become terminal within a period of 12 months and re-housing is needed to provide a basis for the provision of suitable care
- The applicant is in hospital or residential care and is unable to return to their former home because this would severely worsen their medical condition and/or their mobility is severely restricted and the property cannot be adapted to provide level access.

15.19.10 Where the Council's specialist housing teams decides that medical priority should be awarded, they will also specify the type of housing that is suitable for an applicant. Although applicants will be able to bid for properties that do not meet this specification, the Council's specialist housing teams' recommendations will be strictly adhered to if the applicant is subject to 'auto-bidding' or is made a 'direct offer' of accommodation.

15.19.11 Where an applicant is placed in Housing Band A because of the seriousness of their medical problems and their urgent need for rehousing, their application and bidding history will be reviewed by the Council's specialist housing teams at least once every six months. If the applicant has not secured suitable accommodation within six months, the Council will interview the applicant and decide whether or not they should remain in Housing Needs Band A.

15.19.12 Medical assessments are an assessment of the impact of the applicant's current housing on their medical condition. Applicants are required to inform the Council of all changes in the circumstances relating to their housing application, including their health and the health of members of their household. Such changes may result in an increase or decrease in the level of priority they are awarded.

**15.20 Welfare / hardship assessments**

15.20.1 This applies if at least one person in the household is vulnerable and less able to find settled or suitable accommodation.

15.20.2 These applicants will have a need to move but may not get medical priority because their current housing may be suitable for their needs.

15.20.3 Applicants accepted for rehousing under the homelessness legislation will not normally be eligible for welfare priority because, if their temporary accommodation is unsuitable on welfare grounds, or a move to more suitable accommodation would have a positive effect on their welfare, the Council will first look to provide alternative temporary accommodation.

15.20.4 If a homeless applicant or household is especially vulnerable and they may be at significant risk in temporary accommodation, the Council can consider the Housing Needs Band A category of 'applicants who are in severe need and have been accepted for rehousing, by Haringey Council, under the homelessness legislation' (see section 15.9).

15.20.5 Applications for welfare priority will be considered by the Council's specialist housing teams who will assess the extent to which the applicant's welfare is affected by their housing conditions and the expected benefits of providing suitable alternative housing.

15.20.6 Extra information may be sought from landlords, doctors, support providers, social care professionals and other parties.

15.20.7 The applicant will be awarded one of three categories and the table below is used as a guide to welfare priority:

DEGREE OF VULNERABILITY	NEED FOR SUITABLE SETTLED HOUSING		
	High 1	Medium 2	Low 3
High 1	Band A	Band B	Band C
Medium 2	Band B	Band B	Band C
Low 3	Band C	Band C	Band C

## **15.21 Tenants with a home that is bigger than they need**

- 15.21.1 This applies to tenants of Haringey Council and to the tenants of certain registered social landlords (where Haringey Council has nomination rights) who are 'under-occupying' their homes and want to move to a smaller property.
- 15.21.2 These applicants are given high priority for rehousing because it will free up larger family-sized homes to meet the housing needs of other applicants who are homeless or living in overcrowded or poor quality accommodation. Financial incentives and dedicated advice and support will be provided to help tenants to move.
- 15.21.3 Tenants who are currently living in accommodation that has three or more bedrooms and are willing to move to a smaller property which has at least two fewer bedrooms will be placed in Band A.
- 15.21.4 Tenants who are currently living in accommodation that has two or more bedrooms and are willing to transfer to a bedsit or one-bedroom home will be placed in Band A.
- 15.21.5 Consideration will be given to providing separate housing (in two smaller properties) for families that are under-occupying their home. For example, if a couple with an adult child are under-occupying a property with at least 4 bedrooms, they can be considered for two one-bedroom flats rather than one 2-bedroom flats. However, such moves must always achieve a net reduction of at least 2 bedrooms.
- 15.21.6 Where the applicant has rent arrears, any financial incentive that they are due to receive from moving to smaller accommodation will be used to clear or reduce those arrears. After this has been done, the balance will be paid to the applicant.
- 15.21.7 Tenants who are willing to transfer from large family homes that have four or more bedrooms may be allowed to under-occupy their new home by one bedroom.

