

# Midland Heart Policy

## Allocations Policy

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Staff Affected	All Midland Heart staff
Business Owner	Lisa Harris, Operations Manager
Approved By	Gary Hardy, Director of Housing Operations
Author	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

- 1.1 This policy sets out how we will allocate properties and prioritise applicants to ensure it is done fairly. A key driver for the policy is to ensure that housing allocations support the creation of balanced and sustainable communities, whilst taking account of the needs of both existing residents and new applicants.

## 2. To Be Read In Conjunction With

- Midland Heart Lettable Standard
- Empty Homes Procedure
- Move on Procedure
- Mutual Exchange Policy and processes
- Decant Policy and Guidance
- Succession and Assignment Policy and processes

## 3. Policy Document Version Control

Version	Date	Business Owner	Review/Health Check
3.0		Raj Shroff & David Taylor	Review
4.0	April 2016	Gary Hardy	Not scheduled until 2019
4.1	March 2018	Gary Hardy	Inclusion of IMR properties (Sally Thompson)
5.0	September 2019	Lisa Harris	Review – introduction of preference groups
5.1	March 2021	Lisa Harris	Health Check – amendment to immigration status Appendix B (post-Brexit)
5.2	August 2021	Lisa Harris	Health check – clarification around direct offers for emergency moves
5.3	December 2022	Lisa Harris	Health check – addition of Appendix E clarifying housing need, re-naming of under-occupation preference group, clarification of bungalow eligibility and EEA status for social housing
5.4	February 2024	Lisa Harris	Health check – amendment to under 18's accommodation and additional direct offer criterion added. Changes to applicant shortlisting policy and Direct Offer Policy

We will review this Policy at least every five years, however amendments will be made as a result of any significant change in legislation and/ or regulations.

## 4. Scope of Policy

- 4.1 We let our homes in two ways; 50% of our available homes are advertised and let by local Councils. These homes are let in accordance with the Local Authority's Housing Allocations Policy. When referred to us by a Local Authority, applicants must pass our eligibility and exclusion criteria, set out in this policy.
- 4.2 The remaining 50% of our available homes are let directly by us. This policy covers the allocation of these homes with the following exceptions:
- Supported Housing – these will be let in line with commissioned contracts and local homelessness pathways;
  - Extra Care accommodation;
  - Shared Ownership and Intermediate Market Rents;
  - Cygnet private rented properties;
  - Properties let on a temporary basis e.g. decants (refer to Decant Policy);
  - Successions, assignments or mutual exchanges (refer to relevant Midland Heart policies).

## 5. POLICY STATEMENT

### 5.1 Who can apply for a Midland Heart home?

To apply for a Midland Heart home, applicants must meet the following need definition:

*"Anyone who cannot afford to rent or buy housing in the private sector"*

Affordability is defined by household income and savings levels. Further detail on this can be found in **Appendix A**.

Some applicants who meet this definition may be ineligible to apply, or are excluded. Details of who is ineligible or excluded can be found in **Appendix B**.

Further definitions of housing need can be found in **Appendix E**.

### 5.2 What type of properties are applicants eligible for?

- 5.2.1 Eligibility for property types will be determined by household need and family circumstances. We will always seek to ensure properties are let to maximise occupancy. This means that our properties will be let in line with the bedroom standard, set by the Department for Work and Pensions. Additional bedrooms may be allocated to meet specific needs, such as medical requirements and/or live in carers or foster children. **Appendix C** sets out bedroom eligibility criteria.
- 5.2.2 There are other ways we may restrict who can apply to live in a property; these are:
- *Local Lettings Plans (LLP's)*: These plans may restrict who can apply to live in a particular scheme, street or neighbourhood. It will cover a defined area for a set period of time. LLP's will be used to ensure a location has a settled community, is safe and is a place where residents wish to live.

- *Age restricted properties:* There will be properties that are restricted to certain age groups. This is usually because the properties are specifically designed to meet the needs of that age group or have been adapted for that age group. Some schemes were built specifically to meet the needs of older households and will be restricted to that age group for all household members. Exceptions can be made to allow different age groups to apply that may require the adaptation in the property; for example, a wheelchair accessible home, or where a live in carer, in receipt of appropriate benefits, is under the age designation.

