



Housing Allocations Policy Choice Based Lettings

August 2018

Housing Allocations Policy

Lettings Covered by the Allocations Policy

This Allocation Policy sets out the Council's arrangements for allocating housing accommodation within the meaning of Part 6 of the Housing Act 1996 (the 1996 Act) and related guidance; that is:-

- The selection of applicants to be offered secure, flexible/fixed term or introductory tenancies by the Council.
- Offers of secure, flexible/fixed term or introductory tenancies from other councils, or other bodies able to grant secure tenancies.
- Offers of assured /flexible tenancies from registered social landlords.

Equality

The Council is committed to ensuring equal access and allocation of housing. No one will be treated any less favourably than anyone else because of race, colour, origin, religion, sex, disability, sexual orientation and age.

The Council operates an Equal Opportunities policy and copies are available from The Civic Centre, St Peters Street, St Albans, Herts, AL1 3JE, telephone number 01727 866100.

The development of a clear and consistent Allocation Policy goes hand in hand with careful monitoring to ensure that housing allocations are fair and seen to be fair by everyone.

It is also important that the Allocation Policy is understood by everyone who is part of it. Information leaflets and other communications that are easily understandable, audio and large print versions will be made available as appropriate. We can arrange a translation service for people who visit the Council Offices. If you need this service, please contact by email: HousingOptionsGroup@stalbans.gov.uk or telephone the Housing Options Department on 01727 819355.

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1. Introduction

Your Home, Your Area, Your Choice

1.1 St Albans District Council allocates homes through ChoiceBased Lettings.

1.2 The Allocations Policy enables the Council to consider the individual needs of applicants whilst making best use of the scarce housing resource. The policy sets out:

- How properties are allocated.
- How to apply for housing.
- Who is a qualifying person and can be accepted onto the Housing Register.
- Who is not a qualifying person and cannot be accepted onto the Housing Register.
- How priority for housing applicants will be given.
- How homes will be let.

1.3 Many people who apply for housing will never be allocated a property by the Council because of the shortage of affordable housing in the district. Even if you have a high housing need you may have to wait for a considerable time before we are able to offer you a Council or Housing Association home.

1.4 The Council works with other Registered Providers in the District to provide affordable housing. Registered Providers include the Council as well as Housing Associations and when we advertise properties the details of the relevant landlord will be included in the advert.

2. Aims and Objectives

The overall aim of the Allocations Policy is to provide a framework for the equitable, effective and accountable allocation of affordable housing in the district. The policy gives priority to those in greatest housing need, but also reflects the wider objectives of increasing choice, promoting stable and sustainable communities and making the most effective use of the housing stock.

2.1 The Council's Housing Allocations policy aims to:

- Ensure that the allocations and assessment policy is transparent, simple, and easy to understand for all.

- Provide applicants with choice and give reasonable preference to those with the greatest housing need.
- Offer applicants open and fair access to housing and recognise diverse needs.
- Offer applicants a more active role in choosing accommodation, taking account of individual circumstances and waiting time.
- Provide applicants with sufficient information to make informed choices about opportunities for re-housing and understand the criteria and processes adopted by the Council.
- Maximise the use of, and efficiently let, all housing stock available to the Council.
- Promote social inclusion, sustainable communities and ensure that applicants benefit from any future regeneration and development taking place within the district.

2.2 Prioritising Housing

The Council is required by law to give priority to certain groups. These are defined by the current statutory reasonable preference categories which are set out in s.166A (12) of the 1996 Act. These were rationalised in the Homelessness Act 2002 (and further refined by the Housing Act 2004) and are based on housing need.

These groups (reasonable preference categories) are:

- (a) People who are homeless (within the meaning of Part 7 of the 1996 Act); this includes people who are intentionally homeless, and those who do not have a priority need for accommodation.
- (b) People who are owed a duty by any local authority under s.190(2), s.193(2) or s.195(2) of the 1996 Act (or under s.65(2) or s.68(2) of the Housing Act 1985) or who are occupying accommodation secured by any local authority under s.192(3).
- (c) People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions.
- (d) People who need to move on medical or welfare grounds, including grounds relating to a disability; and,
- (e) People who need to move to a particular locality in the district of the local authority, where failure to meet that need would cause hardship (to themselves or to others).

As well as the groups the government says we must help, we have also decided to give priority to social housing tenants living in our district who will release a family-size home so that we can make best use of our housing stock.

3. Statement of Choice

3.1 Choice Based lettings (CBL) allows qualifying applicants to select properties that they are interested in, and the scheme follows an open and transparent process, helping applicants make informed choices about where they want to live and the type of property they would prefer.

3.2 The Council is fully committed to enabling applicants to play a more active role in choosing where they live by advertising properties through Herts Choice homes and providing feedback about applicant's bids.

3.3 The Council believes that social housing should be seen as one of a range of options available to applicants. Information on all available housing options can be obtained from the Customer Service Centre or the Housing Options Team at the Council. You can also access information directly via the internet. Please refer to the end of this document for contact details.

3.4 If you do not have an identified housing need you will not be allowed to register for housing unless you are aged 60 or over and have a local Connection to the St Albans District. In these circumstances you will be considered for sheltered accommodation (if you meet the criteria) or properties restricted for applicants aged 60 and over only. In view of this, it is important to consider other housing choices that are open to you. These may include:

- Privately rented housing.
- Low cost homeownership.
- Reducing your overcrowding by helping some members of your household move to their own accommodation.
- Moving to an area of the country where council and/or Housing Association properties are more freely available.
- Staying where you are, but getting help to make your property more suitable for your needs.
- A mutual exchange (swapping homes with another social housing tenant). You can register for a mutual exchange at www.homeswapper.co.uk.

We will help and advise you on options that may be suitable for you.

- 3.5** If an applicant applies without a housing need and they are over 60 years of age with a Local Connection to the St Albans District, they will be placed in Band E. They may only apply for sheltered accommodation (if they meet the criteria) and properties that are restricted for applicants aged 60 and over.

If you are already homeless, or think you may be going to lose your home, you should contact the Council's Housing Options service. It is important that you talk to us as soon as possible – we may be able to help you to keep your current home, at least for a time whilst you explore your housing options. If you do become homeless and the Council accepts a duty to house you, you face spending time in temporary accommodation and you will not necessarily be offered a Council or Housing Association property by us when we discharge our housing duty to you.

4. Links to Other Policies

- 4.1** The Allocations Policy will work in parallel with a number of other key policies and priorities of the Council and these include the strategies listed below.

- The Homeless Strategy (under s1 Homelessness Act 2002).
- The Tenancy Strategy (under s150 Localism Act 2011).
- The Housing Strategy.
- Supporting People Strategy.
- Private Sector Housing Strategies.
- Equal opportunity/diversity and vulnerability.
- Access and Inclusion Policy.

5. Monitoring and Review of the Allocations Policy

- 5.1** The Housing Options Team will monitor the operations of the Allocations Policy by:

- Regularly reviewing policy to ensure that the policy meets its stated objectives and complies with the legislative changes.
- Assessing the impact, if any, that offering choice has upon vulnerable, black and minority ethnic groups and all other groups.
- Publishing lettings statistics every six months.

6. Housing Register

6.1 Whilst the Council still owns and manages housing stock, it works in partnership with a number of Housing Associations who also provide secure, good quality, affordable rented housing. We maintain a Housing Register and have nomination rights to a large number of properties managed by numerous Housing Associations.

6.2 The Council will operate a Housing Register which will include all applicants who apply and are approved for Social Housing. Lettings will only be made from the Housing Register. The Housing Register includes tenants of St Albans District Council and from Housing Associations.

7. Who Can Apply to Join the Housing Register?

To join the Housing Register, applicants must be a qualifying person. In order to be a qualifying person, applicants must meet all the qualification classes set out below:

- Be aged 16 years of age or over, although you cannot hold a tenancy until you are 18. Not be subject to immigration control or be an applicant from abroad unless the applicant is a 'qualifying person' as described by law.
- Be habitually resident in the common travel area (England, Scotland, Wales, Ireland, Channel Islands and the Isle of Man).
- Have a local connection to the St Albans area. Full details of Local connection are given at 7.6.
- Have an identified housing need that would place you into Bands A-D (unless aged 60 and over and applying for sheltered or properties restricted for those aged 60 and over).
- Have no history of unacceptable behaviour.
- Not have the financial resources to resolve your own housing need (Refer to Section 12 for income and capital thresholds)

7.1 Unacceptable Behaviour

Applicants may be excluded from joining the Housing Register if the applicant or a member of their household is guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant.

