

Midland Heart Policy

Allocations

Policy Reference Number	
Version	V4.1
Issue Date	April 2016
Review Date	31 August 2019 (extended) <i>(unless an earlier review is required by legislative changes)</i>
Staff Affected	All staff working with customers seeking Midland Heart General Needs or Market Rent accommodation.
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Approved By	David Taylor – Executive Director of Operations
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Always refer to documents stored on the Intranet when applying policy and procedure.

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1. Purpose

This document sets out the way in which Midland Heart selects applicants and existing customers for re-housing in General Needs accommodation. It provides detail on how we will prioritise applicants, so that our properties are allocated fairly. It also sets out the eligibility criteria for Market Rent (Cygnet and Intermediate Market Rent) properties.

There are a number of different access routes into Midland Heart accommodation; some of our properties are let through a waiting list, some by direct access, others by a single referral system operated in partnership with Local Authorities and other appropriate agencies or through Midland Heart's Homes Direct or Choice Based Lettings schemes. Market rent properties are advertised on Right Move and all interest is noted on a lead-sheet by the Customer Service Coordinator.

The actions we will take are driven by our **Vision** "to be a leading housing and care business, helping people to live independently!" and our **Values**:

- **People Focussed**
- **Inclusive**
- **Professional**

2. To Be Read In Conjunction With:

2.1 External:

- Equalities Act 2010
- Housing Act 1996
- Homelessness Act 2002
- Housing Act 2004 (Pt. 1 ch.4: Pt.4, ch.3)
- Regulations and guidance from Supporting People
- Immigration and Nationality Act 1996
- Landlord and Tenant Act 1985
- Housing and Regen. Act 2008
- Immigration Act 2014
- Welfare Reform Bill
- Localism Bill

2.2 Internal:

- Midland Heart Lettable Standard
- Empty Homes Policies & Procedures
- Gas servicing Policy & Procedure
- Domestic Abuse Policy & Procedure
- Assured Tenancy Agreement
- Starter Assured Tenancy Agreement
- Fixed Term Tenancy Agreement
- Repairs and Maintenance Policy & Procedure
- Recharges Policy & Procedure
- Single Equality Scheme
- Aids & Adaptations Policy & Procedure
- Anti-Social Behaviour Policy
- Tenancy Policy
- Starter Tenancy Procedure

- Fixed Term Tenancy Procedure
- Succession Policy & Procedure
- Assignment Policy & Procedure
- Mutual Exchange Policy & Procedure
- Income Recovery Policy

3. Policy Document Version Control

Version	Issue Date	Business Owner	Review/Health Check
3.0		Raj Shroff and David Taylor	Review <ul style="list-style-type: none"> ● Reference to allocations into Care & Support removed as these are generally dictated by contractual requirements ● Policy Business Owner changed to Customer & Communities Head of Service only ● Legal updates (i.e. Welfare Reform and Immigration Act) and our response to these are reflected in section 5.7 ● Transfers between Midland Heart properties: will now be restricted where there is no housing need and, where there is housing need, customers will need to demonstrate that they have exhausted mutual exchange process ● Focus for allocations based on best use of stock, affordability and promoting tenancy sustainment ● Amendment to section for staff (specifically new employees) who are allocated a property (paragraph 5.6.5) ● Appendices amended to reflect focus on General Needs accommodation
4.0	April 2016	Gary Hardy	Not scheduled until 2019
4.1	March 2018	Gary Hardy	Review to include Market Rent properties. (Sally Thompson)

4. Scope of Policy

This Policy applies to all Midland Heart staff working with customers seeking allocation into Midland Heart General Needs or Market Rent properties.

An Equality Impact Assessment has been completed to analyse how the content of this policy may have a direct or indirect adverse affect on individuals or groups. Midland Heart ensures that its staff receive Equality and Diversity training and comply with our Single Equality Scheme. Where a customer may be ineligible for housing, or have difficulty in accessing our allocations process, staff will signpost and advise customers on where they may receive appropriate support for their needs and to improve accessibility.

POLICY STATEMENT

5.1 INTRODUCTION

5.1.1 Midland Heart is a large provider of accommodation, as well as Care & Support services. We aim to ensure that all of our general needs and supported homes and services are let to those most in need. We do this through a number of avenues such as working with our Local Authorities, or other third sector partners, to ensure we meet the needs of the people in our areas of business but most importantly by having a robust, fair and transparent allocation process.

Our market rented properties are let on a first come basis provided the criteria for this type of allocation has been met.

5.2 CHOICE

5.2.1 Midland Heart will offer a choice of accommodation where possible. This means that where appropriate, all general needs vacant properties will be advertised through Homes Direct or a CBL scheme (Market Rent properties are advertised on Right Move and Midland Heart's website). If this is not appropriate, Midland Heart will offer customers the ability to choose an area they would like to be considered for housing. Where a customer has been referred to us by one of our partners for a specific scheme or service, a decision around what deems a property most suitable will be made between the customer and the partner agency criteria.

5.3 OUR OBJECTIVES

5.3.1 Midland Heart will be guided by the following principles:

- To allocate properties in a fair and transparent manner, by encouraging customers to make informed decisions on what accommodation they would like to be considered for and which locations they would like to live in.
- We will continue to implement local lettings plans, in consultation with local communities, where there is evidence that such schemes are required by local people.
- To continue to support tenant mobility.
- To ensure any tenancy is likely to be sustained by the customer.

5.4 HOUSING STOCK

5.4.1 Midland Heart currently operates in over 50 local authorities. Our work involves supporting those who need help to live independently, assisting in regenerating communities, as well as providing and maintaining homes for more than 70,000 people.

5.4.2 Midland Heart's Operations department manages around 23,000 homes for general needs. Generally, the demand for housing greatly outweighs the supply. For this reason, Midland Heart will usually allocate their homes based on the priority banding criteria set out within this policy, with an emphasis of always allocating the right home to those most at need.

5.4.3 The Home Options team manages 450 properties for Market Rent. Some of these properties may be at 80% of Market Rent known as 'Intermediate Market Rent'. Financial appraisals, credit and referencing checks are carried out on each potential client to ensure they are eligible and can afford to pay their rent.

5.5 ACCESS ROUTES INTO MIDLAND HEART

5.5.1 Properties are allocated through a number of sources and will be allocated in accordance with this Allocations Policy.

5.5.2 The sources where Allocations can come from are as follows:

- Homes Direct
- Direct Application Forms within Care & Support
- Nominations Agreements with Local Authorities
- Emergency Moves
- Temporary Re-Housing (Decants)
- Direct Lets Referral Agent ('referral agent' could be Social services; Health, probations, Age Concern, etc)

Applications for Market Rent are via Right Move – covered in 5.5.11.

