

# Lettings Policy

## Document control

<b>Policy approval</b>	August 2022
<b>Updating</b>	Lettings Policy 2020-2022
<b>Next. review date</b>	March 2025
<b>Responsible Executive Director</b>	Executive Director – Customer Insight
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<b>Equality analysis completed</b>	May 2018
<b>Circulation</b>	Intranet & Livv Housing Group Website
<b>Version</b>	8

Version	Date	Author(s)	Notes on Revisions
5	May-18	Compliance & Strategy Advisor	Vulnerable Customers Statement incorporated into the policy
6	Mar-20	Head of Lettings & Empty Homes	Revisions made to document format and to reflect changes made to Income processes
7	Jul-22	Head of Customer Services	Amended to reflect new operating model and processes
8	Nov-24	Head of Customer Services	Next review date amended to March 2025

## 1. Introduction

This policy outlines the Group’s approach to letting homes. It addresses the requirements set out in the Tenancy Standard and sets out how we will let our homes in a fair, transparent and efficient way. We will take into account the housing needs and aspirations of existing and future customers and ensure that there is a clear application, decision-making and appeals processes. We will also ensure that customers are supported through an onboarding process to identify support needed for them to stay safe and well in their homes.

We are committed to creating vibrant, safe and sustainable communities. Homes will be let to applicants identified through various routes including:

- Local Authority Nomination Schemes – including nominations and referrals for those customers that are assessed as needing support or care where

more specialist accommodation will be allocated (Extra Care, Supported Housing)

- Open market advertising for homes that sit outside of Nominations Agreements
- Housing Management Transfers for existing customers

## 2. **Scope**

The implementation and scope of the policy applies and is applicable to:  
(Select the entity or entities the policy covers)

Livv Housing Group	
Livv Homes	

## 3. **Compliance**

The policy is in place in order to support:

Regulatory Compliance, in particular the <b>Tenancy Standard</b>	
Best Practice	

## 4. **Policy Statement**

The following policy statement sets out the various routes to allocating homes that frame our approach and outlines when each would be applicable.

### 4.1 **Local Authority Nomination Schemes**

A percentage of our homes fall under Nominations Agreements with our various local authorities partners. The level of nominations varies by authority and is set out in the respective sub-regional Choice Based Lettings (CBL) agreement. The CBL model allocates the homes that fall under the nominations quota. Applicants must register to join the CBL schemes and once registered, are able to bid on properties that become available. Each scheme clearly defines the eligibility criteria for being accepted and how homes will be allocated. The schemes will allocate homes based on presenting housing need.

### 4.2 **Open Market Advertising**

Those homes that fall outside of Nominations Agreements are primarily advertised on the open rental market. The exception to this would be where we identify a need and make a direct allocation (please see Housing Management Transfers 4.5). This enables customers who choose not to go through the local authority CBL scheme but still have a housing need to access homes. Homes allocated through this route will be again allocated based on need, using a defined assessment criteria based on a points system. This creates a fair and equitable process for assessing housing need. Where two or more households qualify for an equal number of points, the household best able to fully occupy the property will be offered the home first. In the event that there remain more than one household qualifying for the property, it will be allocated to those that are able to fulfil the application

criteria first. Applicants are required to provide supporting evidence in relation to each of the priority categories upon being provisionally offered a property. Where they are unable to do so or the evidence provided does not support their application, this may result in the provisional property offer being withdrawn and offered to the next qualifying applicant. The application criteria are set out in the table at appendix one.

### **4.3 Housing for those with support needs**

These homes are allocated through a referral process to one of the approved support providers. Applicants are assessed by the provider for their suitability for the individual scheme and Livv receives a decision to allocate, or not, based on need. This falls under the local authority nominations agreement, albeit the assessment route differs. Where housing for people with support needs is of a specific nature (e.g., high rise accommodation), a suitability assessment based on the person's ability to self-evacuate in the event of an emergency will be undertaken as part of the lettings assessment. For those allocated homes in these types of accommodation, it will be reviewed annually as part of the support plan to ensure that customers remain safe in their homes throughout their tenancy.

