

# ALLOCATION & TRANSFER POLICY

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<b>Review frequency</b>	<b>Annually</b>
<b>Date of next review</b>	<b>March 2018 or sooner as determined by the Housing (Scotland) Act 2014</b>

## 1 INTRODUCTION

Charing Cross Housing Association was founded in 1976 to improve and build houses and operates mainly in the Woodlands, Garnethill and Cowcaddens areas of Glasgow.

The Association is regularly inspected by the Scottish Housing Regulator to ensure the financial budgets and the allocation and management of properties is kept within their guidelines.

Our stock is situated in an area of very high demand. This policy regulates the letting of homes to housing list applicants, internal transfers from existing tenants, and referrals from other statutory and voluntary organisations.

The Housing Management section deals with all matters relating to housing applications and allocations.

## 2 AIMS AND OBJECTIVES

The Association aims to provide good quality, affordable rented accommodation to those in greatest housing need. We aim to make best use of space available within its properties and will allocate void properties to appropriately sized households.

When allocating properties a degree of emphasis will be placed on meeting local housing need, the sustainability of tenancies and the stability of the community.

## 3 EQUAL OPPORTUNITIES STATEMENT

Charing Cross Housing Association is committed to achieving equality of opportunity to those we house, employ, hire or provide services. The Association is committed to encouraging diversity, eliminating discrimination and providing equality of opportunity for all.

## 4 HOMELESSNESS PROTOCOL FOR GLASGOW

Section 5 of the Housing (Scotland) Act 2001 introduced a duty upon RSLs to comply with a request from a local authority to house a homeless household.

The Association will comply with the protocol developed between the City Council and existing RSLs to meet this requirement.

## 5 WELFARE REFORM

On 8 March 2012 the Welfare Reform Act received Royal Assent. The Act legislated for the biggest change to the welfare system for over 60 years.

One of the reforms saw a cut to the amount of benefit that people can receive if they are deemed to have a spare bedroom in their Council or Housing Association tenancy. This is commonly referred to as the 'bedroom tax'.

The 'bedroom tax' applies to all tenants of working age from 1 April 2013 onwards with a percentage of the monthly rent being reduced prior to the tenants benefit entitlement being applied. The cut is 14% of the monthly rent if the tenant has 1 spare/unoccupied bedroom and 25% of the monthly rent if the tenant has 2 or more spare/unoccupied bedrooms.

*Example:* Tenant living in a 3 bedroom flat with 2 spare/unoccupied bedrooms. Monthly rent is £300.00 and currently receiving full housing benefit. The tenant would need to find 25% of £300 which is £75.00.

The Association recognises the financial pressures that its tenants are likely to face as a direct result of the 'bedroom tax'. The Housing Management team will have the discretion to offer assistance to Charing Cross Housing Association tenants should they wish to move to another Charing Cross tenancy that is suitable, in terms of size, to their needs. Assistance may include: -

**Disconnections:** The Association employing contractors to disconnect cookers, washing machines and dishwashers.

**Mail redirection:** The Association may reimburse costs connected with the redirection of the tenant's mail, up to a maximum of 3 months.

**Removal costs:** The Association may employ a contractor to move the tenant's belongings to their new tenancy.

**Disposal of unwanted items:** As a move will involve downsizing then it may be the case that not all of the tenant's belongings will fit in to the new tenancy. Should this be the case the Association may assist by disposing of all unwanted items after the tenant has left and the keys have been returned.

## 6 WHO CAN APPLY?

The Association maintains an open Housing List to provide a continuing opportunity for those in housing need to apply.

## Age

Anyone over the age of 16 years may apply.

## Committee & Staff

Allocations to Committee and staff members or close relatives of Committee or staff have to meet the following criteria: -

- Decisions are recorded in the register of payments and benefits to committee and staff
- Decisions are made by the Association's Management Committee and recorded in the minutes.