What is unacceptable behaviour?

Unacceptable behaviour is defined as behaviour which, if the person concerned were a secure tenant, would entitle the Council to seek a Possession Order against them. (Please see Appendix One for further details). Examples of such behaviour include:

- Previous or current rent arrears.
- Breaches in your tenancy agreement.
- Previous or current property damage.
- Harassment or anti-social behaviour.
- Any relevant criminal activity.

Please note that this list is not exhaustive and applies regardless of who your landlord was at the time the unacceptable behaviour took place.

You did not (do not) have to be a secure tenant of the Council (or any Council) at the time and neither does an eviction have to have taken place.

When making decisions regarding unacceptable behaviour the Council will consider:

- When the unacceptable behaviour took place. Consideration will be given to the length of time that has elapsed and whether there has been any change in circumstances.
- What action the landlord would have taken against the perpetrator of the unacceptable behaviour. The behaviour must be serious enough for the Council to be granted a possession order.
- Whether the unacceptable behaviour is due to a physical, mental or learning disability.

St Albans District Council, its partner landlords and the residents of St Albans have a right to expect certain standards of behaviour. Therefore, before you are accepted onto the waiting list, or made an offer of a property, we may seek certain references to see if you qualify to join the waiting list and will be a suitable tenant of the Council.

Any household can be excluded from the register for unacceptable behaviour, not only those who were previously a local authority (Council) or Housing Association tenant.

7.2 Notifying a Non-qualifying Applicant

If the Council decides that an applicant does not meet the qualifying criteria to register for housing, they will be notified in writing and be given clear grounds for the decision. Applicants have a right to request a review of the decision. Details of how to do this are given in section 27.

If your circumstances change and you think that you may meet the qualifying criteria to register for housing, you can make a fresh application.

If you are a tenant with rent arrears, you will only qualify to join the Housing Register if you have been making regular payments towards your arrears for a minimum period, which is usually at least 6 months.

Transfer applicants (social housing tenants-please see 8.12 for definition) who apply to move to a smaller property with rent arrears will not necessarily be excluded from making a transfer application. In making this decision we will take into account the level of rent arrears and whether these have accrued as a result of the spare room subsidy.

If the Council decide that you do not qualify to appear on the Housing Register, we will write to you to explain the reason. You can ask us to review the decision.

7.3 Keeping Applications Up to Date

All applicants must notify the Council when their circumstances change. Any changes in priority or bedroom requirements will date from when the information, including supporting evidence is received. It is the responsibility of the applicant to inform us if their circumstances change and to provide us with up to date contact details.

7.4 Cancellation of Applications

Applications may be cancelled for one or more of the following reasons:

- (a) The applicant requests cancellation.
- (b) The applicant's circumstances change and they no longer meet the qualification criteria.
- (c) The applicant fails to return an update form or provide the verification documentation requested by the Council within the timescale requested.
- (d) The applicant is found to have made a false or deliberately misleading statement in connection with their application.
- (e) The applicant is re-housed by a registered landlord (Council, Housing Association, ALMO etc.)
- (f) The applicant has not bid for a period of 6 months or longer.

(This list provides examples - there may be other reasons why an application is cancelled).

When an application is cancelled, we will write to the applicant or their representative at their last notified address to notify them. Where an applicant has been highlighted as vulnerable, the Council will also try to contact the applicant by telephone or visit to check their circumstances before cancelling the application. Any applicant whose application has been cancelled has the right to ask for a review of the decision. This must be made in writing and within 21 days of the decision.

Where an applicant wishes to re-join the Housing Register at a later date their new date of registration will be the date they re-apply. Their date in band will be the date that they are placed in a housing needs band following assessment of the new application.

If however it is proven that an official error occurred or the applicant was unable to respond due to exceptional circumstances, we will reinstate the applicant on the scheme with their old registration date.

7.5 Reinstatement of Applications

Applicants may be reinstated to the Housing Register on submission of written reasons confirming why their application lapsed. Requests will be considered on their merits by the Housing Options Team Leader (Housing Supply).

7.6 Local Connection

Applicants must demonstrate that they have a local connection to be considered for registration on the housing waiting list. For an applicant to be considered as having a local connection to the St Albans Council's district they must qualify under one or more of the following grounds:

- Applicant or joint applicant's usual residency is in St Albans District by the applicant's choice. This must have been for a minimum period of 3 consecutive years immediately prior to applying for housing. Please note that applicants in hostel accommodation in St Albans District or applicants without a fixed abode will not be considered to meet the residency requirements.
- Applicant or joint applicant is currently in permanent employment in the St Albans District for 16 hours or more a week and has been for a minimum of 12 months immediately prior to applying for housing.
- The applicant is an existing social housing tenant in St Albans District.
- Applicants with a housing need that can demonstrate a local connection through close family living in St Albans will be considered eligible under special circumstances only. Close family includes parents, brothers, sisters, sons or daughters who are over 18 and they must have lived in the district for the last 10 years immediately prior to the housing application being made.
- Where the Council agrees that there are special circumstances.

Please note that applicants who meet the criteria below do not need to demonstrate a local connection to the St Albans District.

- A member of the regular forces or someone who has served in the regular forces within 5 years of the date of applying for housing.

- Has recently ceased, or will cease to be, entitled to reside in accommodation provided by the Ministry of Defence following the death of their partner and that the death was wholly or partly attributable to that service.
- Is currently serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to that service.

7.7 Suitability Test

Not everyone who is entitled to join the Housing Register will be suitable to be a social housing tenant. When an application is registered, or while it remains on the housing register, the Council may withdraw the right to bid or any offer of accommodation.

Applicants who are not deemed suitable will have their application rejected or made inactive. We will give due consideration on a case by case basis in the following circumstances:

Applicants have Rent Arrears: If you are a tenant with rent arrears, you will only qualify to join the Housing Register if you have been making regular payments towards your arrears for a minimum period, which is usually at least 6 months. Discretion will be exercised if:

- An overpayment of housing benefit was due to an error by the Council.
- Arrears accrued due to monthly rent payments where the account is consistently clear when the rent is paid monthly on a regular basis.

The Applicant has neglected or caused damage to Property:

The applicant and/or member of their household owe a debt to the Council, Housing Association or Private Landlord from a tenancy, because of damage to the property. Their application will be not be accepted until the debt has been paid in full. If the applicant's property is in a seriously neglected condition through the fault of the applicant, the application will be not be accepted until the condition of the property is brought up to an acceptable standard or any debt incurred is paid in full. This will include cases where the applicant has carried out unauthorised structural works to their property.

Applicants have received funding for Aids & Adaptations: The applicant has applied for and has been granted funding for aids and adaptations to the property valued at £1,000 or more, or the adaptations were carried out in the previous 5 year period.

Applicants are guilty of causing criminal or Anti-Social Behaviour: The application will be refused if the applicant's and/or a member of their household's behaviour affects their suitability to be a social housing tenant. This will be decided on a case by case basis.

The application will also be refused if any member of the applicant's household has assaulted or harassed an employee or agent of the Council, a Housing Association or a private landlord and this was either:

- Proven by their convictions for an offence which happened during the tenancy; or,
- Backed up by evidence which would have been presented in a court action for possession of the tenancy, if the tenancy had not ended before the court action could be taken.

Applicants will normally be made inactive in the following circumstances

- **Applicant is held in HM prison:** Applicants will have their applications made inactive until a period of 1 month before their release date, and official confirmation of this date will be required. If they do not have accommodation they may apply as homeless.
- **Applicants are serving Members of HM Forces:** Applications will be made inactive until a period of 3 months before their discharge date, and official confirmation of this date will be required. Those who occupy married quarters will also be required to submit confirmation that they are no longer entitled to occupy the married quarters.
- **Applicant is residing in supported accommodation:** In these case applicants will have their application made inactive until confirmation is received that the applicant has completed the necessary support programme and is ready for move on to independent accommodation.

7.8 Who Decides on Exclusions From the Housing Register or Making an Application Inactive?

Officers at Principal Officer level or higher will decide when to make an applicant inactive or to exclude them from the waiting list, giving:

- The reasons for making an application inactive or excluding the applicant from the register.
- The date the inactive application will be reviewed.

7.9 Inactive Application/ Excluded Applicant Reviews

Applicants have the right to request a review of the decision to make an application inactive or not to accept an applicant onto the register.

Please refer to Section 27 (Decisions and Reviews).