5.5.3 Homes Direct

In 2011, Midland Heart launched Homes Direct; this scheme is used for allocating properties for rent, sale and shared ownership. Once an individual has filled out an online application form, it will be assessed and if accepted, the individual will be on our housing register and be able to bid on available and suitable properties. For our available general need and sale properties, this process has replaced application forms. All applications will only be verified at the point of a provisional offer of accommodation being made.

5.5.4 Direct Applications

Midland Heart currently maintains a housing register (Homes Direct) for properties that people are able to directly bid on. The rest of our stock is usually allocated through nomination agreements (see appendix 8). The application will be automatically assessed against our eligibility criteria and priority banding system as set out within this policy. Details of the Banding system can be found at Appendix 1.

5.5.5 Nominations

The statutory responsibility for ensuring that suitable accommodation is available for persons in need rests with the Local Authority. However, Midland Heart has an obligation through the Homes & Communities Agency to offer a proportion to Local Authority nominations.

Nominations will not normally be refused unless the applicant (this list is not exhaustive):

- Is not eligible for the property.
- Is a former Midland Heart tenant with a record of serious breaches of tenancy/license.
- The customer requires support that is attached to the property, but declines the support or it is not available.
- The customer is not eligible for a housing offer
- The customer is not able to sustain the tenancy due to affordability now or due to any planned benefit changes.

5.5.6 Emergency Moves

In exceptional or emergency circumstances, a customer may be given priority to move through a direct let, even if the customer is not currently registered with Homes Direct. An exceptional circumstance means an immediate threat to life or serious harm from a third party, within the local area or vicinity. Any threat will need to be substantiated by the police and where possible, supported by an Osman Warning

An Emergency Move would be considered if other measures could not be put in place to protect the safety of the customer, for example, additional security or legal remedies such as injunctions. The usual re- housing with rent arrears policy is waived for Emergency Moves.

Midland Heart cannot guarantee that the new home will meet all of the transferring customer's preferences. However, Midland Heart aims to ensure that the customer is safe in their new accommodation and that the housing provided is, as far as possible, meets the customers housing need in relation to size and type. The property offered will be at Midland Heart's Void Property Standard and will not replicate any improvements the customer has made to their

existing home.

Only one offer of an emergency move will be made. If the customer does not accept the offer, no further offers of emergency moves will be made except in exceptional circumstances where there is clear evidence that the first offer was not reasonable from a safety perspective. Emergency moves offered under these circumstances may require supporting third party evidence such as a police report.

An approval for emergency move will be made by the Operations Manager (People) and Strategic Lettings Manager (both have to agree).

Approved Emergency Moves will be valid for one calendar month and will be reviewed after this date if a move has not been secured. The Operations Manager (People) and Strategic Lettings Manager will consider if the original risk still applies, or is as serious given the time elapsed since the original approval.

5.5.7 Temporary Re-Housing (Decants)

Temporary re-housing may occur when a property is in need of substantial repair or improvement work that cannot be reasonably completed while the customer is in occupation. In these cases, the tenant remains the tenant of the original property, paying rent at that property. Customers must always return to their original property.

5.5.8 Move On / Transfers

Midland Heart is keen to assist with re-housing customers from temporary supported accommodation, supported housing or other specialist needs, and is also keen to ensure that tenancies are sustainable. Applicants will be classified as Band A status on Homes Direct if they are living in short term supported accommodation, where the length of stay does not exceed 2 years. However they must demonstrate that they meet the affordability criteria.

Midland Heart has the right to restrict properties to their existing Midland Heart customers in Supported Housing.

Existing Midland Heart customers will receive a property inspection to ensure the terms of their tenancy have been complied with. If a customer has caused damage to their home, this will be classed as anti-social behaviour. Existing Midland Heart customers will need to complete any repairs, or make good, any unauthorised improvements they are responsible for before signing for a new tenancy

Midland Heart will restrict transfers between Midland Heart properties where there is no Housing Need (Band D). Where there is a housing need the tenants will need to demonstrate that they have exhausted the mutual exchange route. Only then will a transfer be agreed.

5.5.9 Direct Lets / Referrals

Properties will be let to applicants who are referred from specialist agencies. Each direct let arrangement is listed at Appendix 7 and has been approved by the Midland Heart Executive Board.

5.5.10 Direct Offers

There may be occasions where Midland Heart has to make a direct offer to someone outside of the housing register process. This will be rare and is to accommodate business needs created by other policies and procedures. Any direct offer in this way must be approved by the Strategic Lettings Manager. This may happen when:

- a) A customer is left in a property following the death of the tenant and there is no right to succeed. The customer, if eligible for housing as per the Allocations Policy may be offered properties through the normal route. If after a reasonable period of time the customer has not been housed after actively bidding and Midland Heart commences legal action for possession of the property, a direct offer of one reasonable property may be made as suitable alternative accommodation. If a property does not become available within 3 months, legal

action will commence regardless.

- b) Following a relationship breakdown a customer is left in a property that they are not eligible for. The customer, if eligible for housing as per the Allocations Policy, may be offered properties through the normal route. However they will be made one reasonable offer of accommodation through the direct offer process. If a property does not come available within 3 months legal action will commence regardless.
- c) Following one party ending a joint tenancy which ends the tenancy for both parties, a direct offer may be considered for the party that is left in the property. This decision will be based on affordability, best use of stock and tenancy history. The customer must be eligible for an offer under the Allocations Policy.
- d) Tenants cannot retract Notice to Quits once they have been submitted. Therefore, if the tenant decides they wish to remain in the property, they will need to be issued with a new tenancy. This will be done by way of a Direct Offer. In these cases the:
 - Size and type of the property must meet the needs of the customer. Although we may consider a different size property, this will be subject to demand of household type and affordability.
 - Property must be affordable. The customer must be able to afford the property at the time of the direct offer, taking into account any proposed benefit changes.
 - The tenant must not be excluded from being eligible for the property for any reasons set out in the Allocations Policy.
- e) Midland Heart may make a direct offer to a customer who offers to pay any debt in full following the execution of an eviction warrant for rent arrears. The offer must be the property the customer was evicted from and the customer must have paid the debt, in full, by the end of the following week after the eviction took place. This period may be extended, in exceptional circumstances, with the agreement of the Head of Service responsible for Allocations. This does not apply to customers who would be excluded from applying to the housing register for other reasons e.g. anti-social behaviour. A customer will only be eligible for an offer under this paragraph once and, if they are evicted a second time, will not be eligible for a direct offer. The offer will be subject to affordability, taking into account any proposed benefit changes.
- f) Where a property has become unaffordable due to changes in welfare benefit entitlement and a tenant had no rent arrears prior to the welfare reform, a direct offer can be considered in line with our Income Recovery Policy and related procedures.

The above examples of are not exhaustive, they merely indicate the type of circumstances in which Midland Heart may consider making a direct offer outside of the allocations scheme.

