

Housing Allocations Scheme

1. Introduction

- 1.1 The Council is required, by virtue of Section 167 of the Housing Act 1996 to have an allocation scheme for determining priorities and the procedure to be followed in allocating housing accommodation. This Allocation Scheme has been formulated in accordance with the provisions of the Housing Act 1996, as amended by the Homelessness Act 2002, the associated Code of Guidance and other relevant legislation.
- 1.2 In operating the Allocation Scheme the Council will have due regard to legislation which shall take precedence.

2. The Council's Policy on offering choice to housing applicants

- 2.1 The Council will offer housing applicants the opportunity to express preferences about;
- a) location of accommodation to be offered to them
 - b) type of accommodation to be offered to them
 - c) type of social landlord by whom they wished to be housed

3. The Housing Register

- 3.1 The Council is not legally obliged to maintain a Housing Register but has chosen to do so.
- 3.2 The Housing Register will be maintained by Housing Services at the Civic Offices in Epping.
- 3.3 The Housing Register will be open to all categories of person except those who are ineligible as defined at Paragraph 5.;
- 3.4 The Housing Register will be open to;
- a) applicants of 18 years of age and over
 - b) 16 and 17 year olds owed a full housing duty by a local housing authority under homelessness legislation.

4. The Allocation Scheme

- 4.1 Allocation of accommodation will be through the Housing Register in accordance with the provisions of the Allocations Scheme.
- 4.2 The Council recognises that there may be some exceptional situations not covered by the Allocation Scheme. In such instances, the Head of Housing Services will have delegated authority to make decisions, as he considers appropriate.

4.3 The Scheme will apply to vacancies in the Council's own housing stock and to vacancies in accommodation in the District belonging to RSLs for which the Council is required to make nominations.

4.4. The provisions of this Allocation Scheme will apply to applicants on the Council's Housing Register at the effective date of this Allocation Scheme as well as those who apply after the effective date.

4.5. The Allocation Scheme will not apply in the following cases;

- a) where a tenant succeeds to a secure tenancy on the death of a tenant
- b) where a tenancy is assigned to a person who would qualify to succeed to the secure tenant
- c) where a tenancy is assigned by way of an exchange
- d) where a tenancy is disposed through a tenancy transfer order
- e) where a move is dictated for housing management reasons (appendix 3 refers)

5. Ineligible Applicants

5.1 The following categories of applicant will be ineligible for the Housing Register;

- a) persons subject to immigration control (except those in classes prescribed by the Secretary of State as being eligible for an allocation of housing)
- b) persons not habitually resident in the Common Travel Area (i.e. the U.K., Channel Islands, Isle of Man and the Irish Republic)
- c) persons (or a member of their household) who have been guilty of unacceptable behaviour serious enough to make them unsuitable as a tenant of the Council at the time of their application. Such behaviour is behaviour that would entitle a local housing authority to a possession order if there were a secure tenancy and includes serious rent arrears and breaches of tenancy conditions, damage and neighbour nuisance, amongst others. Applicants most likely to be rejected on these grounds are those who, in the last 3 years, have been evicted from a Council or RSL tenancy or have been issued with a Notice Seeking Possession or who are subject to an Anti-Social Behaviour Order or an Anti-Social Behaviour Contract.

5.2 If the Council decides that an applicant for housing is ineligible it will notify the applicant in writing of the decision and the grounds for it.

5.3 If an applicant is found to be ineligible for the Housing Register they may make a fresh application when the grounds for ineligibility no longer apply.

6. Application to the Housing Register

- 6.1 The Council will ensure that advice and information is available free of charge to persons in the District about the right to make an application for housing.
- 6.2 The advice and information will be provided by the Council, the 3 Citizens Advice Bureaux in the District and any other source able to give appropriate advice free of charge.
- 6.3 Housing applicants will be required to provide an original photograph to accompany their application. This photograph to be in 'passport style'.
- 6.4 Housing applicants will be required to sign a formal application for inclusion on the Housing Register and to provide written answers to such questions as the Council deems appropriate to allow an assessment of their entitlement to housing accommodation to be made.
- 6.5 Housing applicants will be required to provide documentary proof from two official sources of;
- a) their identity and
 - b) their current residence.
- 6.6 Required documents in respect of 6.4 above will be;
- a) birth certificate, current passport, current driving licence,
 - b) current tenancy agreement, current medical card, *recent utility bill/statement, *recent document or letter from a Government Department eg. Inland Revenue, Benefits Agency, Customs and Excise, Employment Service.
- *recent, means dated within the last three months.
- 6.7 In respect of all other persons included on their application, housing applicants will be required to provide documentary proof from two official sources of;
- a) identity and
 - b) current residence.
- 6.8 Required documents in respect of 6.7 above will be as set out in 6.6 above.
- 6.9 If required documents cannot be provided the Housing Needs Manager may authorise the acceptance of other documents.
- 6.10 Additional documentary evidence to substantiate an application for housing accommodation may be required as the Council considers appropriate.
- 6.11 Applications not properly completed or not accompanied by supporting documents will be returned to the applicant with a request for the missing information.