## **15.22 Tenants with a specially adapted home that they no longer need**

- 15.22.1 This applies to tenants of Haringey Council and to the tenants of certain registered social landlords (where Haringey Council has nomination rights) who are occupying a specially adapted home and are willing to transfer to a home more appropriate to their needs.
- 15.22.2 These applicants are given high priority for rehousing because it will free up specially adapted homes to meet the housing needs of applicants who require disabled facilities and are currently living in unsuitable accommodation or unable to leave hospital or residential care. To assist their move, such tenants will be placed in Band A.
- 15.22.3 Tenants who are willing to transfer from a family home that has three or more bedrooms and has been substantially adapted to meet the needs of a wheelchair user or someone with very limited mobility may be allowed to under-occupy their new home by one bedroom.

## **15.23 Applicants offered housing because of the death of a secure tenant**

- 15.23.1 When a Council tenant dies, it may be possible for someone living with them to take over the tenancy. This is known as succession and the person who takes on the tenancy is called a 'successor'.
- 15.23.2 To be a 'successor tenant' the applicant has to meet certain rules – they must usually be related to the tenant, or be their partner, and have lived in the property a certain time. The rules for this are in the tenancy conditions for the property.
- 15.23.3 Succession can only occur following the death of the tenant. If the deceased tenant was a joint tenant, the only person who may be able to succeed the tenancy is the surviving joint tenant.
- 15.23.4 A succession can only happen once. This means that, if the deceased tenant was a 'successor' to the tenancy, the tenancy cannot be succeeded, again, by a partner or another family member.
- 15.23.5 The Council's policy on succession reflects the legal position and the rights of successors as laid out in the Housing Act 1985.
- 15.23.6 Succession may only take place when all of the following apply:
- The deceased tenant had been using the property as their only or principal home before their death.
  - The person wishing to succeed to the tenancy is a partner or a member of their family.
  - If the person wishing to succeed to the tenancy is the husband, wife or partner of the deceased tenant, they must have been living with them at the time of the death.
  - If the person wishing to succeed to the tenancy is a member of the deceased tenant's family (but not their husband, wife or partner), they must have lived with the deceased tenant for at least 12 consecutive months before the date of death.
- 15.23.7 Subject to them being eligible for housing and satisfying all of the conditions relating to the right of succession, the Council will normally consider the following 'family members' to have an entitlement to succeed to the tenancy of a deceased tenant:
- The husband, wife, civil partner or unmarried partner of the deceased tenant
  - The son, daughter, step-son, step-daughter or any adopted children of the deceased tenant
  - The brother, sister, mother, father, grandfather or grandmother of the deceased tenant

- The aunt, uncle, niece or nephew of the deceased tenant
- The grand-daughter or grandson of the deceased tenant.

15.23.8 Succession will not be allowed when:

- The deceased tenant had previously succeeded to the tenancy (including a person who was joint tenant and later became a sole tenant after the other joint tenant died).
- The deceased tenant had been living alone.
- The deceased tenant had left the property and was not using it as their only home.
- The deceased tenant had left the property and been admitted to hospital or a residential home for long-term care or treatment.
- There had previously been an assignment of the tenancy or property adjustment order under the Family Law Act.
- The person asking for succession is unable to prove their relationship to the deceased tenant, or their period of residence at the address.
- The tenancy has been brought to an end by the Court granting the Council a possession order.

15.23.9 If the tenancy is succeeded by the husband, wife or civil partner of the deceased tenant, they will be allowed to stay in the property on a permanent basis (even if the property is larger than they need), subject to the terms and conditions of the tenancy.

15.23.10 If an occupant has no legal right to succeed to a Council tenancy when the tenant dies, they may still be granted a tenancy by the Council (as a non-statutory succession) if there has already been a statutory succession and they have lived in the property continuously for the past five years. This may happen in the following situations:

- They are the tenant's partner, civil partner or spouse;
- They are the tenant's child or sibling;
- They were a member of the tenant's household and named on the tenancy agreement when the tenancy began.