A full list of Committee and Staff members is available at the Association's office.

## **7 MUTUAL EXCHANGES / HOMESWAPPER**

The Association will accept applications from those who wish to exchange and will consider referrals made via Homeswapper.

## **8 ALLOCATION PRIORITIES**

The Association has an aim of providing accommodation for those in the greatest housing need.

Section 5 Homeless Protocol Referrals: To assist Glasgow City Council in meeting this total the following assumptions shall be made for Charing Cross HA lets for the year 2017/18.

- 1, 2 and 3 Apartment lets: For the letting year April 2017 to March 2018 the Association will aim to provide a total of 11 lets across 1, 2 and 3 Apartment vacancies to Section 5 Protocol Referrals. Broken down further this equates to X8, 1/2 Apartments and X3, 3 Apartments.
- 4 Apartment lets: For the letting year April 2017 to March 2018 the Association will aim to provide a total of 1 let to a Section 5 Protocol Referral.
- 5 Apartment lets and above: It has been agreed with the homeless casework teams that they will not expect to receive any 5 Apartment + lets to Section 5 Protocol Referrals and this is down to the very low turnover of these larger properties historically.

## **Direct (Waiting List), Transfer, Special Needs and Sheltered Housing lists**

- The Special Needs list is devised of applicants with specific requirements usually lower floor heights due to poor mobility. The Association will consider applicants from the special needs list where it has a vacancy that would suit and applicant with specific needs.
- 1, 2 and 3 and 4 Apartment lets: For the letting year April 2017 to March 2018 the Association will aim to allocate all vacancies (with the exception of the 12 lets, planned for use by Section 5 Referrals) to the Direct, Transfer and Special Needs lists. An emphasis will be placed on alleviating overcrowding within the Association's own tenancies where existing tenants require a 4 Apartment let to alleviate existing overcrowding.
- 5 Apartment lets and above: The Association will place an emphasis on alleviating overcrowding within the Association's own tenancies where existing tenants require a 5 Apartment + let to alleviate existing overcrowding.
- 2 Apartment sheltered housing: The Association maintains a list of older applicants (existing tenants and non-tenants) who have a specific need for our housing support service in our sheltered housing. All vacancies will be allocated from this list.

**The above priorities are reflective of the assumptions outlined in the West Local Letting Community Plan and will be reviewed on an annual basis.**

## **Joint Working Protocol – Housing for Care Leavers**

The Association shall accept referrals from Glasgow City Council, Social Work Services on behalf of care leavers who are part of an established protocol process. We will house 1 care leaver referral every 12 months, via the joint working protocol. The size of the property required will be based on the need of the household.

## **9 POINTS SYSTEM**

The points system operated by the Association is designed to allocate houses on the basis of the greatest housing need. Points will be awarded initially on the basis of the information supplied on the application form.

Points are awarded under various categories (see Section 11) with the aggregate total defining the applicant's position on the list. Separate lists are maintained for different sizes of property as well as Sheltered Housing and applicants with special needs. Points are re-assessed when an applicant is visited and may change as a result of visits. Should there be any change the applicant will be notified of the change and the new points total. When an applicant's points change a letter will be sent out by the Association confirming what has changed and why.

The applicant will be invited to speak to a staff member about any change should they wish to do so.

**Any changes of circumstances may mean a change in points entitlement and it is the applicant's responsibility to notify the Association of significant changes.**

## 10 REASSESSMENT OF ALL APPLICATIONS

In order to maintain an accurate housing list the Association writes to all of its applicants once per year on the anniversary of the date that they applied. This is known as the 'reassessment' date.

We do this to ensure that the names of applicants who have moved away or who may have been housed elsewhere are removed from the list. Section 21 of this Policy describes what we do prior to removing an application from our list.

## 11 CATEGORIES OF POINTS

### (a) Overcrowding

Overcrowding is based on the number of bedrooms required by the applicant and his or her household (the people that are moving with the applicant) compared with the number of bedrooms that the applicant and his or her household has exclusive use of.