In all cases, the re-housing with housing related debt policy will apply.

5.5.11 When Market Rent properties are vacant they are advertised on Right Move and Midland Heart's website. The rental figure is set by the Leasehold and Lettings Manager and approved by the Strategic Business Partner Home Options. Responses to the advert are recorded in date order (on a lead sheet) by the Customer Service Coordinator.

5.6 APPLICATION PROCESS

5.6.1 Making an Application

Any new or existing customers can use the Homes Direct website to upload their details and start looking at available homes that match their needs.

Potential Market Rent clients will be able to see available properties via Right Move or the Midland Heart website.

5.6.2 Who Can Apply for Housing

Anyone over the age of 16 years can apply to be a customer of Midland Heart. However, applicants aged 16 and 17 will have their housing and support needs assessed jointly with other agencies. Midland Heart works with several specialist agencies in the provision of supported lettings for 16 and 17 year olds and, where appropriate, single people will be referred to these agencies. Requests for housing for 16 and 17 year olds will not normally be considered, except in the following circumstances:

- Where the customer has a dependent child, or children, or is 24 weeks pregnant;
- Where Midland Heart has directly managed properties with support that are specifically for 16 and 17 year olds.

AND the property must be affordable to the applicant.

Any 16 or 17 year old that is offered a tenancy must have a person who will hold the tenancy in trust, until the applicant reaches the age of 18. Midland Heart cannot act as the trustee, as this could lead to a conflict of interest.

5.6.3 Immigration Control

Persons subject to immigration control within the meaning of the Immigration and Nationality Act 1996 and Immigration Act 2014 are not eligible for allocation of social housing, unless they fall within one of the classes of persons defined by regulations as eligible for social housing assistance. They must also have the Right to Rent, as outlined in the Immigration Act 2014.

Persons subject to immigration control are persons from abroad who require leave to enter and remain in the UK, whether or not such leave has been granted. The restriction applies to all persons who have entered the UK except those stated to be eligible by regulations. The following are categories of people who are NOT subject to immigration control:

- A British citizen
- A Commonwealth citizen who has the right of abode in the United Kingdom
- A citizen of the European Economic Area (EEA), which includes all EU countries

Therefore, any person who does not fall into one of these categories is subject to immigration control and is not eligible for an allocation of social housing, unless they fall within one of the classes of persons defined by regulations as eligible for social housing assistance.

Persons not subject to immigration control, but defined by regulations as being persons from abroad who are ineligible for social housing assistance.

Persons not subject to immigration control are persons who have a right of admission to the UK. The restriction applies to such persons who are not habitually resident in the Common Travel Area (UK, Channel Island, Isle of Man, Republic of Ireland) and whose right to reside (or enter the UK) is not conditional on being self-sufficient, such as workers etc.

Therefore people who do not currently live within the Common Travel Area (as described above) are not eligible for an allocation of social housing, unless there are habitually resident and their right to reside is not dependent on them being self sufficient except for specific categories of person such as workers who are not required to satisfy the habitual resident test.

5.6.4 Owner Occupiers

Existing Owner-Occupiers will only be eligible for housing if the following circumstances apply:

- They are homeless or likely to become homeless within 3 months of their request due to the repossession or the sale completion on their current home.
- A joint owner who has left the property, or is leaving the property in order to escape domestic violence and the violent partner is the other joint owner.
- There has been a breakdown in a relationship between joint owners and one has requested housing. This is subject to them providing evidence that the sale of the property would realise less than £20,000 equity value, to the joint owner, at the point of their re-housing request.

5.6.5 Applications made by staff and their family members

Any application made by employees, former employees, contractors, board and/or committee members and any of their close relatives may be permissible so long as the decision will be made fairly and in accordance with this policy. To ensure fairness, any offers of accommodation for any of these criteria people, will require an internal sign off. New Starter Employees who are also Midland Heart tenants must agree for their rent payments to be taken automatically out of their monthly salaries. This would be subject to the remaining salary being compliant with the minimum wage requirements. All cases of this nature must be managed in line with the Probity Policy.

5.6.5 Anti-Social Behaviour

Midland Heart does not automatically consider anyone ineligible for housing if they have caused anti-social behaviour. However, applicants or members of their Household who have been guilty of unacceptable behaviour, either current or in the past, which is serious enough to make them unsuitable to be a Midland Heart customer, will be treated as ineligible for allocation of accommodation and therefore will be excluded from the Housing Register. The exclusion will remain until the customer can demonstrate that the behaviour has been moderated and will not re-occur.

For the avoidance of doubt, where the unacceptable behaviour is committed by a member of the Household other than the applicant, or any person that will be living with them, Midland Heart will rely on the failure of the applicant or person living with them to prevent or deter the unacceptable behaviour as a reason to treat this as unacceptable behaviour.

Unacceptable behaviour includes, but is not limited to:

- a) Applicants/Households who have been served with a Notice Seeking Possession, section 21 notice or equivalent civil proceedings notice in relation to behaviour or any breaches of tenancy.
- b) Applicants/Households who are, or were subject to a court order that is linked to their conduct in a property or in the locality of a property.
- c) Perpetrators of Domestic Abuse. This is where Midland Heart considers an individual, after investigation and based on the information and/or evidence available, is believed to have committed acts of domestic abuse. This may include information obtained from third party agencies, including through MARAC arrangements.
- d) Applicants/Households who have been evicted from a tenancy due to a breach of any tenancy condition.

- e) Applicants/Households who have been convicted of using a property for immoral or illegal purposes, or a similar offence or in the locality of a property.
- f) Applicants/Households who have an unspent criminal conviction committed in, or in the locality of a property.
- g) Applicants/Households who have agreed to undertakings or acceptable behaviour agreements and have subsequently breached these.
- h) Applicants/Households who have committed an act of fraud, withheld, falsified or misrepresented any information pertaining to access to public funds/or services.
- i) Applicants/Households who have displayed threatening, violent or otherwise abusive behaviour towards another customer, a Midland Heart or partner agency employee or person employed to undertake work on their behalf.
- j) Applicants/Households who have caused damage to their current or previous homes, that is not reasonable wear and tear, and have not put this right or paid for the damage.

However, there may be some exceptions to this within Midland Heart Care & Support schemes where residents that are supported have previously had a chaotic lifestyle.

5.6.6 Convictions

Midland Heart does not automatically consider anyone ineligible for housing if they have a previous conviction. However, where Midland Heart is seriously concerned that this individual will pose a risk to themselves, our staff and contractors, the scheme and/or home and the wider community their eligibility will be reviewed. This also applies to any joint tenancy or household member. If following the review, it is considered that the risk is too great, the applicant will not be eligible for housing.

5.6.7 Support Needs

Applicants who have support needs may be declined access to General Needs accommodation.