### **4.4 Extra Care Accommodation**

Extra Care accommodation will be allocated in line with Knowsley Council's Extra Care Allocations Policy. All referrals for Extra Care homes are assessed by a dedicated panel led by the Local Authority and fall under the nominations agreement in place.

### **4.5 Housing Management Transfer Process**

In exceptional circumstances some customers may require priority status to move home based on our assessment of need as their landlord. In such cases, we will consider a Housing Management Transfer (HMT) request which is reviewed by an internal panel made up of at least two senior members of Livv staff. This panel will consider the presenting circumstances on a case by case basis, determine the urgency of the case and make a risk-based assessment of housing need. Due to the complexity of these cases this is often based on a subjective assessment of presenting facts to determine a best way forward.

Where the panel agrees there is an urgency to rehouse the applicant, they will be given priority status for homes of an appropriate size and make up (as defined by the criteria set out in the Bedroom Standard) and will take priority for those homes that would fall outside of Nominations Agreements and would normally be advertised on the open market. As many of these cases are location sensitive, we will work with the customer to agree a preferred location however, due to the availability of homes, any restrictions of geography could prolong the timeline for rehousing.

Where the Panel determines that priority status for housing will not be awarded, the supporting rationale for this decision will be clearly

communicated to the customer(s) in question. If customers are dissatisfied with the Panel's decision, an appeal can be made to a Head of Service. In order to appeal, the customer must provide specific details explaining why they do not agree with the supporting rationale for the decision made by the Panel. Appeals should be made in writing within 14 days of the notification of the original Panel decision.

#### **4.6 Other urgent rehousing needs**

There are occasions where people or families may face circumstances that sees them in priority housing need that would sit outside of the criteria detailed above. This would often see them disadvantaged and placed at risk of harm, which needs to be avoided. We will consider these issues on a case by case basis and will make risk based decisions on the individual circumstances. While this list is not exhaustive, this would include examples like long term household members left in possession of a property and needing rehoming, situations where a property becomes uninhabitable or customers who require an adapted property. All decisions on whether to allocate a home via this route will be decided by the Head of Customer Service or a more senior member of the Livv Team.

#### **4.7 Lettings to Livv employees and their close relatives**

All those who qualify for housing will receive equal treatment regardless of whether they are employed by Livv Housing Group or any of its companies. Probity will prevail and any decision to let homes to employees and/or close relatives will be done with the appropriate considerations and will be approved by a member of the Senior Leadership Team. These lettings will be added to the probity register and reported to Audit & Risk Committee on a quarterly basis. Disclosure must occur at the point of entry to the waiting/transfer lists and the offer of accommodation

#### **4.8 Transfer requests for those not in priority need**

We will review and reserve the right to stop transfer requests that are considered non-essential through both alternative marketing routes and local authority Nominations. We would therefore only make offers to existing tenants with housing priority bands A, B or C who are not adequately housed. We will also not normally offer a home to an existing tenant if they have lived in their current home for less than 12 months or they have breached their tenancy conditions.

#### **4.9 Allocation of Garages**

Garage applications will prioritise applicants in the following order:

- Current tenants
- Length of time on waiting list

We reserve the right not to automatically make available for rent garages when they become vacant.

#### **4.10 Housing Related Debt**

Any housing related debt from previous tenancies will be expected to be repaid in full at tenancy sign up. Where this is unaffordable the debt will be written into the new tenancy agreement for repayment over an agreed period of time.

#### **4.11 Unacceptable Behaviour**

We are committed to achieving safe neighbourhoods through promoting good tenancy conduct and having a zero tolerance to crime and anti-social behaviour. Allocations to applicants with a history of inappropriate or anti-social behaviour will be carefully considered and are unlikely to be supported unless there is evidence that the applicant had taken steps to mitigate their past actions and significantly changed their behaviour.

#### **4.12 Right to Rent**

In order to comply with regulatory requirements, the immigration status of applicants will be checked. Applicants who own their property will generally not be eligible for a home but will be considered where certain circumstances apply that suggest the person would be at risk of staying in their home or where required adaptations are not economically viable.