The number of bedrooms required by a household is: -

- 1 bedroom for each applicant and spouse or partner
- 1 bedroom for each two children of the same sex under 16 years
- 1 bedroom for each two children under 10 years
- 1 bedroom for any remaining member of the household over 16 years of age

15 points shall be awarded for the first bedroom lacking and 10 points for each additional bedroom lacking thereafter as shown in the table below: -

Issue	Points Award
Lacking 1 bedroom	15
Lacking 2 bedrooms	25
Lacking 3 bedrooms	35
Lacking 4 bedrooms	45
Lacking 5 bedrooms	55
Lacking 6 bedrooms	65

**The Association will not offer accommodation which results in overcrowding.**

## Overcrowding - Discretionary

The Association understands the difficulties experienced by applicants and their families in respect to overcrowding. We wish to alleviate overcrowding and prevent homelessness wherever possible and to this end points may be awarded over and above the points obtained in the “overcrowding” section above. **Points will only be awarded at the discretion of the Housing Manager.**

Issue	Points Award
The overcrowding of the remaining household (those who are <b>not</b> moving with the applicant) will be <b>eradicated</b> once the applicant has been housed.	<b>25</b>
The applicant is or will become homeless as a direct result of living c/o in an overcrowded situation.	<b>25</b>

**The maximum number of points awarded in this category will be 25.**

## **(b) Under Occupation**

Under-occupation points are calculated on the number of bedrooms which are not used. Points will only be awarded to applicants that have their own tenancy or to applicants who own their own property.

20 points shall be awarded for each unoccupied bedroom as shown in the table below: -

Issue	Points Award
1 Unoccupied bedroom	20
2 Unoccupied bedrooms	40
3 Unoccupied bedrooms	60
4 Unoccupied bedrooms	80
5 Unoccupied bedrooms	100

## Under Occupation - Discretionary

Section 5 of this Policy refers to what that the Association will do, where possible, to lessen the impacts of Welfare Reform.

The Housing Manager shall have the discretion to award an additional 25 points to housing applicants who have a need to move to smaller accommodation to lessen the impacts of the ‘bedroom tax’

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Issue	Points Award
A Charing Cross HA tenant who needs to move to a suitable sized property for bedroom tax purposes.	<b>25</b>
A tenant of any other social landlord (Housing Association, Local Authority, etc) who needs to move to a suitable sized property for bedroom tax purposes.	<b>25</b>

**The maximum number of points awarded in this category will be 25**

### (c) Sharing Amenities

Sharing amenity points are awarded to applicants who share someone else's home or live in a hostel sharing the basic amenities. Points will be awarded as follows: -

Issue	Points Award
Sharing a Living Room	<b>10</b>
Sharing a Kitchen	<b>10</b>
Sharing a Bathroom	<b>10</b>

**25 additional points** will be awarded to applicants living in houses in an *extended family* environment in *multiple occupation* and *hostel accommodation*.

### (d) Lacking Amenities

Lacking amenity points are awarded to applicants who do not have the basic amenities. Points will be awarded as follows: -

Issue	Points Award
No separate Kitchen, e.g. bedsit/studio	<b>5</b>
No Kitchen	<b>10</b>
No Inside Toilet	<b>10</b>
No Shower or Bathroom	<b>10</b>
Inadequate Hot Water Supply	<b>10</b>
No Heating	<b>10</b>
No Living Room, e.g. bedsit/studio	<b>10</b>

### (e) Medical Condition

Medical points are awarded according to the severity and urgency of the overall problem being faced. Points will be awarded as follows: -



