

## Access to Housing

### Context

The Regulator of Social Housing stipulates that registered providers shall ensure effective governance arrangements that deliver their aims, objectives and intended outcomes for tenants and potential tenants in an effective, transparent and accountable manner. Additional information is provided for the allocation of social housing.

Registered providers shall let their homes in a fair, transparent and efficient way. They shall take into account the housing needs and aspirations of tenants and potential tenants. They shall demonstrate how they make the best use of available housing, are compatible with the purpose of the housing, contribute to Local Authorities' strategic housing function and sustainable communities. There should be a clear application, decision-making and appeals process.

Our charitable status obliges us to have regard to persons in necessitous circumstances when allocating resources in the form of homes to rent.

This document sets out how Stonewater meets regulatory requirements from the above and assists Local Authority stakeholders in delivering their housing functions

### 1. Introduction

1.1 Stonewater is an ambitious social housing provider with a mission to deliver good quality affordable homes to people who need them most. We manage around 32,000 homes in England including affordable properties for general rent, shared ownership and sale, alongside specialist accommodation such as retirement and supported living schemes for older and vulnerable people, foyers and women's refuges. Our house-building programme seeks to deliver over 2,500 new homes over the next 3 years and is driven by our vision of everyone having the opportunity to have a place they can call home.

### 2. How we let our homes

2.1 All new build general rented properties as well as the majority of our property that becomes available for re-letting is offered to applicants from Local Authority Housing Need Registers. There are occasions where we have exhausted any housing need, in these cases we will seek applications for our homes by other routes. We may advertise through social media, the internet, letting agencies and major UK property websites such as Rightmove or national agencies such as Homehunt. When we advertise properties through these routes, we will prioritise on a 'first come first served' basis and apply our eligibility criteria this includes having regard to our charitable status. These lettings are not made purely on a needs basis

2.2 Aside from exhausting the housing register, we do have occasions where we will allocate our empty homes to applicants working and on low incomes. In these cases we have met the re-letting criteria set out in the planning consents and are free to allocate elsewhere and not on a strict need basis. Where LA's

maintain lower needs bands or can offer direct lettings to working households we will use these avenues.

- 2.3 Stonewater holds a list of applicants interested in retirement living properties. We will look at these lists in conjunction with the Local Authority Housing Register for applicants. These schemes usually have planning stipulations obliging us to offer them to households where applicants are over a certain age, usually around 50 +.
- 2.4 In addition to our housing assessment we consider other factors such as physical and/or mental health and social wellbeing where retirement living could be the appropriate housing solution
- 2.5 Shared Ownership and Rent to Buy properties are sold/let on a first come, first served basis. The majority of new homes are marketed by local estate agents with support from the Stonewater Homes Marketing Team. It is the responsibility of the owner to market properties for re-sale.

### **3. Supported Housing Schemes**

- 3.1 A range of properties are available for people requiring support and include shared accommodation, specially designed schemes and individual properties that are located throughout our stock. Support arrangements will vary depending on the location and the nature of the project, in many locations we provide support directly whilst in others we work in partnership with locally based support providers.
- 3.2 To enable an applicant to access supported accommodation they must have a need for the type of support available. Applicants can access supported accommodation via a support provider who has identified and assessed their need for this accommodation and their readiness to take up the vacancy.
- 3.3 Within our own directly managed projects we welcome self referrals as well as referrals from our statutory partners. Other applicants would come via the Local Authority Housing Needs Register, as noted above.

### **4. Adapted Homes**

- 4.1 We have a number of specially adapted homes, for example, properties with through-floor lifts or level access showers. We will work with our Local Authority partners and other specialist agencies to ensure these properties are let to those with the highest need for this type of accommodation. Likewise we would not offer accommodation above ground floor level to applicants where a member of the household has an existing physical disability which would prevent them from leaving the property by the stairs.

### **5. Offers of Accommodation**

- 5.1 Regardless of the process used to find an applicant we will assess all applications and make checks to verify their personal circumstances are in line with our charitable objectives and to ensure the property is suited to their needs .If the checks confirm the applicant is eligible, an offer will be made. If the offer is refused or there is no reply to our contact within the timescales

advised, their record is updated and the next applicant on the shortlist will be contacted. This will continue until we have a successful applicant.