A Sustainability Checker will be completed with customers regarding their support requirements and any risks that they present. Where necessary, a support plan and risk assessment will be agreed with the customer, the support provider and Midland Heart. Where an assessment is made that establishes that a tenancy would be unsustainable without support and the applicant declines support, or appropriate support cannot be provided, an applicant may be declined accommodation for this reason.

5.6.8 Affordability

If an applicant does not have sufficient income to cover the rent and charges or access to sufficient benefits at the point of allocation, or when future planned benefit changes take affect, they will not be eligible for housing. When Midland Heart considers affordability, they will take into account all other reasonable living costs in addition to the cost of the rent.

Customers who are not eligible for housing benefit or universal credit must demonstrate a sustainable income for at least a 3 month period. They must provide proof of income and using the Income and Expenditure section of the Sustainability Checker demonstrate that they can afford the full rent.

In cases where the applicant has restricted access to benefits or legitimate other means to cover the rent, they will not be eligible for housing with Midland Heart. Please refer to Appendices Prospect of Employment and Sustainability Checker.

All applicants must pay a minimum of a month's rent in advance of the sign up. Failure to do so may mean that the offer will be withdrawn.

Please refer to para 5.6.19 for Market Rent housing.

5.6.9 Tenancy Fraud

Any applicant providing false or misleading information about their housing or family circumstances will not be eligible for housing for a period of 12 months from the fraud being detected and the application will be cancelled. Applicants that have been proven to have acted fraudulently when securing a home or in the subsequent conduct of their tenancy.

5.6.10 Affordable Rents

Transfer applicants that have a protected rent will not be eligible for homes to be let on an affordable rent.

5.6.11 Failure to attend sign-ups, interviews and other appointments

Customers who do not attend viewings/signups or other arranged appointments twice, without giving notice, will have their applications cancelled and will be ineligible to join the housing register for 12 months.

5.6.12 Housing related debt

Applicants with a housing related debt who do not meet the re-housing with rent arrears criteria will not be eligible for an offer of accommodation. If at any point it is discovered that a housing related debt has not been declared, any offer will be removed.

5.6.13 Verification Checks

Verification checks will be completed when an application is being considered for an offer. Verification checks will be completed by requesting originals (or where agreed, copies) of relevant documentation. This will include (but is not limited to):

- Proof of identity (of all applicants, including birth certificates of all children)
- Nationality and immigration status
- Income details
- Household make-up

All verification checks must ensure that the applicant has the Right to Rent the property (<https://www.gov.uk/check-tenant-right-to-rent-documents/who-to-check>) Where Right to Rent is not proven, the applicant will not be offered the property.

Midland Heart reserves the right to require proof in whatever form appears appropriate, or to make enquiries of other organisations to confirm the applicant's statements. If this is necessary, the applicant's consent will be sought in advance. If such consent is not given, the application will be suspended until such time as Midland Heart is satisfied on this point.

Midland Heart will contact any current or former landlords to make the following checks before offering the applicant a property:

- Whether the applicant or household is in arrears or owes any monies to any landlord.
- Whether the applicant or household has been involved in any anti-social behaviour.
- Whether the applicant or household has complied with the terms of their current or former tenancy.

5.6.14 What Housing can People Apply for?

Midland Heart is committed to giving applicants as much choice as possible in the size and type of housing which they can apply for and in accordance with the DWP Bedroom Standard. The size and type of property you are eligible for will depend on the needs and size of your household when your application is assessed. Applicants will be given this information. This is normally based on the number of people that will be moving, their age and gender.

The following is a guide to the size of housing which different households can apply for:

A bedroom for each couple/single parent (including foster parent) in the household (unless there are disability needs for which discretionary housing benefit will be paid).

- A bedroom for each pair of the same gender children under the age of 16 (unless there are disability needs for which discretionary housing benefit will be paid).
- A bedroom for each pair of opposite gender children under the age of 10 (unless there are disability needs for which discretionary housing benefit will be paid).
- A bedroom for a person not meeting any of the three categories of people above.
- A woman who is over 24 weeks pregnant will be counted as a woman with a young child. They must be able to demonstrate that, until the child is born, they are either in receipt of Discretionary Housing Benefit or can fund the rent for the home they are offered.

When a claimant says that their children are unable to share a bedroom, it will be for Midland Heart to satisfy themselves that this is the case. For example, a claim is likely to be supported by medical evidence and many children are likely to be in receipt of Disability Living Allowance (DLA) for their medical condition. In addition, Midland Heart will consider not only the nature and severity of the disability, but also the nature and frequency of care required during the night, and the extent and regularity of the disturbance to the sleep of the child who would normally be required to share the bedroom. In all cases, this will come down to a matter of judgement on facts of each individual case and in all instances the property must be affordable for the household.

5.6.15 Type of Housing

To make best use of the housing which is available, there will be some limits to the choices that applicants can make. This will be dependent on the household composition; appendix 2 demonstrates the most common applicant eligibility for property size and type. The guidance below describes the type of housing applicants may be offered:

- a) Bedsits are offered to a single person or a sharing couple.
- b) One bed flat is offered to a single person or a sharing couple
- c) Two bedroom flats may be offered either to parent(s) with a child or to two people sharing the accommodation who would not normally be expected to share a bedroom or households with adult children. Children who are part of the application will only be considered as being part of the household if the applicant is in receipt of child benefit.
- d) Houses may be offered to households with dependent children that are living with them (including at university or in the forces). The number of bedrooms and bed spaces will depend on the household composition. Houses will not normally be offered to households where there are no children under 16. However, where this is the only genuine living arrangement option in the area, then a house may be offered. This decision lays with the Void and Lettings Manager for that area.

- e) Bungalows are usually offered to applicants aged over 60 or those who require level access accommodation for health or mobility reasons.
- f) Some of Midland Heart properties will have age restrictions placed on them. For example, you must be over 25 or over 60. All age restricted schemes are listed at appendix 3. These age restrictions will only be in place where:
- g) A restrictive covenant specifies the properties are let to certain age groups.
- h) Funding agreements for the provision of the accommodation or any support attached to the property require the customer to be of a certain age group.
- i) The properties are designed for specific age groups eg bungalows, a local lettings plan has been agreed and the reasons and impact of the age restriction have been assessed.
- j) Some of Midland Heart flatted accommodation may not be suitable for large pets such as cats and dogs. In these cases, the accommodation may have a restriction as to the type of pet allowed, unless it is to assist the customer to live independently, for example a guide dog.
- k) While all applications will be assessed on the number of bedrooms required, Midland Heart may also allocate a property with fewer bedrooms than is needed, if this will be the best use of stock and will improve the housing situation of the applicant and depending on circumstance. Midland Heart would not let a property to a household that would become statutory overcrowded, or is likely to be considered as a HHSRS category 1 hazard by the Local Authority.