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Issue	Points Award
Medical conditions affected by present housing conditions to some degree.	<b>15</b>
Acute medical condition worsened by present housing conditions, e.g. illness caused/worsened by dampness.	<b>30</b>
Considerable difficulty with mobility or chronic problems severely affected by present housing circumstances, e.g. living in top floor flat with considerable mobility problems.	<b>40</b>
Very severe mobility problems or disability, e.g. housebound or in a wheelchair above first floor in a tenement.	<b>60</b>

**The maximum award per household in this category shall be 60 points.**

### (f) **Insecurity of tenure**

Insecurity of tenure points are awarded to applicants who either have no accommodation of their own or who are homeless or threatened with homelessness. Points will be awarded as follows: -

Issue	Points Award
Homeless or potentially homeless and requiring permanent accommodation as defined by the Housing (Scotland) Act 1987 and 2001. <b>A written decision notice is provided to the applicant by Glasgow City Council when the Council has a duty to provide permanent accommodation. Once this document has been supplied to the Association the maximum of 60 points can be awarded.</b>	<b>60</b>
Resident in tied/service accommodation and contract ending due to either retirement or ill health.	<b>60</b>
Homeless or potentially homeless but have refused an offer of reasonable accommodation from the Local Authority resulting in the Local Authority discharging their duty under the homeless legislation.	<b>40</b>
Living with friends or relatives and not under the threat of homelessness.	<b>20</b>
Living in private rented accommodation and not under the threat of homelessness.	<b>20</b>

**The maximum award per application in this category shall be 60 points.**

**(g) Physical Condition of Property**

Issue	Points Award
Property declared unfit, below tolerable standard, dangerous by order of the Local Authority or due for demolition. <b>Confirmation will be required in writing from the Local Authority or Landlord.</b>	<b>100</b>
Severe state of disrepair, e.g. dangerous wiring, defective plumbing, windows.	<b>30</b>
Severe dampness and/or rain penetration	<b>30</b>
Slight dampness	<b>20</b>
Infestation	<b>10</b>
<b>Inadequate</b> ventilation, e.g. windows nailed closed, etc	<b>5</b>

**The maximum award per application in this category shall be 100 points**

**(h) Social/Community/Family Support**

Points may be awarded to an applicant who wishes to move to or who wishes to continue to remain in the Charing Cross area. **We will ask you to confirm what your 'specific need' is.**

Issue	Points Award
The applicant and their household have a specific need to move to the Charing Cross area (Woodlands or Garnethill) to provide or receive support from a relative or friend.	<b>40</b>
The applicant and their household have a specific need to continue to reside/remain within the Charing Cross area (Woodlands or Garnethill).	<b>40</b>
The applicant and their household have a need to move to the Charing Cross area to alleviate social, cultural or religious isolation.	<b>40</b>

**The maximum award per application in this category shall be 40 points**

**(i) Harassment**

The Housing Manager can award points to applicants who are victims of any form of harassment.

Issue	Points Award
Information provided by official agencies or the applicant's landlord confirming the applicant is a victim of any form of harassment.	<b>60</b>

**(j) Special Circumstances**

The **Management Committee** has discretion to award points to applicants with exceptional circumstances not already covered in the policy.

Issue	Points Award
Management Committee decide to award points for exceptional circumstances	<b>100</b>

**Note:** Points awarded will only be valid for the period where the applicant remains in the address shown on the application at the date of the award. If there is any change of address after points have been awarded the points shall be removed and the applicant will be informed. The applicant will be given the opportunity to reapply for special circumstances points following a change of address.

## 12 TRANSFERS

**(a) Eligibility**

Tenants of the Association may apply for a transfer. In assessing transfer applications, points are awarded under various categories to reflect housing need in accordance with the Association's Allocations Priorities. The total number of points will define their position on the list.

**Note:** If a joint tenant applies and the other tenant is not moving with them the joint applicant's application will not be dealt with as a transfer. The application will be placed on the direct list.

**(b) Relationship Breakdown**

Where a relationship has broken down a tenant may apply for separate re-housing. Written confirmation in the form of a solicitor's letter, court order or other proof will require to be submitted. In view of the Association's limited stock, applicants must also apply to other housing providers for additional housing areas to maximise their re-housing prospects.