- 5.2 We will take up references before offering accommodation. In some cases we will accept personal declarations where referees cannot be located. We will consider failure to provide references, the provision of false or misleading declarations as equal to providing poor references for the purpose of deciding whether to grant a tenancy and the provision of false information in references as obtaining the tenancy by false statement and would seek to recover possession through the County Court.
- 5.3 Where an offer has been made the applicant will be invited to view the property with a member of our staff, who will explain the main features and answer any questions. Staff will take account of the needs of applicants with particular issues or disabilities when carrying out the viewing.
- 5.4 All applicants for Shared Ownership homes, whether new sales or resales, must be registered with the Government's local Homebuy agent and meet the criteria for the scheme of being a first time buyer purchasing their only and principle home and meet the financial affordability criteria for the scheme.

## **6. Eligibility Criteria (Appendix 1)**

- 6.1 Occasionally there may be circumstances where we will not make offers of accommodation once we have completed our checks to verify the details in an application. When making a decision about this we will ensure that all individual circumstances are fully considered; this would include taking into account an applicant's current and previous tenancy conduct that may impact on our housing management function and their ability to sustain a tenancy.
- 6.2 Applicants do have the right to appeal, where they have been nominated to us from a Housing Need Register. This does not guarantee that if successful they will be allocated the property as the lettings process will continue whilst the appeal is being considered. Applicants must bring additional evidence to support an appeal and not just the information we already have used to base our decision on.

## **7. Affordability**

- 7.1 Stonewater will let the majority of its New Build properties at 'Affordable Rent' levels, in line with current Government guidelines. Affordable Rents for Stonewater are rents that are affordable in the community to ensure that local working households are able to rent and live locally. We believe this brings wider community value to an area. When looking at our non pure needs allocations, we will focus on these households.
- 7.2 There are some properties where we *do not* charge Affordable Rents. These are listed below;
- Housing for Older People
  - Supported Housing
  - Housing sites with specific planning restrictions

7.3 All applicants for Stonewater properties will be asked to pay 2 week's rent in advance of the start of their tenancy. This includes those applicants receiving benefit assistance for their rent. We take landlord and tenancy obligations seriously at Stonewater and believe that getting each new tenancy off on the right foot helps more permanent success. It is a term and condition of our tenancies that rent is received in advance, most benefit is paid in arrears. Personal payments of rent in advance alleviate rent arrears recovery action from being taken.

7.4 We want to get all of our new tenants the best possible start and will assist them as much as we can during the letting process. There will be cases where we would consider an alternative approach as an exception to normal practice in order to address housing need and ensure we are providing a settled home with support to settle in, where possible.

## **8. Rent to Buy**

8.1 Rent to Buy tenancies are intended for customers who have aspirations to own their own home but have found it hard to save for a deposit whilst paying a market rent. Rents are set at 80% of the rent the property would attract on the open market. The discounted rent is intended to help customers save towards a deposit to secure a mortgage and they have an opportunity but not an obligation to purchase the home outright during or at the end of the agreed term of the tenancy. The following criteria must be met for a rent to buy tenancy to be granted;

Applicants must;

- Be aged 18 or over
- Not own a property
- Must not be in arrears with their rent or in breach of their tenancy agreement
- Have a household income of less than £60,000
- Must not have been declared bankrupt, have any County Court Judgements or have defaulted on a loan
- Must be in permanent employment or on a fixed term contract of more than 6 months

An affordability assessment will be completed. The calculations will be based on information provided by the applicant. This will determine if the household income is sufficient to meet the monthly rent and service charge payments required. Rent to Buy applicants will be required to demonstrate that they do not currently own a home in full or part and they have the financial means to rent the property at the market rate.

## **9. Starter Tenancies**

9.1 All applicants signing up for a Stonewater home who have not held a secure tenancy or an assured periodic tenancy with any local authority or registered provider will receive an offer of a 12 month starter tenancy. Offers are based on the housing application and will be sole or joint depending on how the

application was made. We do not grant intergenerational tenancies for example between father and son.