5.2.3 Where a property that has had specific restrictions applied is hard to let, these restrictions may be relaxed. Hard to let means that the property (or a similar property in the same location), has been advertised through two different routes with an unsuccessful outcome.

### 5.3 How are available properties advertised?

5.3.1 Properties can be advertised in a range of places, but principally on Midland Heart's website Midland Heart Homes.

5.3.2 Property adverts can be placed any day of the week, and at any time. Properties will be advertised for a minimum of 5 working days. The advert will then be closed and applications considered. The 5 working days can be extended if no eligible applicants have expressed an interest.

5.3.3 Each advert will give details about the property, which includes exclusions, eligibility criteria and any preferences Midland Heart will give priority to. A list of preferences we will use can be found at **Appendix D**; some properties may have no preference at all. Midland Heart will seek to advertise 40% of properties over a 12 month rolling period with no preference attached.

5.3.4 The purpose of preferences is to ensure that our flats, streets and neighbourhoods have a balanced community and are safe and welcoming places to live.

5.3.5 Applicants can express an interest in a Midland Heart property through the website or the App. Applicants will have to provide photographic evidence of any relevant documentation to demonstrate they meet the eligibility and preference criteria for the available property, before the expression of interest can be accepted and processed.

### 5.4 How are applicants chosen for offer of accommodation?

5.4.1 We have kept the process of choosing applicants as simple as possible. Once a property advert is closed, the applicant who has been active with Midland Heart Homes the longest and has submitted an expression of interest, that includes all of the required evidence they are eligible and meet any preference criteria, will be given first opportunity to accept the property.

5.4.2 Exceptions to this include:

- It is later found that the applicant is not eligible for the property type, or is excluded
- The applicant does not meet the preference criteria and an application is received from someone who does evidence they meet the preference criteria
- The applicant does not engage in the lettings process or meet requirements such as rent in advance.

- 5.4.3 Properties will be advertised for a minimum of five days to allow those meeting the preference criteria to submit an interest.
- 5.4.4 Applicants can seek support from us if they need assistance to create an account to express an interest. This support may include helping potential applicants to submit any documentary evidence easily by having it ready and attached to their account. We will also provide guidance to applicants on support they can consider.

## 5.5 Direct Offers

There are occasions when we may offer a property directly to an existing Midland Heart tenant without advertising the property. This will be made in the following circumstances:

- To a person who is living in a Midland Heart managed supported housing scheme, who has been assessed as being ready for independent living, and is ready to move on.
- The tenant requires an adaptation to their existing home, but this is not reasonable or possible.
- The police have informed Midland Heart that it is not safe for the tenant to remain living in their home and it is urgent that they are accommodated elsewhere. Midland Heart cannot guarantee the new home will meet all of the transferring customer's preferences; however will aim to ensure the new accommodation is safe and the housing provided, so far as possible, meets the customer's housing requirements. Only one suitable offer will be made. The approved application will be valid for one calendar month and reviewed after this time if a suitable move has not been found due to property size and location required.
- Where severe overcrowding in a home is leading to an immediate and significant health and safety risk due to the vulnerability of household members and rehousing is the only solution to remediate the root cause. This is most likely to apply to damp and mould conditions.
- Midland Heart wishes to sell or redevelop the tenant's property.
- Following an eviction and the debt is paid in full (see **Appendix B** for more detail)

Usually only one offer will be made in line with preferences agreed with the tenant.

## 5.6 Exclusions and other ineligibility

Some applicants who meet the general eligibility requirements may be ineligible or excluded for other reasons. These reasons include:

- Legal reasons - Persons subject to immigration control within the meaning of the Immigration and Nationality Act 1996 and Immigration Act 2014
- Housing related debt is owed to Midland Heart or another affordable housing provider.
- Crime and anti-social behaviour – where the applicant, or someone associated with the applicant, has behaved in a way that makes them unsuitable to be a tenant, and there is no evidence this behaviour has moderated.
- Perpetrators of domestic abuse and housing related fraud.
- Other tenancy breaches or behaviours likely to cause a tenancy breach; this includes not looking after a current home.
- The tenancy is unlikely to be sustained for affordability reasons.
- The applicant is not ready for independent living.