8. How to Apply to Join the Housing Register

- 8.1** To apply to join the housing register applicants are required to complete a housing application form. This can be completed online and submitted at www.hertschoicetohomes.org.uk .
- 8.2** Once you have completed the form, you should submit it online. If you have difficulty filling in the forms please contact the Housing Options Team on 01727 819355 or email: HousingOptionsGroup@stalban.gov.uk.
- 8.3** An application may include anyone that may reasonably be expected to live with the applicant as part of their household (See 8.8).
- 8.4** You can only have one application for housing with St Albans either as a main/joint applicant or included as a member of the household in another application.
- 8.5** On receipt of the application form, the Council will aim to assess the application within 4 weeks of receiving the form and will request additional information and supporting evidence so that the applicant's eligibility, suitability and housing need can be confirmed. The Council will verify the information provided which may include inviting the applicant for an interview or home visit.
- 8.6** The Council's policy is to ask all applicants and people listed as part of the application form to provide independent documentary proof of the following when assessing their eligibility to join the housing waiting list. For each person on the application, including the applicant(s) the following documents are required:
- Proof of identity - Full birth certificate or passport.
 - Where applicable passport and/or Home Office letter which shows residency status in the United Kingdom.
 - Marriage certificate (where relevant).
 - Adoption/foster certificate confirming main residency of any children in your application.
 - Proof of address – e.g. tenancy agreement/utility bill.
 - Ownership/financial interest in all other properties either in the United Kingdom or abroad.
 - Proof of income – e.g. benefit letters/wage slips for all adults included in application.

- Proof of pregnancy (where appropriate).
- Photos of all people on the application that are aged 16 and over.
- Any other documents requested.

8.7 After assessment the Council will write to applicants confirming:

- Whether the applicant meets the qualifying criteria to register for housing.
- The priority band in which the application has been placed.
- The date that the application was placed in the band i.e. the 'priority date'.
- Whether an applicant is registered as a homeseeker or a transfer.
- Their unique reference number.
- How to have a decision reviewed.

The Council will ensure that advice and information is available free to everyone on how to apply for housing.

Applicants must provide the documents that are requested when completing an application form. If these documents are not received then we may contact you on the methods provided in your application to request these. If the documents are not received within 14 days then the application will be deleted.

Applications will not be registered until all the documentary proof has been received. The registration date will be the date the fully completed form along with all the required documentary proof is received by the Council.

8.8 Who Can be Considered as Part of the Applicant(s) Household?

In most cases only someone who is living with the applicant(s) as part of their household on a permanent basis at the date of registration or children born after registration, can be included in the application.

We assess the size of property you require based on who is included on your application. You can include only members of your immediate family who normally live with you or other people who have an extenuating need to live with you.

You can only include:

- Yourself and your partner.

- Your children or your partner's children, if they are aged under 25 and have lived with you permanently.
- Your carer (care worker) who has been assessed by Social Care & Health as required to provide overnight care or supervision. (Evidence must be provided).
- Dependent children (under 18) joining the household, where it can be proved that the applicant is the sole legal guardian, will be considered as part of the household if they have lived as part of the family for a minimum of 12 months.
- Dependent adult relatives who have joined the household because they are unable to live independently may be considered as part of the household. This will generally be because of age, disability or for medical reasons. Such cases will need to be referred to the Council's Independent Medical Adviser and/or the Council's Housing Review Panel.
- Immediate family does not include you or your partner's
 - parents,
 - grandparents,
 - brothers,
 - sisters,
 - aunts,
 - uncles,
 - grandchildren,
 - nieces,
 - nephews,
 - cousins,
 - friends,
 - lodgers

unless they have an extenuating need to live with you. Non-dependant adults, whether related or unrelated, are generally expected to make their own housing application.

If you have adult children, aged 25 or over, or children with their own family, living at home, they may apply to the Housing Register in their own right, but they may have more chance of success in moving to a property in the private sector.

If you are a transfer tenant living in the St Albans district (see 8.12 for definition) that is under occupying and looking to move to smaller accommodation, you may include children aged over 25 if they have always lived as part of your household.

The following household applicants cannot be included in an application:

- Friends, lodgers, sub-tenants and any other adults not listed above wishing to be included in order to share accommodation with the applicant.

- Anyone who has moved into the current property and caused the household to be overcrowded.
- Anyone who does not intend to move to any accommodation offered to the applicant(s) or does not intend to live with them permanently.

Such people will be disregarded for the purpose of assessing any overcrowding priority and the size of property that the household requires.

8.9 Joint Applications

For a joint application both of the applicants have to qualify for housing.

8.10 Civil Partnerships

Civil partners will have equal treatment with married couples in the Allocations Policy, including:

- Parental responsibility
- Protection from domestic violence
- Immigration and nationality purposes

8.11 Date of Registration

The registration date of an application form will be the date the housing application form is received fully completed with all the requested documents at the office of the Council. As forms are usually completed over the internet, the date that all relevant documentary proof is supplied will be the date of registration.

8.12 Homeseeker/Transfer Applicants

Applicants will be registered as a 'homeseeker' if they are an applicant on the Housing Register or are tenants of Housing Associations outside the St Albans District or Local Authorities outside of the St Albans District.

Applicants will be registered as a Transfer applicant if they hold a tenancy with St Albans Council or have a tenancy for a property within the St Albans District that is owned by a Housing Association.

Please note that applicants applying from intermediate rent, shared ownership, keyworker and London Strategic Housing properties will not be registered as transfer tenants.

Types of Tenancies

There have been some changes to the types of tenancy that can be issued. Below is a summary of the tenancies that might be offered.

Affordable Rent

Affordable Rent tenancies are a new type of affordable housing intended to provide an alternative to, but not replace, social rent. At present this only applies to Housing Association tenancies. A proportion of both new homes and existing properties available for re-let, will be let on the terms of the Affordable Rent tenancies. Existing tenants who are offered an Affordable Rent property should seek further information from the Housing Association of the property to discuss the tenancy terms of the property. Properties let under the Affordable Rent Tenure will usually cost 80% of the open market rent.

Applicants who are successful for an affordable rent property will usually be subject to financial checks to ensure that they are able to afford these properties. Applicants that do not pass an affordability assessment under these circumstances will not be considered for the property by the Registered Social Landlord.

Flexible/Fixed term/Assured Shorthold Tenancies

New Council/Housing Association tenants may be given flexible tenancies/ fixed term tenancies after the 1st April 2012. Unlike old Council tenancies, flexible tenancies cannot last indefinitely. Flexible tenancies will usually last for between 2 and 5 years, although most will be for 5 years, unless there is a good reason for the tenancy to be shorter. Assured Shorthold Tenancies can be for periods of six months or longer. Any tenancy offered will be in line with the landlord's Tenancy Strategy.

8.13 Right to Move

The Council is committed to providing access to housing accommodation to existing social housing tenants seeking to transfer from another Local Authority district in England who:

- Meet a required priority category because of a need to move to the District to avoid hardship; and
- Need to move because the tenant works in the District, or needs to move to take up an offer of work.
- The Council must be satisfied that the tenant needs, rather than wishes, to move for work related reasons (voluntary work is excluded, however apprenticeships are included). Items to be considered will include:
 - The distance and/or time taken to travel between work and home;
 - The availability and affordability of transport, taking into account level of income;
 - The nature of the work and whether similar opportunities are available closer to home;

-Other personal factors, such as medical conditions and child care, which would be affected if the tenant could not move;

-The length of the work contract (more than 12 months and 16 hours or more a week); and

-Whether failure to move would result in the loss of an opportunity to improve employment circumstances or prospects e.g. by taking up a better job, a promotion or an apprenticeship.

When a tenant has been offered a job and needs to move to take it up, they must be able to demonstrate a genuine intention to take up an offer of work. The Council will need to verify evidence that confirms the intention, which could include:

- A contract of employment;
- Wage/salary slips and/or bank statements (particularly relevant for zero hour contracts);
- Tax and benefit information; and,
- A formal offer letter.

The Council may contact the employer to verify an application at the point of joining the Housing Register and also when considering an offer of a property.

The Council will also provide additional priority to applicants satisfying the above criteria (please see 'Right to Move priority').

The Council will publish the number of allocations to applicants who are successful with the 'Right to Move'. The Council will aim for a minimum of 1% and maximum of 1.5% of annual allocations in the District to be made to applicants who have the 'Right to Move' in line with statutory guidance. This will be reviewed and revised as appropriate.

8.14 Armed Service Personnel

In accordance with the Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012 additional priority will be awarded to eligible applicants who can demonstrate that they meet one of the following criteria.