EEA Nationals who are not in employment or entitled to Housing Benefit or the Housing Element of Universal Credit may not be offered a property.

#### **4.15 Affordability**

All applicants will be required to complete a pre-allocation assessment including a credit referencing check and comprehensive affordability assessment. This may result in applicants being referred for further support to ensure they are able to afford the home and maintain their tenancy. A confirmed offer of a property will not be made until all checks are completed and we are satisfied that the customer can afford the property.

#### **4.16 Paying rent**

Applicants will be required to pay rent and any service charges due in advance in line with their tenancy agreement. This payment will be required irrespective of the applicants' entitlement to Housing Benefit or the Housing Element of Universal Credit. If the initial payment requested is not made before the tenancy is due to be signed, then we will be unable to complete the process and the tenancy will not be granted. In exceptional circumstances where a tenancy has been granted at short notice due to an urgent housing need, we may grant a tenancy without payment before tenancy sign up providing a repayment plan has been put in place. Customers will be placed on a 12 month Starter Tenancy. Any non-payment of rent will place the customer at risk of their tenancy not being promoted to an Assured Tenancy and losing their home.

#### **4.17 Deposits**

Properties let via Open Market Advertising require a deposit to be paid equating to 4 weeks gross rent and any service charges due. The deposit will be protected by the Deposit Protection Service (DPS) Custodial scheme in accordance with its terms and conditions. The terms and conditions and Alternative Dispute Resolution rules governing the protection of the deposit, including the repayment process can be found at [www.depositprotection.com](http://www.depositprotection.com). Where a property is let to more than one applicant then they will be given the choice of registering proportions of the deposit in different names or registering the deposit to one applicant with the same approach employed when repaying the deposit at the end of the tenancy. Regardless of the deposit registration approach chosen, the applicants in question will be jointly and severally liable.

#### **4.18 Appeals/Complaints**

To appeal or complain about a property allocation decision made, applicants should refer to the Livv Housing Group Complaints Policy. Our contact details can be found on our website.

#### **4.19 Information Sharing, Confidentiality and Data Protection**

We are defined as a Data Controller under the General Data Protection Regulation and are registered with the Information Commissioner's Office. Customers data will be managed in accordance with the Group's Data Protection Policy which is available upon request and our Privacy Notice which is published on our website.

### **5. Policy Outcomes**

- To ensure that we let our homes in a fair, transparent and efficient way
- Support people living in our communities or wishing to do so to finding a home that is affordable and meets their needs,
- Provide opportunities for people unable to afford to access the open housing market to access to our homes through open marketing where they can't access these through the CBL route
- To ensure that there is a clear application, decision-making and appeals processes

### **6. Monitoring and Review**

In order to ensure that the policy is effective and delivering the intended impact, the following Key Performance Indicator's (KPI's) are in place to monitor the performance of the policy: (Bullet point the KPI's specific to the policy that are in place)

- Time taken to let empty homes

- % homes advertised through the open market route
- Customer satisfaction with the lettings process

## **7. Roles and Responsibilities**

Common Board (via the Customer Services Committee)	Approval of the policy
Executive Director Customer Insight	Responsible for the implementation of this Policy.
Director Customer Relationship Management	Responsible for monitoring the service and ensuring that it complies with the requirements of this policy.
Head of Customer Services	Responsible for approval of all exceptional Housing Management Transfers
Housing Managers	Oversee the Housing Management Transfer Panel and any follow up actions and create clear audit trails of decision making throughout.
All employees involved in the delivery of Lettings services	are Responsible for ensuring they comply with the requirements of this policy and create clear audit trails of decision making throughout.

## **8. Equality & Diversity**

In order to comply with the Equality Act 2010, an equality analysis (EA) was completed as part of the policy review. Upon completing the EA it was found that the implementation of the policy would support and encourage the aims of the public sector duty. The equality analysis was completed and approved (specify the date).