- Applicants under the age of 18, as they cannot legally enter into a tenancy contract. We will accept applicants under the age of 18 nominated by the local authority and their eligibility for statutory assistance has been assessed. All other 16 and 17 year olds will be referred to our young persons Foyer services. These provide specialist accommodation to young people.

**Appendix B** provides more details of the above.

## 5.7 Midland Heart internal tenancy transfers

Existing Midland Heart tenants that are adequately housed, will not be eligible to transfer, unless they can evidence additional needs that cannot be met by their existing accommodation. Midland Heart tenants without additional need will be expected to seek a mutual exchange. Additional needs will usually mean:

- The tenant is under-occupying or is overcrowded.
- The property is not affordable and an alternative would be more appropriate.
- The tenant lives too far from their work or education to reasonably commute (1 hour travel time).
- The tenant needs to be closer to provide or receive care.
- The tenant has medical needs as defined below:
  - ❖ Is unable to return home from hospital due to it not being suitable anymore.
  - ❖ Is unable to gain access to or from their home, due to medical condition/disability.
  - ❖ Is unable to leave their home un-assisted due to a medical condition or disability.
  - ❖ Their home requires adaptations, but this is not reasonable or possible.

## 5.8 Appeals and Complaints

5.8.1 Applicants can request for any decision about their application to be reviewed by contacting the Customer Hub. A more senior officer to the one making the original decision will review the application.

5.8.2 Complaints can be made by contacting the customer hub and our complaints policy is published on the Midland Heart website.

## 6. Measures and Monitoring

6.1 We operate robust monitoring and auditing systems to ensure that our lettings service is fair, and managed in accordance with this policy.

6.2 We work closely with authorities to monitor our nomination arrangements and provide regular lettings data (LA 'returns'). The monitoring and provision of data may vary between Local Authorities. We provide standardised data to regulators as necessary, including Continuous Recording of Lettings (CORE) data collection.

6.3 We seek feedback from residents once they have moved in to their new home, to gauge their satisfaction of the lettings service. We also continually review resident complaints related to the allocation of homes, including identifying any trends in dissatisfaction or concerns.

## 7. Definitions

Active date	The date an applicant logs into Midland Heart Homes and starts searching for a property. If an applicant does not log in for a period of more than 6 months their active date will reset to the next time they log in.
Adaptations	Adjustments to a property to assist a disabled applicant or member of their household access to the property or its facilities such as a stair lift, wet room, level access shower or ramp
Direct offer	An allocation where an applicant is offered an empty property without it being advertised through a direct advert or local authority nomination
Department of Work and Pensions (DWP)	Government department setting bedroom size criteria linked to welfare benefit entitlement
Eligibility	Eligibility determines who is eligible to apply for housing with Midland Heart. A person who is not eligible for social housing will not be able to apply for available properties
Eviction	The legal process undertaken to remove a tenant from a rental property
Hard to let	Property with a high turnover of tenancies and/or a property with low demand when advertised
Preference group	A preference group will be identified for each allocation advertised on Midland Heart's chosen platform. See <b>Appendix D</b> for further information
Registered Provider (RP)	A housing association or not-for-profit company registered by Homes England to provide choicesocial or affordable housing
Void	industry standard name for an empty property to be re-let

## 8. Abbreviations

LLP	Local Lettings Plans
DRO	Debt Relief Order
HHSRS	Housing Health & Safety Rating System

## 9. Appendices

Appendix A	Affordability criteria
Appendix B	Eligibility & Exclusions: <ul style="list-style-type: none"> <li>❖ Immigration status</li> <li>❖ Housing debt</li> <li>❖ Crime and ASB</li> <li>❖ Other breaches and fraud</li> </ul>
Appendix C	Bedroom eligibility criteria



Appendix D	Preference criteria
Appendix E	Housing need

## **Appendix A – Affordability Criteria**

We will apply the following tests to assess whether applicants can afford to rent or buy in the private sector and therefore be excluded from applying for social housing:

### **Private rented sector:**

We will consider total household income as a proportion of median private sector rates (West Midlands) for the property they need.