6.12 Any necessary assistance in making an application to the Housing Register will be available from Housing Services to people in the Epping Forest District who are likely to have difficulty in applying unless they have assistance.

7. Access to Information

7.1 Upon written request, applicants will be able to;

- a) receive a copy of their details entered on the Housing Register free of charge
- b) receive copies of documents provided by them
- c) have access to their file in accordance with the provisions of the Data Protection Act 1998
- d) have a copy of their full file, subject to payment of a £10 fee
- e) be informed in writing of any decision about the facts of their case and of their right to request a review of any such decision
- f) receive general information to enable them to assess;
 - (i) how their application is likely to be treated
 - (ii) whether accommodation appropriate to their needs is likely to be available and, if so, when.

8. Assessment of Priorities

8.1 Generally, the relative degree of priority to be awarded to applicants on the Housing Register will be assessed by reference to the Banding System set out in appendix 1.

8.2 Band 1 represents the highest priority and Band 7 represents the lowest.

8.3 Applicants will be allocated to bands according to their circumstances and as their circumstances change as appropriate. Where an applicant could arguably be placed in different bands, the most favourable band to the applicant will be used, except as in 8.5 below.

8.4 Applicants who move out of the Epping Forest District for more than a year will be treated as applicants who have not lived in the District for more than a year prior to application.

8.5 Applicants who, in the opinion of the Council, have sufficient income and/or assets to enable them to purchase accommodation will, generally, be placed in Band 6. The thresholds at which this criterion will apply are where;

- three times the gross household income, plus assets (including savings and property equity), exceeds £180,000 and the applicant qualifies for studio or 1 bedroom accommodation

- three times the gross household income , plus assets (including savings and property equity), exceeds £250,000 and the applicant qualifies for 2 bedroom accommodation or larger accommodation.

8.6 The Council reserves the right to move to the lowest band, any applicant (or member of their household) guilty of any behaviour affecting their suitability as a tenant of the Council. Such behaviour could include serious rent arrears, minor but persistent rent arrears, other breaches of tenancy or licence conditions, damage, neighbour nuisance, harassment or illegal activities. Applicants most likely to be moved to the lowest band are those under a Notice of Seeking Possession or Notice to Quit or who are subject to an Anti-Social Behaviour Order or Anti-Social Behaviour Contract or who have a demoted tenancy.

8.7 Applicants within each band will be prioritised in date order of application to the Housing Register.

8.8 Any vacancy, subject to 8.8 and 8.9 below, will be offered to the first applicant in Band 1 in need of that category of accommodation. Further allocations will be made through the band as necessary. If there are no suitable applicants in Band 1, offers will be made to applicants in Band 2 and so on.

8.9 The size of housing accommodation to be allocated to applicants on the Housing Register is set out in appendix 2.

8.10 The Council will operate some local lettings schemes and reserve some vacancies as detailed in appendix 4.

9. Joint and Single Tenancies

9.1 The Council may offer new tenants Introductory Tenancies.

9.2 Joint tenancies will be offered to;

- a) married couples, provided that both applicants are named on the application form, unless both parties request the tenancy to be granted in a sole name
- b) unmarried couples, providing that both request it and the partner of the lead applicant is registered on the application form
- c) adults living together as friends, providing that satisfactory documentary evidence is produced that they have shared a home continuously for the previous 12 months or both names have been included on the application since the date of registration
- d) applicants and their live-in carers, where the Council considers it to be justified.

In all other circumstances, single tenancies will be offered to the lead applicant.

10. Tenancy Start Dates

10.1 Most applicants will have been given an early opportunity to view the property they are being offered and to give the Council a decision. If they are interested in the tenancy they will either be advised by telephoned when the property is ready for letting or made a formal offer of the tenancy by first class post.

10.2 Generally, for properties becoming ready for letting on Mondays, Tuesdays and Wednesdays, the tenancy start date will be the following Monday. For properties becoming ready for letting on Thursdays or Fridays the tenancy start date will be the second Monday following. However, the Council will have regard to an applicant's personal circumstances and allow them a reasonable time to reach a decision about the accommodation offered to them.

11. Redecoration Vouchers Scheme

11.1 Internal decorations to a property are the tenant's responsibility. However, if a property offered to a housing applicant is, in the view of the inspecting officer, in need of redecoration, vouchers for decorating materials will be issued to the incoming tenant after they have signed the tenancy agreement, as a contribution towards costs.

11.2 The value of vouchers to be issued in respect of a particular property will be assessed by the inspecting officer by reference to the Council's Scheme of Redecoration Allowances. Details of maximum allowances which may be offered are set out in the table below.