- Is serving in the regular forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service
- Formerly served in the regular forces
- Has recently ceased, or will cease to be entitled, to reside in accommodation provided by the armed forces following the death of that person's spouse or civil partner and that person's death was attributable (wholly or partly) to that service; or,

- Is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service.

These relevant applicants that have an identified housing need under our Allocations Policy will be awarded additional priority to place the applicant in the next highest band above the band that their assessed circumstances would otherwise warrant (unless in the highest band). This award will be approved at Housing Options Co-Ordinator level or above.

8.15 Verification

Applicants must have their circumstances and housing conditions verified before they are offered an assured or introductory tenancy. Verification may include a home visit. All applicants will be required to supply the following documents.

Please be aware that these documents must be originals;

- Proof of identity and residence for all persons included on the application.
- Proof of eligibility. e.g. Home Office letter or passport where applicable.
- Proof of income or benefits.
- Proof of any savings and/or investments.
- Proof of entitlement to reside in the United Kingdom and eligibility for an offer of social housing.
- Proof that a local connection to the District still exists.
- Other proof as considered appropriate by the Council.

For applicants who do not have any settled accommodation we will try to visit at the address/location provided on their application. We may also conduct an interview in the Council Offices.

If the applicant has successfully bid on a property, they will be contacted by telephone on their last known telephone number or e-mail address. It is the responsibility of the applicant to ensure that their contact details are up to date. If the applicant cannot provide a phone number of their own they must provide an alternative contact number or e-mail address that is checked regularly. If they do not respond by the next working day, the Council reserves the right to move on to the next applicant on the short list.

If the requested verification documents are not submitted within two working days of the request, or the applicant is not available or refuses a home visit within two working days the applicant will not be considered for the tenancy. The property will be offered to the next applicant on the shortlist. If there is any discrepancy between the information provided and the information we have regarding the application then we will make the application inactive whilst this is investigated.

Should the applicant no longer qualify for an offer or to be included on the Housing Register, they will be notified of the decision and the reasons in writing. The property will be offered to the applicant next on the shortlist. Applicants have the right to ask for a review of the decision. This request must be made in writing within 21 days of receipt of the original decision and must include reasons for requesting the review.

Verification may be carried out by the Council or the relevant Housing Association.

8.16 False Statement and Withholding Information

It is the responsibility of every applicant to provide necessary information and documents that will assist the Council in carrying out enquiries into the housing application.

It is an offence (under Section 171, Housing Act 1996), for an applicant to knowingly or recklessly provide the Council with information that is materially false or deliberately withhold or misrepresent their housing circumstances.

The Council will consider legal proceedings against the applicant and support any application by a landlord to gain possession of accommodation gained by providing false or withholding information that may have affected an applicant's priority on the Housing Register.

Please note that we do carry out verification checks on the information you provide with other agencies, housing providers, and credit checking agencies and any inconsistencies will result in an application being deferred whilst an investigation is carried out.

8.17 Deliberately Worsening Circumstances

If the Council is satisfied that an applicant has worsened their circumstances they will be assessed based on their circumstances before the situation changed. If they did not have an identified housing need prior to their change in circumstances then their application will be made inactive. This will be reviewed after a 12 month period. It may include the following:

- An applicant moving from accommodation that was available for their occupation that was suitable or more suitable for them than the accommodation they have moved into and which it was reasonable for them to continue to occupy.
- Homeowners who have transferred their property to another family member within the last 5 years from the date of application.
- Applicants who have disposed of or deprived themselves of assets which reasonably could have been used to secure housing within the last five years from the date of application.

- Applicants who have moved family members or others into a property unsuitable for their needs when suitable accommodation was being occupied by them elsewhere.

9. Assessment of Housing Need

All applicants aged under 60 years of age must have an identified housing need and local connection to register for housing. This is due to the low supply of affordable housing and the unrealistic expectations raised by registering applicants that do not have an identified housing need. Applicants that do not have an identified housing need will be able to access housing advice from the Housing Options Team. Applicants will be placed in a housing needs band between A and D.

Single applicants or couples aged 60 and over with a local connection to the St Albans district but without a housing need will be placed in Band E. This band will be for those aged 60 and over without an identified housing need applying for sheltered and age restricted housing only.

All applicants will be placed in a housing needs band following an assessment of their household's needs. Documentary proof will be required and if not provided within the requested timescales, the application will not be processed. This is to ensure that the Council meets its legal obligations as set out in the Housing Act (1996) as amended by the Homelessness Act (2002).

The Council will work with the applicant, their advocates and our partner agencies to provide this advice and assistance.

Applicants registered for housing must be prepared to make bids within the Choice Based Letting Scheme and make appropriate choices in the context of the local social housing availability within the District and balance this against the urgency of their own situation.

9.1 Housing Needs Bands

Applicants will be placed in one of four priority housing needs bands. Applicants in band A will have the highest priority, applicants in Band D the lowest priority. If an applicant is applying for sheltered or age restricted accommodation they will be placed in to Bands A-E.

The assessment will be made in order to meet the requirements of the Housing Act (1996) as amended by the Homelessness Act (2002) and other government guidance whilst making best use of the housing nominations being made available to the Council including nominations to a RSL or other housing provider. Properties will be offered to applicants based on the following priorities:

1. Property Eligibility – does the applicant meet the requirement for the property as outlined in the advert including bedroom entitlement.
2. Priority Banding

3. Priority date (when registration into the current priority band took place).

Adapted properties advertised will be matched with applicants who need that type of adapted property whenever possible.

There is a very severe shortage of Council and Housing Association homes in St Albans District and all applicants are advised to consider other housing options.

For some properties a Local Letting Scheme will be in force and properties will be offered to applicants based on the priorities of that scheme.

The examples given below are given only as a guide.

Priority Band	Description of housing need
	Applicants will be placed in Band A in circumstances where the applicant's current property poses a significant risk to life or health, and immediate re- housing is required. Applicants in Band A will be offered time-limited bidding (usually 4 cycles unless otherwise stated) and/or a direct let.
Band A	<p>Over-riding Medical Need Applicants with an over-riding medical priority awarded by the Local Authority. The Council may consult an independent medical adviser but the final decision rests with the Council. The applicant's medical condition will be such that it is being so severely and adversely affected by their current housing situation as to warrant an emergency move.</p>
	<p>Over-riding Social/Welfare Need Applicants with an over-riding social/welfare priority. The applicant's social/welfare needs will be such that those needs are being so severely and adversely affected by the current housing situation as to warrant an emergency move. This priority may be agreed at the Housing Review Panel or by at least two of the senior management team. (Head of Housing/Tenancy Services and Performance Manager/Strategic Housing Manager/Principal Strategic Housing and Development Officer).</p>
	<p>Imminent Danger Applicants needing to move urgently where there is a serious imminent personal risk if they remain. This will be where there is a threat of death or injury. This will need to be supported by corroborating evidence from the Police. This priority may be agreed at the Housing Review Panel or by at least two of the senior management team.</p>
	Transfer tenants moving from 3 bedrooms or larger to 1 bedroom accommodation.

	<p>Applicant succeeding to a Tenancy Where an applicant has succession rights to a tenancy after the death of a tenant, the applicant may be required to move to alternative housing in line with their assessed housing needs. In processing requests for succession to a tenancy the Council recognises civil partnerships as conveying legal rights and recognition of a relation for same sex couples. Time limited bidding of 3 months will apply after which an assisted bid leading to a direct offer may be made.</p>
	<p>Releasing a property in need - Applicant releasing an adapted property The property has major adaptations, and there is a current need for a property with that adaptation.</p>
<p>Applicants placed in Band B are deemed to need re-housing urgently. Applicants in the following situations and circumstances will be placed in this band.</p>	
Band B	<p>Applicants suffering from harassment All cases of harassment will, in the first instance, be dealt with through our Anti-Social Behaviour Policy. Should the harassment reach a level where there is a recommendation from a senior officer of a relevant statutory or voluntary agency such as the police or Hertfordshire County Council's Children, Schools and Families Department, that a move is necessary, the applicant will be awarded Band B priority. Where this priority refers to a transfer (Council and Housing Association tenants living in St Albans District) this will be a property of a size that is appropriate for the applicant's housing need.</p>
	<p>Homeless households (Main homelessness duty owed) A statutory duty is owed where the authority is satisfied that the applicant qualifies for assistance, falls within a specified priority need group, is unintentionally homeless, and has a local connection with the authority (except where fleeing violence or harassment). A direct offer will be made. This offer can be an offer of a privately rented property. Please see Appendix Two for further explanation.</p>
	<p>Urgent Medical Need Applicants with an urgent medical priority awarded by the Local Authority. The Council may consult an independent medical adviser but the final decision rests with the Council. This includes cases where the applicants' medical condition will be such that adaptations are required at the current property but the need to carry out adaptations could be avoided or reduced by a move to more suitable accommodation.</p>