5.6.16 Households

A household can be reasonably expected to live together where:

- They are family members living apart for no other reason than they have no means to live together; OR
- Some member or members of the household require overnight and long term care from either formal or informal carers, or other companions.

A household is one person living alone, or a group of people who would live together with shared living expenses if suitable accommodation were available.

Relationships by marriage (this includes civil partnerships) will be treated as a relationship by blood and a step child of a person will be treated as a child.

Dependent children (including step children and foster children) are defined as a person aged under 16 and all others aged 16-18 who are currently in or about to start full-time education/training and are unable to support themselves.

Where responsibility for children is shared between two former partners, applicants will be considered for accommodation on the following basis:

- The parent or guardian that is the recipient of the child related benefits will be allocated the number of bedrooms that are required for that household.
- Parents or guardians with access to children but are not the recipient of child related benefits will not be eligible for any additional bedrooms to accommodate these children.

5.6.17 Tenancy Types

There are a number of different tenancies that a customer can be given. The details of the different tenancy types available and the reasons why they will be offered can be seen in Midland Heart's Tenancy Policy.

5.6.18 Mutual Exchanges by Surrender and Re-grant

Mutual exchanges that are achieved through a surrender and re-grant are not considered as an allocation within the remit of this policy.

5.6.19 Market Rent (MR) Properties

The Residential Lettings Officer (RLO) will contact potential clients who have expressed an interest in a MR property to arrange a viewing; this will be arranged in date order of responses to the advert (see para 5.5.11). If more than one person wants the property then preference will be given to the person who secures the referencing fee first. The applicant will then complete a HomeLet referencing form and HomeLet will carry out an independent check on the applicant's financial and immigration status, including the Right to Rent (para 5.6.3). An application form must also be completed which will include photo identification.

Following this, a deposit of 1.5 times the market rent will be required as well as payment of one month's rent in advance. If the applicant cannot demonstrate a guaranteed monthly income (i.e. recently self-employed or a student), either a payment of 6 month's rent in advance will be required or an approved Guarantor. The Guarantor will be required to pay any arrears of rent. The tenant's deposit will be registered with the Tenancy Deposit Scheme (TDS).

5.7 ASSESSING NEED

5.7.1 Housing Need

This is usually automatically assessed using the information that has been provided by the applicant on the Homes Direct application form. Midland Heart officers may also adjust an applicant's priority, should an issue or information arise that would affect this priority.

The information gathered will cover the following aspects of an applicant's circumstances:

- Right to Rent.
- Personal details such as age, gender and relationships between the applicant and members of their household.
- Current housing circumstances to assess, in particular, details of security of tenure, homelessness or potential homelessness, overcrowding or lacking amenities.
- Any particular housing requirements resulting from health, care or support needs, such as mobility problems.

5.7.2 Priority

When working out the level of priority for an applicant, Midland Heart will consider if the household:

- Is currently homeless or threatened with homelessness.
- Is living in insecure accommodation.
- Is overcrowded in their current accommodation.
- Is living in accommodation which is lacking in amenities.
- Has health, care or support, (including disability) needs which would be assisted by moving to other accommodation.
- Needs to move to an area where failure to move will cause hardship.
- Is under-occupying.

Midland Heart uses a banding system in order to differentiate between differing levels of housing need. Further detail regarding the banding system can be found at Appendix 1. There are 4 priority bands and each applicant will be placed in the relevant band according to their assessed need.

For many applicants, the information which is provided in their application will be sufficient to assess needs. For some, there will be a need to undertake further assessment. Depending on the individual circumstances, this may involve requests for additional information or interviews with specialist staff. Prior to any offer of housing being made, all applicants will be verified.

Homes where the rent and service charge are greater than the Local Housing Allowance rate for that area, preference may be given to working households to support our aim of ensuring affordability and sustainability for our customers.

5.7.3 Applicants with Housing Related Debt

Applicants with rent arrears or housing related debts will be placed into Band D and will not be eligible for an offer of accommodation, unless they meet one of the criteria below:

- Where the applicant is not adversely affected by welfare reforms and has existing rent arrears, but can demonstrate an on-going commitment to repaying their debt. This will need to be an agreed repayment plan sustained for at least 3 months and thereafter. In these circumstances, the debt must be below £1,000. This excludes applicants subject to a court order.
- The applicant is adversely affected by welfare reforms and has existing rent arrears but can demonstrate an on-going commitment to repaying their debt. This will need to be an agreed repayment plan sustained for at least 3 months and thereafter. This includes applicants who have a court order that is at least 3 months old and they have not defaulted on payments. This may include applicants that have demonstrated an on-going commitment as defined above, but the impact of welfare reforms has made on-going payments impossible (this will be assessed by Midland Heart).
- Applicants who have accrued a debt directly as a result of welfare reforms making their rent un-affordable and any repayment of arrears impossible will be permitted to transfer or mutually exchange. In these cases, the applicants rent account must have been clear prior to the welfare reforms.

Applicants who have had debt prior to welfare reforms and have not maintained regular payments to reduce their debt, will not be able to transfer or mutually exchange until the criteria above has been met.

In all cases, applicants will only be considered for homes where the rent payment can be sustained.

5.7.4 Exceptional Circumstances

If the debt accrued during an exceptional period during the applicant's life and it is unlikely that the applicant will fall into debt again, the applicant may receive full priority and be eligible for an offer of accommodation.

Decision regarding exceptional circumstances will be made by the Head of Service responsible for Allocations. The following issues will be considered:

- Whether the exceptional circumstances were outside of the applicants control e.g. domestic violence in the form of financial control.
- Whether the exceptional circumstances were due to a support or medical need that has now been addressed.
- Whether there is on-going care or support to prevent re-occurrence, or the applicant has taken timely steps to remedy the situation.
- Whether the circumstances leading to the debt have now been resolved.

- Whether the applicant has been making repayments to clear their debt.

If exceptional circumstances are considered to have led to the debt being incurred, that Head of Service will award full priority reflective of their housing need.

NOTE: If an applicant refuses financial advice or support that is offered to them or does not engage with financial support the applicant will remain in Band D until they do so.

5.7.5 Affordability for Existing Customers

Midland Heart customers who cannot afford to remain in their property because it is not affordable, will be given Band A priority to access another Midland Heart property with a lower rent. This is to ensure that a customer can sustain a home with Midland Heart.

The circumstances when this policy will apply are:

- A customer is in a property with an affordable rent and is no longer in receipt of housing benefit, or is no longer entitled to full housing benefit and following a financial assessment by Midland Heart has demonstrated the rent payment is not sustainable.
- A customer is receiving an under-occupation deduction from their housing benefit and the rent payment is not sustainable (if the customer has arrears please refer to section 5.7.3).
- A customer is living in an affordable rent property and wishes to enter into employment and, following a financial assessment by Midland Heart, has demonstrated the rent payment is unlikely to be sustainable if employment was secured.
- A household has been subjected to the benefit cap.
- Tenants who are affected by the Local Housing Allowance and/or Benefit Cap who do not have full entitlement and are unable to afford the shortfall in the rent.