Appendix One:

Priority Category	Points allocated																		
Income (including salary and benefits) of the single or joint applicant(s) only (income from other household members will not be considered when allocating points for this category)	<table> <tr><td>Less than £10,000</td><td>0 points</td></tr> <tr><td>£10,001 - £12,500</td><td>1 points</td></tr> <tr><td>£12,501 - £15,000</td><td>2 points</td></tr> <tr><td>£15,001 - £17,500</td><td>3 points</td></tr> <tr><td>£17,501 - £20,000</td><td>4 points</td></tr> <tr><td>£20,001 - £25,000</td><td>5 points</td></tr> <tr><td>£25,001 - £30,000</td><td>6 points</td></tr> <tr><td>£30,001 - £40,000</td><td>7 points</td></tr> <tr><td>More than £40,001</td><td>8 points</td></tr> </table>	Less than £10,000	0 points	£10,001 - £12,500	1 points	£12,501 - £15,000	2 points	£15,001 - £17,500	3 points	£17,501 - £20,000	4 points	£20,001 - £25,000	5 points	£25,001 - £30,000	6 points	£30,001 - £40,000	7 points	More than £40,001	8 points
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£30,001 - £40,000	7 points																		
More than £40,001	8 points																		
Local Connection - A maximum of one point will be allocated to the single or joint applicant(s) for each of the four qualifying criteria items located within a two-mile radius of the property location to give a maximum of four points if all of the criteria are met)	<table> <tr><td>Home address</td><td>1 point</td></tr> <tr><td>Work address or college address</td><td>1 point</td></tr> <tr><td>Immediate family address</td><td>1 point</td></tr> <tr><td>Son/daughter school address</td><td>1 point</td></tr> </table>	Home address	1 point	Work address or college address	1 point	Immediate family address	1 point	Son/daughter school address	1 point										
Home address	1 point																		
Work address or college address	1 point																		
Immediate family address	1 point																		
Son/daughter school address	1 point																		
Critical worker status which can be found at <a href="https://www.gov.uk/government/publications/emergency-planning-and-response-for-education-childcare-and-childrens-social-care-settings">https://www.gov.uk/government/publications/emergency-planning-and-response-for-education-childcare-and-childrens-social-care-settings</a>	4 points will be allocated for single or joint applicant(s) employed in a qualifying critical worker role																		
Residing outside Knowsley and economically active. (please note that this only applies to properties being allocated in Knowsley)	4 points will be allocated for single or joint applicant(s) residing outside of Knowsley that are economically active																		
Ability of the household to fully occupy the property in line with the bedroom standard definition below: One bedroom for the applicant and their partner plus one bedroom for: - Married or cohabiting couple	Fully occupying property - 4 points Under occupying by 1 bedroom - minus 2 points																		



<ul style="list-style-type: none"> <li>- Adult aged 21 years or over</li> <li>- Two adolescents aged 10 to 20 years of the same sex</li> <li>- Two children aged under 10 years regardless of sex</li> <li>- A child with severe disabilities who requires frequent care during the night</li> <li>- A foster child, where a separate bedroom is a requirement of the fostering authority</li> <li>- A non-resident carer who is regularly required to stay overnight to attend to personal care/health needs</li> <li>- Households with an expectant mother are treated as though the child has been born once the Pregnancy Maternity Certificate (MATB1) has been provided - please note where the addition of the unborn child into the household may not result in the requirement for an additional bedroom the decision to include the unborn child can be deferred until the gender is established or the child is born</li> <li>- Where an applicant has staying contact with children, the children will only be considered as part of the housing application if the applicant can provide proof (documentation from the court/solicitor or written confirmation from the child's other parent as well as being in receipt of Child Benefit) they live with the applicant for the majority of the time (over 50%) - a parent with staying contact for children for less than 50% of the time may be allocated one additional bedroom for those children subject to an affordability assessment (for example a single person may be eligible for a two bedroom property)</li> </ul>	<p>Under occupying by 2 bedrooms - minus 3 points</p> <p>Under occupying by 3 bedrooms - minus 4 points</p>
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