	<p>Urgent Social/Welfare Need The applicants social/welfare needs will be such that, should the applicant be moved to a more appropriate property, this will be improved by alternative accommodation. For example a disabled child that needs to attend a specialist school. This will be approved by 2 members of the senior management team or one member of the senior management team and one Housing Options Co-Ordinator.</p>
	<p>Referrals Applicants referred to St Albans District Council under arrangements with certain referral agencies, or those made through the Housing Forum. See Appendix One for details of these. These applicants will be made one offer of accommodation and will not be able to place bids themselves through the Herts Choice Homes scheme once they have been approved for Move On.</p>
	<p>Transfer tenants that are under occupying 2 bedroom accommodation and moving to 1 bedroom accommodation or transfer tenants that are under occupying and moving in line with their housing need to accommodation larger than 1 bedroom, e.g. 4 bed to 2 bed or 3 bed to 2 bed.</p>
	<p>Ex-armed service personnel (see section 8.14 for more detail about who can qualify under this criteria) who are homeless and unable to resolve their own housing need and where there is an urgent need for rehousing to avoid hardship.</p>
	<p>Applicants with composite housing needs from Band C This band also recognises applicants with a composite housing need. To qualify to move to Band B, an applicant should be assessed as having a high medical need or have two or more bedrooms lacking plus _____ <u>at least one other factor from the list under Band C.</u></p>
<p>Applicants placed in Band C are deemed to have a high need to move. Applicants in the following situations and circumstances will be placed in this band.</p>	
Band C	<p>High Medical Need Applicants with a high medical priority awarded by the Local Authority. The Council may consult an independent medical adviser but the final decision rests with the Council. The applicant's current accommodation will be deemed as not appropriate for their medical needs.</p>
	<p>High Social/Welfare Need Applicants with a high social/welfare priority awarded by the Local Authority. The applicants' current accommodation will be deemed as not appropriate for their social/welfare needs. For example a disabled child who needs a garden for therapy. Priority awarded by at least one member of the senior management team.</p>

	<p>Applicant releasing an adapted property An applicant releasing an adapted property (major adaptations) where there is not a current need for a property with that adaptation.</p>
	<p>Applicant is assessed as lacking two or more bedrooms</p>
	<p>Retiring or Redundant Council Staff in Tied Accommodation (Service Occupiers) A service occupier is someone occupying tied accommodation as a condition of their employment with the Council for the better performance of their duties. Service occupiers may be re-housed in suitable alternative accommodation (not like for like) in accordance with the conditions of their terms of employment. They will be able to bid 6 months prior to their retirement. The service occupier will only qualify for re-housing by the Council only if:</p> <ul style="list-style-type: none"> • they meet stated requirements in their contract of employment • they meet the eligibility criteria to appear on the housing list including immigration status and unacceptable behaviour criteria • they do not own another property elsewhere and do not have income or assets that would enable them to meet their own housing needs in the private sector.
	<p>Applicants releasing a one bedroom general needs property (only Council or Housing Association tenants living in St Albans District) An applicant releasing a one bed general needs property will be placed in Band C if they require sheltered accommodation or elderly designated accommodation only.</p>
	<p>Applicants with composite housing needs from Band D This band also recognises applicants with a composite housing need. To qualify to move to Band C an applicant should be assessed as having either recognised medical need or lacking one bedroom <u>plus at least one other factor from the list under Band D.</u></p>
<p>Applicants placed in Band D are deemed to have a recognised need to move. Applicants in the following situations and circumstances will be placed in this band.</p>	
Band D	<p>Recognised Medical Need Applicants with a recognised medical priority awarded by the Local Authority. The Council may consult an independent medical adviser but the final decision rests with the Council. For example a person reliant upon walking aids who lives in an area with no public transport.</p>
	<p>Recognised Social/Welfare Need Applicants with a recognised level of social or welfare need as assessed by the Local Authority.</p>

	<p>Financial Hardship Applicants will be awarded Band D priority where the Local Authority deems a move would help address exceptional financial hardship. Where an applicant feels they will qualify for Band D priority due to exceptional financial hardship, they should approach the Local Authority for further guidance. In order to assess this, applicants will need to complete a financial disclosure form.</p>
	<p>Reasonable Preference This category includes other homeless applicants who are not owed a full duty under Part VII of The Housing Act 1996, as amended by the Homelessness Act 2002. Please see Appendix Three for further details</p>
	<p>Unsatisfactory Conditions Applicants will be awarded Band D priority where it is determined by the Local Authority that they are living in unsatisfactory conditions. This will have to be assessed by the Local Authority Housing Department. Examples could include caravans or trailers or sharing facilities with non-family members. Applicants with children in insecure accommodation e.g. with family or friends and lacking or sharing facilities where the applicant has no tenancy agreement or licence</p>
	<p>Applicants lacking one bedroom This includes applicants that apply from 1 bedroom accommodation with a child under 2.</p>
	<p>Applicants who need to move to a particular area in the District due to work, where failure to meet that need would cause hardship, and they meet the qualification criteria for Right to Move.</p>
	<p>Armed service personnel or ex-armed service personnel with a local connection as detailed in section 8.14.</p>
<p>Applicants placed in Band E are not deemed to have an identified need to move. Applicants in the following situations and circumstances will be placed in this band.</p>	
Band E	<p>Applicants aged 60 and over with a local connection but without an identified need that are applying for sheltered or age restricted housing (60 years and over).</p>

9.2 Time limited bidding

All priority Band A (Emergency Need) cases and some categories of priority Band B (does not apply to under occupying social housing tenants living in the St Albans District area) will be subject to time-limited bidding and/or direct lets. Applicants offered time limited bids will be given a period of time in which to place their own bids before we review their case. In determining the timescales given to bid we will consider the individual merits of the case. This acknowledges the urgency of the situation, both for the applicant and for the Council. All cases will be monitored closely throughout this period. After 4

cycles each case will be reviewed on its own merits, and a decision will be made as to whether:

- The applicant should lose their emergency status if the circumstances under which they were placed in band no longer apply and they should be re-assessed and placed in a lower band.
- The Council should allow the applicant to remain in the band until a further review.
- The Council should make one direct offer of accommodation before re-assessing the applicant and placing in a lower priority band.

During the initial period applicants will be expected to bid for any suitable advertised properties. The Council will monitor this and if applicants do not make bids on properties the Council considers suitable, the Council will make bids on the applicants' behalf during the initial period if the applicant has not made 3 bids in that cycle. If applicants require help with bidding they should request supported bidding by contacting the Housing Options Co-ordinator (Choice Based Letting & Temporary Accommodation).

Applicants must consider different property types (houses or flats) from those they currently occupy. This means that applicants will sometimes need to compromise on their ideal choice of housing in order to achieve the urgent move they need. It will not always be possible to meet all their aspirations within the time available.

In conducting the review the Council will take into consideration the questions posed below.

- Have there been any properties advertised that would have met the applicant's need?
- If so, have they bid for them?
- Why have they been unsuccessful?
- Do they have a specific need for a property that has not been available and no other property will resolve their housing need? For example, do they have a disability and need a ground floor property in a specific area so they can get family support?
- Have they received appropriate support and help in accessing the choice based letting scheme?
- Have the applicant's circumstances remained the same?
- Is the applicant holding out for something that is unlikely to become available in a reasonable timescale, even though their need could be resolved by a more readily available property?

If the Council decides not to extend the period for bidding, the Council will make a final offer by making a bid on behalf of the applicant and, if successful, offer the property to them. If the applicant refuses this offer they will be moved to a lower priority band. (The Council can discharge its housing duty to homeless applicants if they do not accept their final offer)

9.3 Accepted Homeless Households

Where the Council accepts a duty to rehouse a homeless household they will be made a direct offer of accommodation. This means that once an applicant has had their case approved they will no longer be able to place bids through the Choice Based Lettings system. One offer of accommodation will be made to the applicant which may be a direct offer and may be the result of an assisted bid placed on their behalf. If an applicant is unhappy with the offer then they have the right to request a review. See section 27.

Please note that if you are a household with one child under 2 then your direct offer may be to a 1 bedroom property or a 2 bedroom property.

Accepted homeless households may also be offered a property in the private rented sector. These tenancies will be for a minimum for 12 months.