In all the above cases, the financial assessment will recommend a maximum rent level affordable by the customer and a payment plan to clear any arrears is in place. The Band A priority will only apply to properties below this maximum rent level.

This part of the policy will not apply to non-Midland Heart customers (tenants) or any Midland Heart customer in the following circumstances:

- Committing benefit fraud leading to over-payment deductions.
- Any benefit deduction for failing to undertake a task required of them such as informing the relevant agencies of changes in circumstances.
- Not complying with benefit requirements to seek work.

5.8 ALLOCATIONS

5.8.1 How an Applicant is Selected for an Offer

The Midland Heart banding system is used to prioritise different forms and degrees of housing need. A property will normally be offered to the highest priority customer from one of the different housing access routes as described in section 5.5.

Midland Heart allocates at approximately 50% of its properties through Homes Direct.

When an application is accepted and entered on the housing register (automated system), the applicant will be given details as to the priority band they have been awarded, the date they were registered and all relevant information.

The applicants who bid for properties will be ranked according to their priority band and any preference criteria attached to the property. Usually if two or more applicants are eligible for allocation of a property and have the same priority band, the date the applicants were registered in the band will be used to decide which applicant is allocated the property.

A tenancy will not be entered into until an applicant's application has been verified for accuracy, as this may change the automatically calculated banding. An offer can be withdrawn at anytime before the tenancy agreement has been signed.

5.8.2 Disability and Medical Considerations

Customers can apply for re-housing where this is necessary, in order to improve their health or quality of life.

It may be necessary for some customers to be assessed by an Occupational Therapist to determine or verify what type of property/ adaptations matches their physical requirements.

Where a property has been adapted for specific needs, priority will be given to customers who require such adaptations in the first instance.

Applicants will only be given a priority for medical grounds if their condition can only be improved by moving to an alternative property. This usually means the home they are in is not accessible to the applicant and cannot be adapted.

5.8.3 Hard to Let

A property is classed as Hard to Let (low demand) when it cannot be allocated using the standard allocation rules, because there are no interested applicants on the housing register and the Local Authority has failed to nominate an applicant who would meet the allocation criteria usually applied. It is expected that traditional routes will have been tried twice. In these circumstances, Midland Heart may use alternative letting routes to let the property, such as inviting referrals from supported housing schemes or other services or commercially advertising the property. Applicants will be assessed against the eligibility criteria before an offer of housing is made.

Midland Heart can relax the bedroom criteria on hard to let properties. Any applicant must demonstrate that they can afford the home that has more bedrooms than they require, if they cannot afford this, they will not be eligible for the property.

5.8.4 Local Lettings Plans

Midland Heart will use the Allocations Policy to assist in the creation and maintenance of communities where people want to live and remain. Midland Heart can do this by making the best use of available stock and will try to avoid the overconcentration of particularly vulnerable people being housed in any specific area, if this is demonstrably affecting the sustainability of an area.

Where Midland Heart is aware of particular management problems with an area, Midland Heart will take account of such factors when allocating properties, thereby demonstrating our responsibility to existing tenants. Local lettings plans will form part of this strategy to manage lettings.

A local lettings plan may be adopted which gives weighting to customer characteristics, other than housing need, in order to promote greater stability on estates, reduce void costs and to reduce high turnover rates. Where a Local Lettings Plan is adopted, this will take precedence over provisions within the Allocations Policy.

5.9 OFFER REFUSALS AND REMOVAL FROM LIST

5.9.1 Withdrawal of Offer

Failure for the applicant to make contact with the Lettings team within 2 working days of the viewing will result in the application being skipped. This includes failing to provide relevant documentation so that the application can be processed.

5.9.2 Customer Refusal of Offer

An applicant may refuse an offer of a property. Applicants are entitled to two offers in a twelve-month rolling period. Once a second offer has been rejected in a twelve-month period, the application will be suspended for a period of 12 months. In each case, an assessment will be made as to the reasonableness of the refusal.

A refusal may not be counted as such on the following circumstances:

- A change in circumstances; where a customer's circumstances have changed, since they were accepted for re-housing, that affect the type or size of property they need, a refusal may be accepted.
- Property facilities; not all properties have full central heating or car parking spaces. If a customer can demonstrate medical reasons for requiring specific facilities, a refusal on this basis may be accepted.

Areas of choice; if a customer refuses an offer of a property in an area they previously selected; the reason for the change of area will be assessed. A refusal may be considered unreasonable.

5.9.3 Removal from Application List

Applicants may be taken off the housing list when:

- The applicant does not respond to a review letter.
- The applicant is now ineligible for housing as set out in sections 5.6.2 to 5.6.14.
- An applicant's circumstances have changed such that they no longer satisfy the needs criteria or Midland Heart can no longer assist, given their new requirements.
- They or a member of their household have assaulted or harassed an employee or an agent of Midland Heart (this is considered as anti-social behaviour and will be treated as such in relation to eligibility for housing).
- The applicant does not provide relevant documentation within the allotted time period.
- The applicant fails to make contact with the Lettings Team within 2 working days of the viewing.
- The applicant does not attend their sign up appointment.
- A Market Rent client will not be allowed to make an application/enter into a tenancy if they do not pass the HomeLet referencing, cannot pay a deposit and cannot pay one month's rent in advance. We will not allow tenancies to become periodic agreements by default (i.e. after the expiry of the fixed term). Upon expiry of the fixed term, if there have been no breaches of lease, we will continue the tenancy on a new fixed AST term.

5.10 INTERVIEWS AND SIGN UPS

5.10.1 When a customer receives an offer of accommodation, they will reasonably be expected to sign their tenancy agreement and take up the tenancy when the property is ready to move into after any repairs works have completed.

5.10.2 If the property is ready to let and the customer has had at least 24 hours' notice to sign for the tenancy, but they have not arranged to do so, the offer of accommodation can be withdrawn, as the applicant is not ready to take up the tenancy. For Market Rent this may be extended with the approval of the Leasehold and Lettings Manager (for example) if the tenant has to serve notice on a current tenancy or is moving due to work.

5.10.3 Customers who do not attend viewings/signups or other arranged appointments will have their application suspended until the individual customer makes contact with Midland Heart with a valid reason as to why the appointments have been missed. After a second failed arranged and agreed appointment, Midland Heart will cancel the application and they will be ineligible to join the housing register for 12 months.

5.11 APPLICATION REVIEW

5.11.1 The Housing Register will be reviewed by the Housing Options Team every 12 months. Contact will be made with the applicant to ascertain if their details and re-housing circumstances are valid and correct. All applicants will be given 28 days to respond. If a response is received from the applicant, the details will be checked and updated on Homes Direct. If no response is received, the applicant's application will be cancelled. If the customer contacts within three months of the application being cancelled, it can be reinstated. If the customer contacts later than three months after the cancellation of their application, they will have to apply as a new applicant.