Private rented accommodation will be considered as unaffordable if:

- ❖ The applicant(s) are single or a childless couple and the median private rent figure is more than 27% of their gross income.
- ❖ The applicant(s) have a dependent household member and the median private rent figure is more than 20% of their gross income.

### *Example:*

Mr X requires a 1 bedroom flat and has an annual gross income of £27,000 per year. The median rate for a 1 bedroom property in the West Midlands is £495 per calendar month. This means the rent is 22% of his gross income. This means private accommodation is considered affordable so Mr X would not be eligible for social housing accommodation.

### **Median private sector rates:**

We will use the median private rented sector rates for the West Midlands published by the Valuation Office Agency annually.

### **Renting or Buying in the private sector:**

Any applicants with over £16,000 savings and an income that could afford median private rents will be considered ineligible for accommodation let through this policy based on being able to afford to rent privately or buy a property in the open market.

### **Exceptional hardship:**

Where an applicant bids on a property and is considered to be able to afford private sector accommodation, but has exceptional circumstances leading to financial hardship, the Lettings Operations Manager can make a decision for the offer accommodation to proceed, taking into account individual circumstances. This circumstance can be used where an applicant meets the private sector affordability criteria (as above) but has significant non-housing related financial commitments meaning the private sector is unaffordable. For example, significant child maintenance payments or non-housing related debt repayments (not mortgage or rent arrears payments).

### **Disregarded income:**

The following income will be disregarded for the purposes of assessing private sector affordability:

- ❖ Housing Benefit or Universal Credit Housing Element.
- ❖ Disability Living Allowance or similar benefits.
- ❖ Carers Allowance, Attendance Allowance or similar benefits.

## **Appendix B – Eligibility and Exclusions**

### **Immigration status**

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 categories of persons who do not require leave to enter or remain in the UK and are therefore NOT subject to immigration control are British citizens and certain Commonwealth citizens with a right of abode in the UK.

If an EEA citizen, or their family member, seeks to rent a property after 30 June 2021 but has not applied to the EUSS and has no alternative immigration status in the UK (such as a visa under the points based immigration system), then they will not pass a right of rent check. To understand your current status and your eligibility for help you can [view and prove your immigration status on GOV.UK](#)

For the purpose of this guidance, 'EEA nationals' means nationals of any of the EU member states, and nationals of Iceland, Norway, Liechtenstein and Switzerland. If there is any uncertainty about an applicant's immigration status, it is recommended that authorities contact the Home Office.

For further guidance on who is eligible for housing based in immigration status please visit: <https://www.gov.uk/guidance/allocation-of-accommodation-guidance-for-local-authorities>

Where an applicant is unable to provide the correct identification then the applicant will not be offered the property.

A joint tenancy cannot be granted to two or more people if any one of them is not eligible for an allocation of social rented housing. If one person is eligible, a tenancy may be granted to the eligible person. In addition, while ineligible family members must not be granted a tenancy, they may be taken into account in determining the size of accommodation which is to be allocated.

### **Housing related debt**

Housing related debts are any rent, service charge, estate charge, rechargeable repair, court costs or other debts owed to a landlord either in the social housing or private sector. Debt does include anything not legally recoverable such as a DRO. Although Midland Heart cannot pursue the debt, it is still nevertheless monies not paid to Midland Heart.

Any applicant with housing related debt will be ineligible for an offer of accommodation unless the following criteria are met:

- ❖ The debt is cleared in full, or
- ❖ An agreed repayment plan has been sustained for at least 6 months and the debt is below £500. This rule does not apply to internal transfers where we expect no rent arrears or other charges to be owing.

If debts 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 be eligible for an offer of accommodation in the following circumstances and approval granted by the Lettings Operations Manager:

- ❖ 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
- ❖ Where a money advice referral has identified that a move will help to alleviate severe financial hardship.

A Midland Heart tenant who offers to pay any debt in full (including court fees and rechargeable repairs) following the execution of an eviction warrant for rent arrears may be re-offered the home they have lost. The offer must be the property the customer was evicted from and the debt must be fully paid by the end of the following week, after the eviction. This period may be extended, in exceptional circumstances, with the agreement of the Lettings Operations Manager. 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 once and will not qualify if they evicted again. The offer will be subject to affordability, taking into account any proposed benefit changes.