Applicants will generally be offered accommodation in the order of their priority date within band and bedroom requirements. However there may be exceptions to this depending on the requirements of the applicant and the suitability of accommodation. For example in cases where applicants are in Bed and Breakfast for approaching 6 weeks or where we have identified that we require a particular unit of temporary accommodation to be vacated.

10. How the Council Allocates Accommodation

The Council allocates accommodation via choice based lettings- Herts Choice Homes. Applicants' housing priority will be assessed and applicants will be placed in a priority band A – D (unless aged 60 & over applying for properties that are sheltered or restricted for those aged 60 and over – these applicants will be placed in Bands A-E). Within the priority bands, the length of time an applicant has been waiting will be the deciding factor in determining who is rehoused unless a local lettings policy applies when the priority will be determined by the local lettings policy.

We advertise available properties, inviting applicants to bid for them. By “bid” we simply mean apply for the property.

A proportion of properties will be prioritised for transfer applicants. This in turn creates vacancies which are advertised through Herts Choice Homes.

Up to 50% of 3 bed properties will be prioritised for transfer applicants (see 8.12) and 50% of those prioritised for transfers will be advertised for transfer applicants (see 8.12) in Band D.

Up to 25% of 2 bedroom properties will be prioritised for transfer applicants. Of this 25%, up to half will be prioritised for Band D transfer applicants only (see 8.12).

The Council will also prioritise up to 20% of 2 bedroom properties for applicants that are in Bands C and D. This offers applicants in these reasonable preference groups the opportunity to secure accommodation. This is applicable for both homeseekers and transfer applicants.

Up to 10% of properties will be prioritised for applicants who are in employment. Applicants will need to demonstrate that they are currently employed and have been employed on a permanent basis for a minimum of 12 months in the District, working 16 hours or more a week. Consideration will also be given to those on zero hours contracts. **In special circumstances the Council will give consideration to those who are unable to work.**

Additionally some of the properties may be advertised for a particular group of applicants. This will be done in order to achieve best use of the housing stock or to comply with planning conditions. Examples include properties where there are disabled adaptations, larger 3 bedroom, 2 living room properties, supported housing schemes, sheltered housing, elderly designated properties and properties where a local lettings policy applies. This list is not exhaustive. Any criteria will be listed within the advert.

Where the property advertised is a Housing Association property any offer will be subject to the applicant meeting the Allocations Policy of the Housing Association.

10.1 Bid Types

The majority of bids will be made by the applicant. However in certain circumstances the following may apply:

Assisted bidding – This usually applies to applicants in band A or B. Assisted bidding is where the Council will bid on behalf of the applicant. For homeless cases this will count as a final offer and for succession cases this will count as a formal offer.

Approved bidding – This will apply for sensitive cases. The applicant may still bid themselves but the Council will need to approve the bid as suitable.

Supported bidding – This is where an applicant may be vulnerable and no third party has been identified to assist them. The Council will take responsibility in assisting the applicant to place bids.

If you wish us to discuss your application with third parties we will need your signed agreement in order for us to disclose or accept information from your advocate.

10.2 Direct Lets

Direct Lets may apply in the following circumstances:

- Extra care or flexi care properties.

- If a property is needed to house someone in council property temporarily.
- In some cases where someone has to be moved immediately.
- In the case of a specially adapted property which is particularly suitable for a particular applicant or where a property has been identified as being suitable for an extension or adaption decants (where the Council needs tenants to move).
- If there is no alternative temporary accommodation available and the Council would be breaching their duty.
- Allocations to ground floor sheltered and elderly designated accommodation given to current tenants, living on an upper floor, within the same block, who have a medical/mobility need for ground floor accommodation.
- Accepted homeless households.
- Applicants aged 60 and over who fall into a priority need category under Homeless legislation may be made a direct offer into one of our sheltered schemes as part of our Homelessness Prevention initiative.

Direct Lets will not always be part of the choice based lettings scheme

10.3 Applicants subject to Multi-Agency Public Protection Arrangements

Housing applications received from the Multi Agency Public Protection Panel will be considered by the Housing Review Panel and, if successful, will be subject to approved bidding as detailed in Section 10.1.

10.4 Applicants who require an adapted property or other special requirement

Where an applicant has been assessed by the Council's independent Medical Adviser as requiring a specific size, type or adapted property, they will be placed in the appropriate priority band. In some cases the applicant may be offered a direct let. Where the Council has identified a shortage of suitable properties for applicants with special requirements on the housing register, the Council will consider creating a 'chain move'. This is where the Council matches the applicant with a special requirement need, with a Registered Social Landlord (RSL) who has identified an applicant with an adapted property who has applied for a transfer. This is different from a Mutual Exchange whereby all applicants have a property to offer in the exchange.

Occasionally a property will be substantially adapted to make it suitable for applicants with a disability. In these cases priority will be given to bidders with an identified need for this type of property, providing that they are in Bands A–C. Some ground floor properties will be advertised with a preference for applicants within Bands A-C who require this on medical grounds.

10.5 Local Lettings Policy

The Council, in partnership with Registered Social Landlords, may produce a local letting policy. These policies will outline any specific local letting initiatives for the neighbourhood taking into account supply and demand and other management factors. Rural exception sites will be subject to permanent local lettings policies. Other local letting policies are normally short term measures put in place to address specific local issues. These can include dealing with community sustainable issues such as:

- Increasing the number of people in employment.
- Training; or,
- Reducing child density and anti-social behaviour on estates.

Local lettings policies may therefore override the 'rules of choice and the Council's normal letting policy' in specific neighbourhoods, in villages or on local housing estates and over specific periods of time. Examples include properties that may have criteria based on age or household composition to address specific local issues or may override occupancy level agreements and demand issues to address local management or supply.

Local lettings policies apply to elderly designated properties above ground floor (please see Appendix 5)

Local letting policies will be by definition dynamic documents monitored against and developed in line with changing situations and demands.

Copies of local letting policies will be available from the Council and the RSL.

The Council in these circumstances will ensure that their local lettings policies do not discriminate, directly or indirectly, on racial or other equality grounds. Local lettings policies will normally apply to new developments where over 10 affordable homes will be provided.

10.6 Cross-Boundary Sub-Regional Choice Based Lettings (Cross Partner Pool)

Some properties in the St Albans District may be advertised into the Cross Partner Pool. Anyone on the housing register within the Herts Choice Homes consortium is able to apply for these properties. Placing properties into the Cross Partner Pool is at the discretion of the landlord.

When allocating (or matching) a property through the Cross partner pool we will take into account the following factors:

- Property Eligibility of the authority advertising the property. (i.e. applicant's ages, household size and composition in relation to the size and type of property being allocated and the authority's own policy).
- Priority Band on the Housing Needs Register (A-E).

- Priority date. Where more than one applicant meets the preceding criteria, the applicant with the earliest applicable date will be made the offer of accommodation.
- Where two applicants have met the preceding criteria and have the same applicable date, the property will be offered to the applicant for whom the Council considers the property is most suitable, taking all other factors into consideration, particularly making the best use of the vacancy.

10.7 Move on and Leaving Care

The Council will have some agreements with organisations that provide specialist housing. These organisations deal in particularly with vulnerable homeless applicants or young people leaving care who may require move on accommodation usually for single applicants. The Council will try to house an agreed number of applicants nominated from these organisations each year. Applicants will need a local connection.

10.8 Management Priority

There are occasions when the Council must house applicants outside our normal procedure. When requested, supporting evidence from other agencies such as police, Adult Social Care or Children Schools and Families and other groups is essential to achieve a management decision. Evidence of this nature needs to be countersigned by a Senior Manager.

Management Priority moves will be dealt with on a case by case basis. Cases that will be considered for management priority decisions include:

- Decants (where the Council needs tenants to move)
Nominations received from the National Witness Mobility Scheme
- Households who need to move for emergency reasons not covered in the bands.
- Cases referred through Multi-Agency Public Protection (MAPP).

In view of the urgency involved with Management priority offers, one reasonable direct offer of suitable accommodation may be made by the Council.

10.9 Bedroom Entitlement

The table below indicates the size and number of bedrooms that an applicant can bid for.

When calculating bedroom entitlement the following rules will apply.

2 children of the same sex are entitled to one bedroom regardless of their ages.

2 children of opposite sexes are entitled to one bedroom until one reaches the age of 10.