15.23.11 A tenancy may also be granted to an occupant if:

- They were the tenant's carer (they must have lived in the property continuously for at least 12 months and have been in receipt of Carer's Allowance); or
- They would be entitled to rehousing under the homelessness legislation if they have to leave the property.

15.23.12 Due to the severe shortage of family-sized and specially adapted accommodation, members of the deceased tenant's household (including partners who are not civil partners and have not married) will not be allowed to stay where they are if their existing home is bigger than they need or it has been specially adapted and they do not require those adaptations. Instead, they will be offered an alternative home that is more suited to their assessed needs.

15.23.13 Where the Council decides that the applicant should move to alternative accommodation, the applicant will be required to join the Housing Register and bid for accommodation through the choice based lettings scheme. To assist their early rehousing, their housing application will be placed in Housing Needs Band A and, where appropriate, they will be made a 'direct offer'.

15.23.14 If the applicant does not secure alternative accommodation within six months, the Council will review their situation and bidding history and may decide to make a 'direct offer'.

15.23.15 If a suitable offer is made and refused, the Council may decide to withdraw its offer to provide alternative accommodation and then commence possession proceedings.

## **15.24 Applicants offered housing because of a secure joint tenancy ending**

15.24.1 This category applies to secure tenants who have a joint tenancy.

15.24.2 If a joint tenant ends the tenancy when moving out, the property is not automatically offered to the tenant remaining.

15.24.3 When one of the joint tenants moves out and the joint tenancy is ended, the remaining former tenant may be offered a sole tenancy of that property or, if appropriate, of an alternative, smaller property. If the leaving former tenant wishes to apply for housing, they must apply to join the register in their own right.

15.24.4 If the remaining former tenant qualifies to be offered the same property, the Council will offer them the tenancy of that property, which will not be part of the choice based lettings scheme.

15.24.5 If the remaining former tenant qualifies to be offered a smaller property, they will be placed in Housing Needs Band A and will be able to express an interest in properties advertised through the choice based lettings scheme. However, if they have not been rehoused within six months of being placed in Housing Needs Band A, the Council will interview the applicant and decide whether or not to make them a 'direct offer'.

15.24.6 If the applicant subsequently refuses a suitable offer, they will have no right to remain in their current accommodation.



## **15.25 Transfers which will release a property that is needed**

- 15.25.1 In exceptional circumstances, council tenants and tenants of partner housing associations will be placed in Housing Needs Band A where their transfer to alternative accommodation will avoid the need for expensive alterations to the property or will meet the urgent housing needs of another household on the Housing Register that would otherwise would not be met within a reasonable time
- 15.25.2 This may normally only happen when there is not a serious shortage of the type of home the tenant is wanting to move to.

## **15.26 Applicants who have negotiated the surrender of their former council tenancy**

- 15.26.1 At the Council's discretion, former tenants of Haringey Council may be placed in Housing Needs Band A where they have negotiated the surrender of their tenancy on the understanding that they will be offered accommodation upon their release from prison, hospital, rehabilitation or residential care.
- 15.26.2 Before agreeing to a tenancy surrender, Homes for Haringey must satisfy itself that the tenant meets the following conditions:
- They were a Haringey council tenant when taken into custody and the offence did not mean that they had broken their tenancy; and
  - They have, or are likely, to be sent to prison for more than 13 weeks (including the time spent on remand) and
  - They have conducted their tenancy in a reasonable way and have not broken their tenancy agreement and
  - Their rent is up to date and
  - They have not been served with a 'notice seeking possession' and
  - They were living alone, require only a bedsit or one-bedroom home and offer to end their tenancy.
  - They are entering residential care, hospital or rehabilitation on a long term basis
- 15.26.3 Applicants in this category will be placed in Housing Needs Band A six months before their scheduled release from prison. They will receive only one offer of suitable accommodation, after which they will lose their priority under this category.

15.26.4 If accommodation is not available at the time the applicant is released from prison, they will have to make their own housing arrangements until they receive their 'direct offer'.

## **15.27 Discretionary Powers**

15.27.1 The Allocations Policy cannot cover every eventuality. In special cases with exceptional needs the Head of Housing Needs & Lettings has discretionary power to award additional priority and approve offers of housing.