## 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 behaved unacceptably, 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.

## **Convictions**

We will not automatically consider anyone ineligible for housing if they have a previous conviction. However, where Midland Heart is 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.

## **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 effect, they will not be eligible for housing. When we consider affordability, we will take into account all other reasonable living costs in addition to the cost of the rent.

Applicants who are not eligible for housing benefit or universal credit must demonstrate a sustainable source of income for at least a 2 year period.

All applicants must pay between 1-4 weeks rent in advance of the sign up based on affordability. Failure to do so may mean that the offer will be withdrawn.

## **Support needs**

Applicants who have support needs may be declined access to General Needs accommodation. An assessment will be completed with applicants regarding their support requirements and any risks that they present. Where necessary, a support plan and risk assessment will be agreed with the applicant, 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.

## **Other tenancy breaches**

We may decline any applicant that has a history of other tenancy breaches in the social and private sector. These breaches will include (not an exhaustive list):

- ❖ Failure to maintain gardens and the property to an acceptable condition
- ❖ Leaving rubbish behind when leaving a tenancy
- ❖ Failure to provide reasonable access for repairs, improvements or safety inspections / remedial works
- ❖ Putting the safety of other at risk.
- ❖ Unlawfully occupying a property.

## **Lack of proofs**

Any applicants unable to provide the necessary proofs to us in the time specified will not be eligible for an offer of the property they have expressed an interest in. This includes any evidence to support how they meet a preference criteria as well as general evidence requirements such as ID, landlord reference, income and expenditure details and immigrations status. This requirement applies to all intended household members.

## Appendix C – Bedroom Eligibility Criteria

To make best use of the housing which is available, there will be some limits to the choices that applicants can make. The guidance below describes the type of housing applicants may be offered:

- ❖ Bedsits and one bedroom flats are to be offered to a single person or a sharing couple.
- ❖ 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.
- ❖ Houses may be offered to households with dependent children living with them (including at university, in foster care, 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 with approval by a Voids and Lettings Manager.
- ❖ Bungalows are usually offered to applicants aged over 60 or those who require level access accommodation for health or mobility reasons. We will allow a single person or couple to be considered for a two bedroom bungalow if it is affordable for them, but applicants with a two bedroom need will always be considered first
- ❖ 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 or there is a court order in place sharing care or supporting documentation from social services. Bedroom eligibility size rules will not always apply where there is shared custody.

	Single Person	Childless Couple	1 Child Family	2 Child Family	3 Child Family	4 Child Family	5 Child Family	6+ Child Family
<b>Bedsit</b>	✓	✓						
<b>1 Bedroom Flat</b>	✓	✓						
<b>1 Bedroom Bungalow</b>	✓	✓						
<b>2 Bedroom Flat</b>			✓	✓				
<b>2 Bedroom Bungalow</b>	✓	✓	✓	✓				
<b>2 Bedroom Flat / Maisonette</b>			✓	✓				
<b>2 Bedroom House</b>			✓	✓				
<b>3 Bedroom Flat / Maisonette</b>				✓	✓			
<b>3 Bedroom Bungalow</b>				✓	✓			
<b>3 Bedroom House</b>				✓	✓			
<b>4 Bedroom House</b>					✓	✓		
<b>5 Bedroom House</b>						✓	✓	
<b>6 Bedroom House</b>								✓

This table illustrates the most common household types and is not exhaustive and bedroom eligibility may be relaxed for individual properties in line with the allocations policy.

While all applications will be assessed on the number of bedrooms required, we 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. We 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.

A household is defined as one person living alone, or a group of people who would live together with shared living expenses if suitable accommodation were available. 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.
- ❖ There is a relationships by marriage (this includes civil partnerships) and any 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.

### **Bedroom standard**

Our Allocations Policy for the majority of our housing stock reflects the DWP bedroom standard. We allow for one bedroom for each person (single adult) or couple living as a household and an extra bedroom for:

- ❖ any other person aged 16 years or over;
- ❖ two children of the same gender under the age of 16;
- ❖ two children who are under the age of 10 regardless of gender;
- ❖ a child or adult who is unable to share a bedroom because of disability and where discretionary housing benefit will be paid;
- ❖ a bedroom for a person not meeting any of the three categories above.