5.11.2 If an applicant's circumstances change, they should not wait until renewal before advising Midland Heart about any changes. If the applicant has failed to advise Midland Heart of significant changes in their circumstances, this may affect their banding and eligibility for allocation.

5.12 APPEALS

5.12.1 If the applicant is notified that they do not qualify to go on the housing register, or is given a lower housing needs banding than their circumstances attract, or their application is suspended/removed, they are entitled to have this decision reviewed. This will be dealt with via Midland Heart's internal appeals procedure.

5.12.2 It should be noted that an application may be suspended if the information presented is incorrect. If this happens, Midland Heart will contact the applicant, inform them of the reason for the suspension and advise them that they have the right to appeal. Applicants who are suspended for no contact or failing to attend appointments will not be contacted as a matter of course.

5.12.3 Applicants who wish to appeal the decision that has been made will be referred to the Lettings Manager (Housing Operations). They will be notified of the outcome of their appeal within 14 days.

5.12.4 For Market Rent, we may refuse to accept an applicant who has a poor credit reference and a tenancy may not be renewed if there have been breaches of the tenancy in the first fixed term (usually 6 months). If the prospective tenant/tenant disputes this decision they can appeal to the Leasehold and Lettings Manager for a review.

5.12.5 If the customer is not satisfied with the outcome of the review, their appeal will be reviewed by a Head of Service.

5.12.6 Decisions made in accordance with this policy will not be treated as a service complaint, as there has been no service failure.

5.13 CONFIDENTIALITY

5.13.1 Details relating to each housing applicant, including the fact of their being registered, will be kept confidential. Information about a housing applicant and/or members of their household, or the progress of their application, may not be passed to anyone who is not part of the applicant's household, without their permission. Midland Heart shall comply with the provision of the Data Protection Act 1998.

5.13.2 Applicants details will be shared with relevant agencies, for example Housing Benefits, Social Services, Probation and a range of voluntary and statutory agencies, where this would support their housing process and assist in ensuring a tenancy is sustained.

5.13.3 Issues relating to child protection or community safety must, however, always take precedence over confidentiality. Similarly, if there is evidence to suggest that the applicant is involved in criminal activity and/or fraudulently claiming welfare benefits, this information will normally be disclosed to the relevant agency.

5.13.4 Applicants are entitled to see the data held in relation to their application. If the data contains information from third parties, for example letters from doctors, other agencies or individuals, each third party must be contacted for their consent before these documents are made available to the applicant.

5.13.5 Applicants details on Homes Direct will be shared with all participating landlords for the purpose of finding suitable accommodation. A full list of partners can be found on www.homesdirect.org.uk

5.13.6 Applicants that do not agree to the sharing of this data will not be eligible to join the housing register or be rehoused by Midland Heart.

5. Measures and Monitoring

Midland Heart records and provides CORE (Continuous Recording of Lettings and Sales in Social Housing in England) data in line with the HCA Tenancy Standard.

Regular audits and analysis of lettings data is conducted with exceptions being reported to SMT (Senior Management Team).

6. Legal Framework

Legislation	<ul style="list-style-type: none"> • Main powers and relevance to Allocations and Lettings.
Housing Act 1985 / 88 Landlord and Tenant Act 1985	<ul style="list-style-type: none"> • Details circumstances in which succession can occur for secure (1985) and assured (1988) tenants.
Housing Act 1996	<ul style="list-style-type: none"> • Defines categories of persons who are ineligible to join LA housing registers. • Schedule 1 of the Housing Act 1996 is designed to prevent conflicts between the personal interests of employees of a housing association and those person's duties to that association. a) RSLs are under a duty to co-operate with LAs to assist them in performing their functions under Part 6 and 7, if requested, and so far as is reasonable. • Part VI of the HA 1996 designed to make Local Housing Authority procedures either when allocating an applicant a secure tenancy, or when nominating as applicant to be an assured tenant of an RSL – more consistent, fair and transparent, this amended by the Homelessness Act 2002 and subsequently amended by the Localism Act 2011.

Homelessness Act 2002	<ul style="list-style-type: none"> • Gives LHAs the ability to make the best use of its housing stock. • Requires Local Authorities to consider housing allocation as one of the tools for combating homelessness and assisting other vulnerable people in their area.
Localism Act 2011	<ul style="list-style-type: none"> • Local authorities will be able to set qualifying criteria for housing assistance, and will be able to discharge homeless duties by offering accommodation in the private rented sector. Existing tenants wishing to transfer will no longer have to go through the same allocation process as other applicants. • Local authorities will be able to offer new tenants 'flexible tenure' (fixed term secure tenancies) rather than traditional 'lifetime' tenancies. The Act also makes a number of technical changes to facilitate the use of fixed-term tenancies by social landlords. • Statutory succession rights are reduced (for new tenants only) but it becomes possible to confer additional succession rights under the tenancy agreement.
Housing and Regeneration Act 2008	<p>b) Makes provision for the setting up of the (then) TSA. However, the regulatory Committee is still in operation that splits the standards into two areas:</p> <ol style="list-style-type: none"> 1. Economic Standards – Governance and Financial Viability, Rent and Value for Money. 2. Consumer Standards Tenant Involvement and Empowerment, Home, Tenancy, Neighbourhood and Community.

7. Definitions

Adapted property

A Midland Heart owned property that has had some of its standard features changed, or which has additional features and fittings, in order to make the property suitable for a person with disabilities. Adapted properties are not necessarily wheelchair accessible levels of adaptations vary considerably from property to property.

Adult children

Children living with their parents or family members who are aged between 16 and 18 and are non-dependent. All children living with their parents or family members and are aged over 18 years old.

Affordable Rents

Rent charged at 80% of the full market rate.

Allocation

Where a direct applicant or an applicant from the Local Authority; Housing, Social Services, Probation or Health or any agreed appropriate agency, has his or her details matched to an empty Midland Heart property and an offer of a tenancy or protected or excluded license is made.

Applicant

A generic term used to denote someone who has made an application for housing and/or support.

Application form

A paper or online form that both customers and new applicants have to fill out in order to apply for housing and/or support, and to be considered for a service, as appropriate, to appear on the Housing Register. The form collects information about the applicant, the applicant's household and other information to assess his or her housing and/or support needs. A person cannot be admitted to a service or placed on a Housing Register without completing an application.

Assignment

Assignment is the legal transfer of a tenancy to another person who becomes the customer and acquires the benefits and obligations of the original tenancy, this can apply in Older Persons Services.

Assured short hold tenancy

One type of tenancy granted to a customer by Midland Heart. It is also used for "Starter Tenancies".