Current Table of Bedroom Eligibility

Household Size	
Single Applicant	Bedsit-Studio or One bedroom
Single Applicant with staying access to 1 child	Bedsit-Studio or One bedroom
Single Applicant with staying access to 2 children	One bedroom
Couple without children	One bedroom
Parent/s with one child under 2	One bedroom or Two bedrooms
Parent/s with one child aged 2 or above. Parent/s with 2 children under 2	Two bedrooms
Parent/s with 2 children of the same sex. Parents with two children of opposite sexes where both are under 10 years.	Two bedrooms
Parent/s with 3 children	Three bedrooms
Parent/s with 2 children of opposite sexes where one is over the age of 10.	Three bedrooms
Parent/s with 4 children Parent/s with 4 children depending on age and sex (2 same sex sharing / opposite sexes sharing up to 10 years.)	Three or Four bedrooms using the eligibility rules outlined above.
Parent/s with more than 4 children	Four bedrooms or larger Three bedrooms with dining room and lounge.

All properties that are advertised through the CBL scheme will be clearly labelled to identify the size of property that an applicant can bid for.

Unborn Child

An unborn child does not count as part of an applicant's household.

Exception to our Bedroom Eligibility

Due to the acute shortage of 4 bedroom properties, applicants registered for 4 bedroom properties or larger will also need to bid for large 3 bedroom properties if the maximum household occupancy in the advert allows.

10.10 Proof of Access to Children

The Council will check to make sure that access does take place and will need to see proof. Such proof could include a letter from the separated (other) parent. This is not normally considered enough on its own, as the proof should be independent, therefore the Council will seek further supporting evidence such as a Solicitor's letter or Court papers as it deems appropriate or make appropriate enquiries.

Where an applicant has staying contact with children for less than 50% of the time, the children will not be counted as part of the applicant's household when assessing bedroom requirements.

Where two applicants have equal staying contact with children, evidence as to the child's main and principal home is required when assessing bedroom requirements.

10.11 Medical Need for an extra bedroom or alternative accommodation

If the applicant feels that there is a medical need for an extra bedroom, or alternative suitable accommodation, this will be considered by the Council. The Council will seek supporting evidence from the applicant that there is a need for an extra bedroom or alternative accommodation. The applicant may be required to complete a self- assessment medical form. The Council may refer this information to a Medical Adviser and in these cases they will assess these forms and these recommendations will be considered by the Council.

The final decision will be made by the Council taking into account all information available to it. This may over-ride the usual rules about bedroom eligibility.

10.12 Extra room for Carers (care workers)

It will be expected that Adult Social Care or Child Care services should provide supporting evidence that a 'live in' carer is needed, and that if the support was not given voluntarily or paid for by the client they would qualify for funding for a 'live in' carer.

Only one extra bedroom for a carer will be considered. Extra rooms for a carer's dependants cannot be considered.

11. Choosing Where You Want to Live

Most properties which become empty will be advertised on a weekly basis on www.hertschoicetohomes.org.uk. If you have a recognised housing need and do not have access to a computer you can request a freesheet which will be sent to you.

11.1 How to Bid

Applicants can bid for any property that is of the appropriate size in accordance with their assessed need. Bidding is simple, it can be done either by:

- Telephoning the bidding line on 0870 998 2290
- Accessing the website www.hertschoicehomes.org.uk
- Bidding via text message

New properties are advertised every week with a closing date for bids clearly shown. Applicants will be allowed to bid for 3 properties per cycle. Bids must be submitted before the closing date.

Each available property will have a short description that will include the number of bedrooms, floor level, rent, location of the property and information about facilities in the property and its neighbourhood. Applicants must make sure they meet the criteria noted on the advert otherwise they will not be considered for the property and it will be a wasted bid.

The Council cannot guarantee precisely when an applicant will be successful in their bid, as this will depend on the type and location of the property they bid for, whether they have reasonable or additional preference and the number of applicants bidding for the property.

For those applicants seeking a move who are housebound, options such as directly mailing a freesheet or working with statutory and voluntary agency partners to provide personal customer support will be explored.

11.2 Viewings

After bidding closes, the Council may short list between one and five applicants to view a property. This will depend on the demand for the property. Applicants will be contacted by telephone to inform them of the location of the property and the time for viewing.

Applicants are reminded that they must provide up to date contact details. If we are unable to contact a successful applicant within two working days then the property will be offered to the next applicant on the shortlist. Applicants must also make an appointment for a viewing within 24 hours otherwise the property will be offered to the next person on the shortlist.

The purpose of viewing the property is to see the internal and external features of the property and seek any further clarification from the landlord regarding the property. The top ranked applicant that has been shortlisted for a property will have their application deferred temporarily whilst they are under offer. This will mean that any other bids placed will not be considered whilst they are under offer.

In some cases such as applicants transferring from one property to another, applicants may end up viewing a property with the current tenant in situ. All tenants will be notified of this before a viewing is conducted in their home.

The applicant at the top of the shortlist will normally be given 24 hours after viewing a property and receiving a verbal offer of a tenancy, to accept or refuse the offer. If the offer is refused the person next on the shortlist will be offered the property.

Some applicants may require longer than others to make a decision about a property depending on their circumstances:

- They may wish to take advice in making their decision particularly in the case of vulnerable applicants.
- They may be unfamiliar with the property.
- They may be in hospital.

In these circumstances the landlord will agree a time with the applicant.

In exceptional circumstances the Council's Head of Housing may approve a decision not to offer a property to the applicant at the top of a short list if in doing so the offer could put a vulnerable applicant at risk of any harm. Any such decisions will be given to the applicant in writing.

11.3 Accepting Offers

Once the applicant has confirmed that they want to accept the offer of the tenancy, the Landlord of the property will give the applicant a formal offer of the tenancy. During the period after acceptance of an offer and before tenancy sign up, the CBL system will not allow the applicant to be considered for other properties.

The landlord of the property will normally start the tenancy on the Monday following viewing if the property is available. In some cases there may be a delay between acceptance of an offer and commencement of tenancy e.g. new properties awaiting final handover, properties undergoing maintenance.

In cases where the new tenant is vulnerable, such as being an elderly person with no support or someone with learning difficulties, the Landlord may use discretion to allow a longer period before the tenancy start date.

11.4 Withdrawal of Offers

In the following very exceptional circumstances, the landlord may withdraw an offer of accommodation:

- Where there has been a change in the applicant's circumstances.
- Following verification, the applicant does not qualify for the property.
- Where an error has been made in the advertising criteria.
- Where an offer of accommodation could put a vulnerable applicant at risk of any harm.

- Where the applicant does not meet a specific Letting Policy of the landlord.

This list is not exhaustive.

11.5 Refusing an Offer of Accommodation

If an applicant refuses an offer of accommodation made, they will remain in their housing needs band. If an applicant refuses three offers of a property made through CBL, the Council will contact the applicant to verify their circumstances and may make their application inactive whilst enquiries are made.

12. Financial Assessment

All applicants will be asked about their financial circumstances as part of the verification process. We will use a credit checking agency to verify details and as part of our policy to prevent/detect fraud/share information with other departments within the Council and other Housing Providers. By signing the Housing Register declaration form you will be giving your consent for this. If an applicant's financial situation is such that they are deemed to have sufficient financial resources to resolve their own housing need they will be excluded from the waiting list.

An applicant who has sufficient resources to resolve their own housing need, either through renting or buying a suitable property, (whether on the open market or through one of the low-cost home ownership schemes) or by any other means, will normally not be allowed onto the housing register. In making this decision we will take into account any equity outstanding from the sale of a property, income, investment income and current property value (for home owners). This list is not exhaustive but gives an indication of what will be taken into account in the financial assessment. Applicants can request a review of this decision. Please note that we will disregard any sum received by a member of the Armed Forces as compensation for an injury or disability sustained on active service.

The following income threshold limits apply in accordance with the property size required:

1 Bed Property	£35,469
2 Bed Property	£40,351
3 Bed Property	£51,455
4 Bed Property	£61,620

If your income level exceeds the above thresholds in relation the property size you are eligible for, you will be unable to join the Housing Register.

The following capital threshold limits also apply:

- For general needs properties (If you are of working age) – Over £25,675.
- For age restricted sheltered properties (If you are retired) – Over £51,350.

If your capital level exceeds the above amounts, an Income and Expenditure Form will be completed in order to assess your ability to afford the private sector.

If you apply to the Housing Register and you own or part own a property then your application will not be accepted onto the housing register unless there are very exceptional circumstances. The decision to allow a property owner onto the Housing Register will be made by officers at Principal Officer level or above.