A woman who is over 24 weeks pregnant will be counted as a woman with a young child. She must be able to demonstrate that, until the child is born, she is either in receipt of Discretionary Housing Benefit or can fund the rent for the home offered.

We may exercise some discretion in relation to the bedroom standard in the following circumstances:

- ❖ Where the applicant is an approved foster carer, the size of the property required will take account of the number of children normally fostered during the last 12 months.
- ❖ Where the applicant is downsizing from a current Midland Heart property then they may be allowed to under-occupy a smaller property subject to a financial assessment confirming that the rent is affordable.
- ❖ Under-occupation of a larger hard-to-let property, this will be subject to a financial assessment confirming that the rent is affordable.
- ❖ Where medical needs require an additional bedroom for equipment or an overnight carer.



## Appendix D – Preference Groups

A proportion of available properties will be advertised and allocated directly by Midland Heart through direct adverts on our chosen advertising platform.

Adverts will identify a reasonable preference group for each advertised property which applicants will need to match to in order to be considered. Preference groups for adverts will be any of the following:

Preference Groups	Evidence required by Midland Heart	When will this be applied
<p>Working households or those making a community contribution. This category includes applicants who are employed on a zero hour contract basis or doing voluntary work as well as applicants who cannot work due to caring responsibilities for others including relatives (this covers child care up to 3 years of age).</p> <p>This preference group includes Armed Forces personnel, veterans and their families who are in housing need</p>	<p>3 months of recent pay slips or contract of employment</p> <p>Written confirmation to show an applicant is volunteering in the local community for at least 16 hours per week</p> <p>Proof of Child Benefit or Carer's Allowance</p> <p>Proof of Armed Forces status</p>	<p>This will be applied where the balance of scheme or neighbourhood has become un-balanced where more than 50% of the local population do not meet this preference criteria.</p> <p>It will also be applied to schemes and neighbourhoods that have experienced high levels of tenancy turnover.</p>
<p>Age designated households. This category is to be determined for each vacancy based on current tenant make up and will fall into the following categories: Under 25, 25-40, 40-55, 55+ years of age.</p> <p>We will also look at the age of children in the household as part of this preference group to ensure a wider mix of under 18's is achieved</p>	<p>Birth certificates or photographic ID such as a passport or driving licence for all persons wishing to be rehoused</p>	<p>This will be applied to schemes that have facilities to meet the needs for a particular age group, there are planning or covenants requiring a particular age group or where a scheme has historically been let to a specific age group to create a supportive local environment.</p> <p>We will also apply this preference if a particular age groups is under represented in a scheme or neighbourhood and there are no other age restrictions on the property in question (outlined above).</p>
<p>Spare Bedroom social housing tenancies.</p>	<p>Tenancy agreement and birth certificates or photographic ID such as a passport or driving licence for all persons wishing to be rehoused. Or proof of under-occupancy charges being applied by the local authority for the current social housing tenancy</p>	<p>This will be applied to a range of smaller properties to enable under-occupying social tenants move to more affordable homes and release larger family homes for those that need them. (best use of stock). This does not apply to social housing temporary accommodation tenancies</p>

Overcrowded social housing tenants where bedroom density exceeds the DWP bedroom standard definition	Tenancy agreement and birth certificates or photographic ID such as a passport or driving licence for all persons wishing to be rehoused.	This will be applied to a range of larger properties to allow over-crowded tenants to move to larger properties and release smaller properties for under-occupying households (best use of stock). This does not apply to social housing temporary accommodation tenancies
Transferring tenants with a good tenancy record who meet the eligibility criteria for rehousing		This will be used in schemes and neighbourhoods that have high levels of tenancy turnover or there have been local issues of crime and ASB.
Applicants requiring adaptations where a decision has been made that their current home is unsuitable for the required improvements to enable the applicant to live more independently	Letter from Occupational Therapist recommending adaptation and letter from landlord/ local authority stating property is unsuitable for the requested adaptations needed for independent living	This will be used where a vacant homes has adaptations or could be easily adapted.
Homeless households where a statutory duty has been awarded by the local authority	Letter from local authority confirming homeless status	This will be used in stable neighbourhoods where other groups are over-represented.
Applicants with a local connection to an area. This includes immediate family for medical and childcare support as well as employment in a locality	Local connection – council tax bill	This will be used in schemes and neighbourhoods that have experienced high levels of tenancy turnover.
No preference	Meet criteria for rehousing – see Appendix E	This will be used for 40% of vacancies.