Under the Matrimonial Homes (Family Protection) Act 1981, the Sheriff Court has the power and discretion to award occupancy rights or transfer tenancies from one spouse to the other.

For the purposes of this Policy the following general rules will apply, subject to the mutual agreement of both parties concerned.

- (i) Where children are involved the spouse retaining custody will be given favourable consideration for retaining tenancy of the family home.
- (ii) The spouse leaving the marital home whether or not children are involved will be assessed in accordance with the Association's Allocations Points system.

### 13 ACCESS TO CHILDREN

The Association will ensure at all times that it places applicants on to the most appropriate list in terms of bedroom size. We do this by establishing who (the entire moving group) will be moving in to one of our properties and occupying it on the basis that it is their only home.

Should the Association receive an application from a parent who **does not have custody** of their child or children more than 50% of the week the applicant will be added to the appropriate list (usually the 1 bedroom list).

### 14 CONFIDENTIALITY

All information provided by applicants will be treated as confidential and will only be used in the assessment of housing need, affordability, and the allocation of housing.

### 15 POINTS APPEAL PROCEDURE

Applicants who are unhappy with how many points their application has been awarded should speak or write to the Housing Officer.

The Housing Officer will listen to what the applicant has to say and take the necessary steps, if deemed appropriate and in line with our pointing policy, to award additional points. The outcome of the discussion/contact between the applicant and the Housing Officer will be recorded by the Housing Officer and the applicant will receive notification of any changes made to points.

If the applicant remains dissatisfied with the number of points awarded then they have the right to appeal the number of points awarded. All points appeals should be directed to the Housing Manager, preferably in writing.

After investigating the appeal the Housing Manager will inform the applicant of his findings in writing.

### **16 ADMINISTRATION OF APPLICATIONS**

In line with the Housing (Scotland) Act 2001 all applications are assessed and pointed in accordance with the Association's Allocations Policy.

Applicants will receive written notification (registration letter) once their application has been accepted onto the housing list. The Association will aim to turn around an application form (from receipt to issuing the registration letter) within 3 calendar days.

Information will be provided to applicants in writing of how many points their application has attracted, what size of property they are being considered for and what their current position is on the list.

All applications will be retained and filed separately in alphabetical order by the Housing Management Team.

### **17 REHOUSING PROSPECTS**

The Association is fully aware of how realistic a chance an applicant has of being re-housed as we monitor lets already made and record points totals of these applications split across the size and type of property let.

Applications which do not have sufficient points to have a realistic chance of being re-housed unless their circumstances change are advised accordingly but have the legal right to remain on the list.

### **18 VERIFYING THE IDENTITY OF HOUSING APPLICANTS**

The Association will ask all applicants to provide photographic evidence (usually a passport) of their identities. A copy of the photographic evidence will be held in the housing application file. If the applicant is housed the photographic evidence will be transferred to the new tenancy file.

### **19 VERIFICATION OF HOUSING NEED CIRCUMSTANCES**

Prior to the Association considering an applicant for an offer of housing we will carry out a verification check at an applicant's current address. The Association must ensure that points have been correctly awarded and that points awarded originally still apply as circumstances can change through time.

The visit will involve confirming that all points awarded as per the application are exactly correct. Should there be a points change necessary this will be explained during the visit.

On return to the office the staff member shall amend the points and confirmation will be sent to the applicant explaining the change(s) made.

Occupancy proof for all persons residing in the property will be requested as points awarded for overcrowding are based on who resides in the property on a permanent basis.

CCHA will also reserve the right to check information in relation to any current tenancy that an applicant may hold in accordance with the declaration signed on the application form. This may involve writing to the applicant's current landlord to confirm that the tenancy is being conducted satisfactorily in relation to rent, behaviour, physical condition, etc.