- 9.2 The tenancy will be monitored to ensure that new tenants settle into their homes and manage their tenancy effectively. Stonewater will offer additional support if needed and also take prompt action if tenancy conditions are not met.
- 9.3 Starter tenancies are for a minimum of 12 months with the ability to extend if there have been tenancy breaches, including rent arrears and anti-social behaviour. If no action is taken to extend the starter tenancy it will automatically convert into an assured periodic tenancy after 12 months.

## **10. Local Lettings Plans and S106 Schemes**

- 10.1 At times we will develop Local Lettings Plans for a scheme to support a local area to ensure a balanced community is created or sustained. These might be developed with our Local Authority partners as part of the planning consent for a new development or for re lettings.

## **11. Transfers and Mutual Exchanges**

- 11.1 Registered providers are obliged by Homes England as part of the Tenancy Standard to enable their tenants to gain access to opportunities to exchange their tenancy with that of another tenant, by way of internet-based mutual exchange service. This is the quickest and simplest way for tenants to move and can be undertaken with almost any other Housing Association or Local Authority tenant where a secure or assured tenancy is in existence.
- 11.2 There will be criteria relating to how mutual exchanges are processed together with some grounds for refusal. There are only a few, these relate to the size and type of home that a household is planning to move into. For example a home should not be under or over occupied.
- 11.3 Existing customers of Stonewater can also apply for a transfer by applying to their Local Authority via the Housing Need Register. Applications will be assessed in accordance with the LA criteria. Customers looking for a transfer should look each week at the properties available in their LA area and express an interest by bidding or directly applying according to the local processes. Existing customers seeking a move into retirement living property can approach us directly and discuss their longer term housing requirements.
- 11.4 Whether a Stonewater customer is pursuing a transfer or a mutual exchange, a home visit would be carried out to inspect the property to ensure it has been maintained in good order. The applicant will be asked to bring the property up to a good standard and make any repairs prior to any move. An existing customer will also need to have a clear rent account before a transfer or a mutual exchange is approved.

## **12. Managed Moves**

- 12.1 In some emergency cases there will be a need to provide immediate re-housing and it may not be possible to accommodate a Stonewater tenant within the normal arrangements. Managed Moves will be considered where there are circumstances that threaten the life or would seriously affect the

safety of the tenant or other household members to remain in the property. A Managed Move will not be approved before other options have been explored and would require the support of at least 1 external agency.

12.2 We would work with the relevant Local Authority and through their Housing Register. If an urgent move is required the applicant should have access to the entire social housing stock in the area rather than only Stonewater homes.

12.3 Management moves can only be approved by a Regional Director.

### **13. Customer and Stakeholder Involvement**

13.1 We recognise the importance of working closely with applicants, existing customers and Local Authority Stakeholders to ensure our services are responsive, efficient and sympathetic to local needs.

13.2 Whenever a customer terminates their tenancy we ask the reason for leaving.

13.3 Each time we sign up a new tenant we will send out a short questionnaire to determine the clarity and responsiveness of the application process including the tenancy sign up process, explanations of the services and utilities connected with a customer's new home and about the affordability of the rent.

13.4 Local Authority partners are important to us. While we have ongoing relationships with most of our Local Authorities we aim to engage with them at least twice a year more formally where we have;

- more than 400 units
- new development schemes
- developments with specific planning consents
- worked with multi agencies and the LA over the last year to address local issues

13.5 For all our new developments we will visit the LA 12-18 months after the scheme is complete and discuss the feedback from the new tenant questionnaire as comments will relate to the application and the new tenant process, and give data on how the new customers are settling in.

### **14. Monitoring and Review**

14.1 This document is approved by the Stonewater's Housing Committee and will be reviewed every 3 years or earlier if required. Details of our lettings performance and activity will be regularly reported to the Board.