## Appendix E – Housing need

To be considered for housing with Midland Heart you will need to demonstrate that you and other household members have a housing need, We class the following situations as having a need for social housing:

- You have a spare bedroom in your social housing tenancy. You will be a council or housing association tenant and have a spare bedroom(s) no longer occupied by a member of your household. This does not apply if you live in temporary housing provided by a social housing provider
- You are overcrowded and short of bedrooms for household members moving with you
- You are homeless and have a decision letter from the local authority confirming this. Or you are at threat of being homeless as you have been served with formal notice to leave your Assured Shorthold Tenancy, or you are losing your tied accommodation. Copies of formal paperwork will be required as evidence of this.
- You are permanently losing your current rented home as a result of demolition, de-conversion, major improvements or disposal
- You live in short term supported accommodation and are ready for independent living. Confirmation of this will be required from your supported housing provider
- Where there is evidence of serious violence and an ongoing risk to you or a member of your household and you cannot return to your current home. Supporting evidence will be sought from care, support or other agencies involved
- You can show evidence of ongoing and persistent targeted abuse and a move to alternative accommodation will prevent any re-occurrence. This includes physical, financial and emotional abuse and supporting evidence will be sought from care, support or other agencies involved.
- You are experiencing ongoing domestic abuse or harassment that can only be resolved by living in alternative accommodation. This will include any applicants moving with you and supporting evidence of harassment or incidents of domestic abuse from the police or another agency will be required
- You need to be closer to family and friends to give/receive support. Supporting evidence will be sought from care, support or other agencies involved to clarify the support needs. Examples of this support are day to day personal care, domestic abuse and ongoing child care where this support cannot be met in the current home
- You have been left in a property following a relationship breakdown and have no right to remain at the current tenancy
- You are a home owner but are unable to afford the mortgage payments. You will be required to provide evidence of mortgage payments and income including any mortgage arrears or forced sale by the mortgage lender
- You can demonstrate that by moving your new home will be more affordable in line with the Allocations Policy
- You are living in an adapted social housing home and you no longer need the adaptations for anyone in your household. There will need to be a demand for this type of property and evidence of the adaptations in place from your landlord
- Your current home does not meet your, or a member of your household's, diagnosed medical needs and the medical condition or ability to live independently would be improved significantly by rehousing. This includes the onset of a sudden illness preventing anyone in the household from living in your current home. If you are a home owner you need

to demonstrate you are unable to purchase or privately rent suitable alternative housing for your needs

- You live in accommodation where you share facilities with more than one household. This could include sharing the bathroom or kitchen
- You live in a property that is in disrepair and/ or in poor condition, or you lack basic facilities such as an inside toilet, water supply or hot water
- You live in a flat above ground floor with a child under 10 and there is no lift
- You need to be closer to your place of work or have an offer of employment and need to be closer to that workplace. Evidence of employment or the offer will be required along with an indication that travelling from your current address is unreasonable. Unreasonable would be no means to travel by car or public transport, or that public transport would require multiple changes and any working commute would be excessive in time (over 1 hour each way)
- You are a current or former member of the armed forces

When you are rehoused in a social housing tenancy your housing need will usually have been met until there is a change in your circumstances. If you have recently moved into a social housing tenancy then we reserve the right to consider you not eligible for a home with us if we are satisfied that your reason for wishing to move does not demonstrate a further housing need. We also reserve the right to not offer a home to anyone we deem to have deliberately worsened their housing circumstances in order to obtain a social housing tenancy.

Applicants who consistently refuse reasonable offers of social housing within a twelve month period will have their housing account on Midland Heart Homes reviewed and will be unable to rejoin the list for a year, after which time a new account must be created.