Assured tenancy

A type of tenancy granted to a Midland Heart customer. They are more secure than assured short hold tenancies and may only be brought to an end by the tenant giving notice or an order of the court.

Choice based lettings (CBL)

CBL is a method of allocating properties to applicants. Eligible applicants take an active role in choosing a property advertised under the scheme and then expressing an interest in being allocated it, or "bidding for it". Properties are still allocated according to the person with the highest priority, but only those who have placed a bid will have an opportunity of being short-listed for it.

Child

A person under the age of 18.

Couple

Two people living, or wanting to live, together of the same or opposite sex, who are married or have entered into a civil partnership, or who will live together as if they were married or had entered into a civil partnership.

Decant

The process of temporarily moving residents from their homes while improvements are carried out.

Demand

Demand is measured by the number of people who are requesting re-housing in a certain property type and in a particular location. The more people requesting to be re-housed in a specific area, the greater the demand.

Direct Offer

Where an applicant is offered an empty property without it being advertised through a choice based lettings scheme.

Direct Let

A Direct Let is where there is an existing relationship with a partner agency to house people specifically from them as a referral.

Domestic violence

Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who have been intimate partners or family members.

Eligible

Applicants have to satisfy certain criteria to be eligible for an allocation of accommodation and support services and to be allocated certain property types.

Emergency Moves

A life threatening, exceptional or emergency situation, usually threats from a third party affecting the individual in their home or the locality. This overriding housing need justifies an immediate transfer and will be signed off by a Manager

Excluded Licence Agreement

Denotes the rights and responsibilities of applicants to Midland Heart Supported Housing.

Fixed Term Tenancy

A type of assured short hold tenancy that usually lasts for 6 years and will end when the fixed period expires.

Harassment and Hate Crime

Harassment and Hate Crime is behaviour, which may be verbal or physical, actual or threatened, committed by people who want a particular family or person to suffer. It includes attacks on property as well as on the person, and is suffered by individuals or groups because of their:

- Age
- Colour
- Disability
- Ethnic or national origin
- Race
- Religion
- Gender
- Sexual orientation
- AIDS or HIV status
- Physical appearance

This list is not exhaustive; harassment can occur for a number of other reasons and includes, family members, residents, household members and visitors.

Harassment can consist of a single incident or several incidents over a period of time. Harassing actions need not be intentional in order to be considered harassment.

Care & Support - Fair Access / Fair Exit

Within Care & Support, we analyse who is coming into our services and who is leaving. Where a tenant is required to leave a scheme, this is done fairly and in a controlled way.

Homeless

An applicant is considered to be homeless when he/she meets the definition contained in the Housing Act 1996 Part 7. This definition includes those who are threatened with homelessness within a 28-day period. General Needs Policy has a different homeless definition.

Household (for the purpose of eligibility and house type)

One person living alone or a group of people living together (who may or may not be related) with shared living expenses.

Household (for the purpose of unacceptable behaviour)

The tenant/applicant or any person that will be living with the tenant/applicant together with any visitor, friend, associate or family member who is not going to be living with the tenant/applicant, but can be reasonably expected to visit the property or come into contact with Midland Heart employees, contractors or customers.

Housing debt

An amount of money owed to Midland Heart for current or former tenancy, for example, arrears, court costs, housing benefit overpayments or on a sundry account, e.g. rechargeable repairs.

Housing Register

A database of all individuals or households, who have applied for housing.

Immigration Status

This defines the applicant's residency status in the UK. Some groups of people will not be eligible for housing due to their immigration status. These groups of people are defined by the Secretary of State within housing law.

Joint tenants

Where two or more people are customers of the same property and share contractual responsibility for the tenancy.

Local connection

A person defined by this policy as having a particular connection to a neighbourhood, settlement or Local Authority area.

Local Lettings Policies

Local Lettings Policies are used to enhance the sustainability of defined communities by giving preference for offers of accommodation to particular customer groups. This may include customers outside of the housing needs categories. Local lettings policies will be evidence-based and be approved for defined geographic areas.

Low demand

A property is classed as low demand when it cannot be allocated using the standard allocation rules because there are no applicants on the waiting list who would meet the allocation criteria usually applied

Mutual exchange

Applicants wishing to exchange their home with another Midland Heart customer, tenants of another registered social landlord or a tenant of a Local Authority may do so, subject to the policy guidelines for mutual exchange. The written agreement of the appropriate landlord is required prior to the exchange taking place.

Nomination

A type of allocation defined in the Housing Act 1996, where a Local Authority puts forward (nominates) an applicant from the Local Authority Housing Register to Midland Heart for re-housing.

Offer of accommodation

When an applicant is allocated a home an offer is made. This is usually done in writing. An offer of accommodation does not guarantee that a tenancy will be given for a particular property. All offers are subject to a verification process with the customer, and the property remains available.

Older Persons

This generally applies to a person aged 55 years and over although, within Homeless services, an older person can be 45 years and over, due to the impact the homeless lifestyle has had on their health.

Partner

One of two people living, or wanting to live, together of the same or opposite sex, who are married or have entered into a civil partnership, or do or will live together as partners.

Protected Licence Agreement

Denotes the rights and responsibilities of applicants to Midland Heart Supported Housing.

Sole tenant

Where a single person is the customer of a property and the contractual responsibility for the tenancy is vested with them.

Succession

The Housing Act 1988 and the Localism Act 2012 further states that if a customer dies, the tenancy of the property will pass to his or her spouse or civil partner.

There can only be one succession. If the deceased customer had taken over the tenancy following the death of a previous customer, there cannot be a second succession.

Successors

A person who is entitled to succeed to a tenancy upon the death of the previous customer, as set out in the Housing Act 1988 and Further in the Localism Act 2011. A successor succeeds to the same type of tenancy that the deceased customer held. It is not an allocation under Part 6 of the Housing Act 1996 or this Allocations Policy.

Supported Housing

Midland Heart provides a range of specialist supporting housing schemes for specific client groups who require additional support to live independently.

Surrender and re-grant

Midland Heart now offers tenants Fixed Term Tenancy Agreements. Where a mutual exchange occurs, the fixed term tenant will need to surrender their existing tenancy and be re-granted a new tenancy.

8. Abbreviations

ASB	Anti-social behaviour
CBL	Choice Based Lettings
CTB	Council Tax Benefit
EEA	European Economic Area
EU	European Union
HB	Housing Benefit
NASS	National Asylum Support Service

9. **Appendices**

- Appendix 1: Priority Banding System
- Appendix 2 – Eligibility
- Appendix 3 – Age Restricted Properties
- Appendix 4 – Current Local Lettings Plans in Place
- Appendix 5 – Local Lettings Plan Guidance
- Appendix 6 – Access Routes
- Appendix 7 – Direct Lets Arrangements
- Appendix 8 – Nominations and CBL