## Technical Data

Risk Assessment	Failure to have a policy which states how properties will be allocated risks non-compliance with the regulatory standards
Strategic Group Director Leads	Regional Director -South
Responsibility for Implementation	All Allocation Managers
Approved by	Housing Committee
Date of issue	September 2018
Date of next review	September 2021
Committee review	

Author	Karen Ayling
Title	Regional Director-South
Version	New from 1/10/18
Date	3/10/10
Revision	New policy approved 4/9/18

## **Appendix One**

### **Eligibility Criteria**

At least 50% of our applicants for our general rented stock will be from the Local Authority's Housing Register often via an operating process like Choice Based Lettings. We do keep a summary of any interest in our retirement living homes

We support the development of local lettings plans or single sensitive lettings in agreement with LA partners. Where we have new build rented developments where 100% of our applicants will come via the LA Housing Register we will actively seek local lettings plans

While we take applications from the LA we do carry out additional assessments relating to their circumstances and history. This includes seeking references from previous landlords. In some cases this may result in a refusal of a nomination which would usually be a deferral to such time as any future tenancy is thought to have a better chance of success due to the applicants changed personal circumstances. We would discuss these factors with the LA. The type of factor could be :

### ***Age Restriction***

The applicant is under 18 – unless we have the relevant approval and documentation in place from the Local Authority (including signed confirmation that they act as guarantor ( or there is another defined guarantor) and that tenancy support will also be provided) we would not offer a tenancy to a minor

Some planning consents for Housing developments will stipulate an age bar for a scheme or individual letting .These are usually classed as older persons or Retirement Living accommodation and have a +50 or 55 criteria.

Some schemes may have an age restriction linked to an ethnicity criteria such as Asian Elders

### ***Vulnerability***

Applicants requiring a high level of support that has not been arranged /assessed, or can not be arranged in a reasonable timescale to support the applicant into a new home

There is acute vulnerability and no history of on going and sustained engagement with support services

Our additional assessments have concluded that the applicant is unable to live independently at this time

In all of the above we would seek to make future offers of accommodation when circumstances have changed

### ***Immigration Control***

Some applicants are not eligible for social housing due to their immigration status. These are defined by the Secretary of State within housing law. 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.

### ***Anti Social Behaviour***

We may exclude applicants with a history of anti-social behaviour or where a member of their household has a history of antisocial behaviour this could include eviction, convictions, injunctions or other enforcement actions within the last 3 years

### ***Convictions***

We do not automatically consider anyone ineligible for housing if they have a previous conviction. However we will consider previous convictions during the last 3 years where there is reason to suppose that the ex offender is likely to pose a risk to their household, neighbours and/or the wider community and also the suitability of the area and the risk this might pose for the ex offender. A risk assessment will be made for these cases

### ***Debt / Income***

If applicants have been evicted by Stonewater in the past for rent arrears or other housing debts are outstanding to another HA or stakeholder, assessments will be made as to whether the applicant has made reasonable efforts to remedy this by making and adhering to arrangements to repay the debt. Stonewater would not offer accommodation to any applicant where the debt is more than £250

The applicant's household income exceeds £60,000 pa or their savings exceed £60,000.

Applicants for Retirement Living homes are often accepted onto Local Authority Housing Registers although they might own their current home. There will be prevailing circumstances such as the home is unsuitable for them and there are no cash funds to address this. We would still have regard to our charitable status when considering these cases and would look to our internal expressions of interest list using the same criteria

### ***Affordability***

A financial assessment will be completed with all applicants, to determine if the proposed accommodation is affordable, both in terms of meeting the cost of the rent as well as other reasonable living costs. When looking at affordability we take into account current income from earnings, pensions and other benefits. Our assessment may also identify additional

entitlements that the applicant may have – these may be used as income if it is considered likely that any application for additional benefits/credits will be successful.

The existence of debt may not prevent an offer; however we will expect the applicant to work with us in order to access budgeting and debt advice, to ensure the future sustainability of the tenancy.

Successful applicants must have access to an e-mail address, bank account and be able to pay by Direct Debit in order to be accepted to view and sign up for a Stonewater property

This may be via a third party in some cases

### ***Accessibility***

If an applicant fails to respond to our contact concerning their recent bid (or offer made) after 2 consecutive chase contacts over 2 consecutive days or fails to provide the information we require to progress the offer in 48 hours we will reserve the right to skip the application for that vacancy.

### ***Fraud***

Housing fraud is a criminal offence, and anyone found to have deliberately provided false information, or withheld information as part of an application may be prosecuted. We will take action against tenancy fraud. A property obtained by deception will be repossessed. If we discover this type of irregularity at the offer stage, we will withdraw the offer.