Room	Allowance
Bedroom 1	£60
Bedroom 2	£60
Bedroom 3	£60
Bedroom 4	£60
Lounge	£60
Diner	£30
Kitchen	£20
Bathroom	£20
W.C.	£10
Hall/Stairs/Landing	£60
Lobby	£10

11.3 Vouchers will not be issued to Epping Forest Council tenants transferring from one property to another until the vacated property has been inspected. The value of the vouchers to be issued in respect of the new property may be reduced by an equivalent amount to those to be issued in respect of the former property.

12. Removal Expenses

12.1 The Council will not meet the cost of housing applicants' removal expenses except as set out in 12.2 below.

12.2 Where an Epping Forest District Council tenant moves from a 3 or 4 bedroom property to a 1 bedroom property owned by the Council, they will be offered £500 to cover removal costs plus £500 for each bedroom 'released', subject to a maximum payment of £2,000.

13. Renewal of Applications and Deletions from the Housing Register

13.1 In order to keep the Housing Register up to date, applicants will be required to renew their application every year.

13.2 Applicants will be sent a form to return to the Council for this purpose.

13.3 If applicants fail to return their renewal form they will be given one written reminder, sent to their last address notified to the Housing Needs Section. If they then fail to renew, they will be deleted from the Housing Register and given written notification to that effect.

13.4 Applicants allocated and accepting accommodation through the Allocation Scheme will be deleted from the Housing Register and will need to make a fresh application if they wish the Council to consider a further request for rehousing from them.

13.5 Applicants not responding to requests for information will not have their applications processed.

14. Decisions on the Allocations Process

14.1 The Council gives delegated authority to the Head of Housing Services to take decisions on the allocation process. In turn, the Head of Housing Services delegates most decisions to staff in the Housing Needs Section.

15. Reviews

15.1 If applicants consider they have been unfairly or unreasonably treated having regard to the provisions of the Allocation Scheme they have the right to request a review of their case.

15.2 In the first instance, subject to 15.4 below, applicants must appeal in writing to the Assistant Head of Housing Services (Operations) and will receive a written response.

15.3 If, having received the response of the Assistant Head of Housing Services (Operations), an applicant wishes to make a further appeal, it will be to the Housing Appeals Panel, comprising District Councillors.

15.4 Where the Assistant Head of Housing Services (Operations) had a significant involvement in a decision in respect of a person's housing application, the appeal will be considered directly by the Housing Appeals Panel.

16. Equal Opportunities

16.1 The Council is committed to equal opportunities in the provision of its housing services. It will seek to ensure that no housing applicant receives less favourable treatment on the grounds of religion, disability, sex, race, colour or nationality.

16.2 The Council will have regard to and implement the provisions of the Race Relations Code of Practice in Rented Housing, which it has adopted. The Council will also abide by the Race Relations Act 1976.

16.3 As an aid to ensuring that applicants are not discriminated against on the grounds of race, through one of its Overview and Scrutiny Committees the Council will monitor the racial origin of

a) applicants on the Housing Register

b) applicants allocated housing.

16.4 The practices and procedures of Housing Services will be monitored by the Head of Housing Services to ensure that they do not discriminate directly or indirectly. Changes will be made if it is established that practices or procedures may be contravening the Race Relations Act 1976.

17. False and Withheld Information

17.1 The Council may prosecute any housing applicant who, in connection with the allocation process

a) knowingly or recklessly makes a statement which is false

b) knowingly withholds information that the Council has reasonably required them to give.

17.2 The Council may seek possession of a property under Ground 5 of Schedule 2 of the Housing Act 1985 if a tenant has induced the Council to grant a tenancy by knowingly or recklessly making a false statement.

18. Information on the Allocations Scheme

18.1 The Council will

a) publish a summary of its Allocation Scheme in a leaflet and provide copies free of charge on request to any member of the public

b) provide copies of the Allocation Scheme free of charge at the

(i) Housing Needs Section, Civic Offices, Epping

(ii) Area Housing Office, 63 The Broadway, Loughton

(iii) Limes Farm Housing Office, 661a Copperfield, Chigwell

c) enable copies of the Allocation Scheme to be downloaded on the internet from the Council's web-site:

www.eppingforestdc.gov.uk/housing

18.2 Within a reasonable period of time, the Council will notify applicants on the Housing Register of an alteration to the Allocation Scheme reflecting a major change of policy, explaining in general terms the effect of the change.

19. Review of Allocation Scheme

19.1 The Allocation Scheme will be reviewed annually by the Council's Housing Scrutiny Panel which shall recommend any changes to the Council's Cabinet.

20. Consultation on Changes to the Allocation Scheme

20.1 Before adopting a new Allocation Scheme or making an alteration reflecting a major change of policy in an existing Allocation Scheme, the Council will notify every RSL with which it has nomination arrangements of the change and afford them a reasonable opportunity to comment on the proposals.