If it is proven that false or misleading information has been provided by the applicant deliberately in order to influence the assessment of housing need, the application may be suspended for a maximum of up to 6 months in accordance with guidance. This 6-month suspension is referred to in Section 21 of this Policy. If a tenancy is granted as a result of such information the Association may seek repossession of the property.

## 20 MONITORING AND REVIEW

Allocations made on the basis of this Policy are reported to the Management Committee on a monthly and quarterly basis.

**Monthly** - 'Lettings Statistical Report'

**Quarterly** – 'Allocations report on all lets (by street)'

The Management Committee review and evaluate this Allocation and Transfer Policy on an annual basis to ensure that the aims and objectives are being met.

## 21 SUSPENSIONS AND REMOVALS FROM THE LIST

### (a) Suspensions

All suspensions from the list require to be authorised by the Housing Manager. Applicants will be contacted by the Association when a suspension is being considered and will be given the chance to provide the necessary information prior to the suspension being considered. All applications receiving a suspension will be shown on the computerised list as 'deferred'.

The following list is of circumstances may lead to an application being suspended: -

- An applicant has rent arrears or rechargeable repairs, totalling more than one month's rental income.
- If the applicant has a housing related debt higher than one month's rent but has kept to a payment plan for a minimum period of 3 months then suspension from receiving offers will not apply. The Association will disregard housing related debt, which is older than 5 years.
- An applicant has a history of serious anti-social behaviour or if an applicant or a person who it is proposed would reside with the applicant is the subject of an Anti-Social Behaviour Order. The Association will require to be in receipt of evidence that supports a change in behaviour prior to a suspension being lifted.
- An applicant has been evicted. In considering a suspension the Housing Manager will take into account the reasons for the eviction and the applicant's current situation.
- Property condition: This does not relate to the applicant's personal housekeeping standards but their tenancy agreement. Is the property vandalised, are they controlling pets properly?
- Abandoned Tenancies: Usually accompanied by unpaid rent, rechargeable repairs, etc and will be suspended under the first circumstance outlined above. If the debt is below one month's rent, then the applicant will be advised to explain the reason for the abandonment, before a decision is made regarding any suspension.
- False Information: Where an applicant provides false information a time limited suspension may apply. A 6-month suspension is the maximum in terms of guidance.

In each of the above circumstances the Association will: -

- Consider and evaluate all evidence collected and apply reasonableness tests
- Regularly review all applications suspended on an individual basis
- Have a clear and accountable appeal mechanism in place for applicants

Appeals to suspensions should be submitted in writing to the Housing Manager. The Housing Manager will be the official responsible for investigating the appeal and for providing a detailed response to the applicant.

### (b) Removal

The Association will remove applications from the housing list in the following circumstances: -

- The applicant has requested removal from the list (preferably in writing)
- The applicant is deceased
- The applicant has failed to respond to the Association's annual housing list review
- If mail has been sent to the applicant and has been returned by the Post Office, as 'Gone Away'

Caution will be exercised by the Association when removing applications from the housing list.

If there is no response to a letter sent out regarding our housing list annual review the application will be set to a 'deferred' status (will still remain on the list) and a further letter will be sent, making it clear to the applicant that their application will be removed from the list if there is no response by the date referred to in the letter.

If there is a telephone number available one attempt will be made by the Association to contact the applicant using the number on file.

Detailed notes will be kept on all enquiries made within the applicant's computer record.

A final letter will be sent to advise the applicant that their application has been cancelled. The letter will advise that the applicant can re-apply at any time, however they must complete a new application form.

If information is received by another landlord or local authority department that an applicant has been allocated a tenancy elsewhere, the application will be deferred and will be contacted and offered the opportunity to complete a new application, based on their new circumstances.

**If the applicant indicates that he or she does not wish to remain on the Association's list then details of the discussion will be noted on the computer record and the application will be cancelled.**