13. Medical Grounds

Where an applicant or member of their household has a medical condition or disability that is affected by their housing circumstances, they will be asked to complete a medical self-assessment form. Applicants need to state how their medical condition will be improved or alleviated by a move to alternative accommodation. This will usually be considered along with any other medical reports or occupational therapy reports and may be referred to the Council's Medical Adviser. If requested the Medical Adviser will advise on the relative medical priority of the household and any other re-housing needs, such as a need for ground floor accommodation for consideration by the Council. The Medical Adviser's recommendation will be considered by the Council. The Council will make the final decision as to whether or not medical priority will be awarded. Some applicants may be considered for bungalows if it is considered that this type of property is suitable for them even if they do not meet the age criteria.

The 'priority date' awarded under Medical Grounds is the date of which the original medical information was received by the Council, for which you received additional priority. For more information relating to 'priority dates', please see section 20.

Applicants can request a review of their medical priority; this must be put in writing within 21 days of notification of the decision. Whilst the Council may seek the opinion of a medical expert in determining whether priority will be awarded, the final decision rests with the Strategic Housing Manager or Principal Strategic Housing and Development Officer.

Where an applicant requests priority based on a medical condition, this will only be taken into account where the medical condition is being made worse by the particular accommodation that the applicant resides in or would be improved by a move to more suitable accommodation.

The medical panel may make recommendations for a particular property type e.g. ground floor. Applicants must make appropriate bids (or request assisted bidding). Bids for properties that do not meet the recommendations made by the panel will not be considered.

14. Support/Care Needs

It is essential to assess any support and care needs for applicants with approved medical priority. The Council may liaise with Adult Social Care, Children, Schools and Families, the Supporting People team and other relevant agencies, as necessary, to ensure the allocation of appropriate accommodation.

The Council will also consider whether the applicant or member of their household needs would be better served by the applicant remaining in their current accommodation and, if appropriate, an application for aids and adaptations can be made.

15. Sheltered Housing and age restricted properties

For sheltered accommodation usually only applicants aged 60 years of age and over will be considered, but applicants with physical/learning disabilities who are suitable for and would benefit from sheltered accommodation will also be considered.

For sheltered accommodation usually only applicants aged 60 or over will be considered, but where a joint application is made, these will be considered where one applicant is aged 60 or over and the other is aged 50 or over.

Sheltered housing will only be available to householders who require the level of support offered in this type of accommodation. Applicants for sheltered housing will be subject to an assessment by the Council to establish the prospective applicant's support needs and suitability for living in their chosen Sheltered Housing schemes.

Priority for allocations to ground floor sheltered and elderly designated accommodation will be given to current tenants on the transfer list, living on an upper floor, within the same block, who have a medical/mobility need for ground floor accommodation. This will be done via a direct let. Allocations thereafter will be allocated based on individual need. This will then free up a property for an applicant via CBL.

Some properties are restricted for older applicants. The age restriction will be in the advert. Some properties above the ground floor that are age restricted may have a local lettings policy. This is outlined at Appendix 5.

If the assessment indicates that the applicant requires a higher level of support than can be provided by sheltered housing, the applicant will be advised of this and referred to Adult Care Services and where appropriate, considered for extra care or flexi care schemes.

16. Bungalows

Bungalows are primarily for applicants who are aged 60 years and over or for social housing tenants living in the St Albans District who are aged 50 years and over and are currently under occupying a Council or Housing Association home.

However some applicants (Bands A-C) below the ages listed above, who have a medical priority will be considered for bungalows. All applicants not meeting the age restriction will need to be approved by the Council to bid on bungalows.

17. Under Occupiers

In order to make the best use of our Council stock we will place social housing tenants living in the St Albans district that are under occupying 3 and 4 bedroom accommodation and looking to move into 1 bedroom accommodation into Band A. All other social tenant under occupiers living in the district will be placed in Band B. St Albans council tenants who under occupy and who move to one bedroom accommodation from two bedrooms or larger will be entitled to a moving grant of £1250. Also we will organise and pay for their removals. Under occupiers who are aged 50 and over are able to bid for bungalows.

18. Social and Welfare Needs

Priority may be awarded under social and welfare grounds where there is an identified housing need not addressed in the banding assessment criteria.

This would include, for example, an applicant who needs to move to a different locality of the District in order to give or receive care or to access specialized medical treatment. The term “welfare” is intended to encompass not only care or support needs, but also other social needs which do not require ongoing care and support, such as the need to provide a secure base from which a care leaver or other vulnerable person can build a stable life.

Housing may consult with Adult Social Care or Children Schools and Families before a decision on priority is made by the Housing team.

19. Allocations to Staff, Council Members and Families

Members of staff, their close family and elected members who require housing through the Council may apply for housing in the same way as other applicants. Their status should be disclosed on the application form at the time of applying. **Failure to disclose this may result in an application being deferred while investigations are undertaken.**

If an applicant who is a member of staff, elected member or a member of their direct family, makes a successful bid for a property, the Head of Housing will be informed and must approve the shortlist letting prior to the formal offer

being made. If the Head of Housing is not available an officer with delegated authority or a member of the senior management team must approve the shortlist.

20. Priority Date

The 'priority date' is the date that an applicant was placed into their priority band. For some applicants their priority date will be the original date of application. If there are any significant changes in the circumstances of an applicant that may require changes in their priority or bedroom requirements, their priority date will change. However for homeless applicants, the priority date will be the date the Council accepts statutory duty to re-house the applicant.

Where two applicants are placed first and second on the shortlist for a particular property, are in the same priority band and have the same priority date, the property will be offered to the applicant for whom the Housing Options Co-ordinator (CBL and TA) considers the property most suitable.

Any property belonging to Registered Social Landlords (RSL) may hold additional criteria. For details you should refer to the policy of the specific RSL.

21. Change of Circumstances

All applicants must inform the Council of any change in the information provided on their application form. Changes in circumstances may mean the application will need to be reassessed. Examples of change of circumstances are detailed below, although this list is not exhaustive:

- Household members leaving the household.
- Pregnancy/birth of a child.
- Relationship breakdown.
- Change to the medical circumstances of anyone included in the application.
- Death of a joint applicant.
- Change of address or contact number.
- Change in medical condition.

Please note that if an applicant comes up for an offer and their circumstances have changed and we have not been notified then the offer will be withdrawn.

22. Tenancy Management outside the scope of CBL

The following tenancy management areas fall outside of Part 6 of the Housing Act 1996 and will be managed by Registered Social Landlords:

- Mutual exchanges.

- Persons transferring from introductory to secure tenancy in the same property.
- Where a secure tenancy is assigned by way of succession to the same property.
- Where a secure tenancy is assigned to someone who would be qualified to succeed to that tenancy if the secure tenant died immediately before the assignment.
- Transfers that a landlord initiates for management purposes.
- In the cases of joint tenants where there is a relationship breakdown and a decision is taken to create a new tenancy for one tenant.
- Where court orders are made under one of the following:
 - Section 24 of the Matrimonial Causes Act 1973
 - Section 17 (1) of the Matrimonial and Family Proceedings Act 1984
 - Paragraph 1 of schedule 1 to the Children Act 1989

23. Information

An applicant has the right to:

1. Request general information that will enable the applicant to assess how their application is likely to be treated under the scheme and whether accommodation appropriate to their needs is likely to be made available.
2. Be notified in writing of any decision about whether the applicant is suitable to be a tenant of the Council.

24. Translation

We can arrange a translation service for people who visit the Council Offices. If you need this service, please contact our Housing Needs Department.

25. Data Protection

When an applicant applies for housing, the Council will seek only information that they require to assess the applicant's housing need. They will collect and keep data in accordance with the Council's guidelines on handling personal data. However, the Council may share this information with other landlords who may be able to meet the applicant's housing needs.

As the Council is allocating properties through the Herts Choice Homes scheme information on your application may be shared with other Herts Choice Homes partners (Local Authorities or Registered Social Landlords).

These guidelines are in accordance with the Data Protection Act 1998 that covers both electronic and manual records, and the Act governs everything we do with the data, including collecting, storing, using and disposing of it.

26. Confidentiality

Information about the applicant shall not be divulged (without consent) to any other member of the public. This applies apart from:

- Where the individual who is the subject of the confidential information has consented to the disclosure.
- Where the Council is required by law to make such disclosures.
- Where disclosure is made in accordance with an information sharing protocol.

27. Decisions and Reviews

Decisions under the Allocation Scheme may be taken by officers of the Council who have been given appropriate delegated authority by the Head of Housing. Any discretion shown in the Allocation Scheme as belonging to the Head of Housing may also be exercised by officers of the Council with appropriate delegated authority.

Members of the Council (also known as Councillors) do not make decisions on individual applications under the Allocation Scheme, whether or not they fall into a category prevented by regulation from doing so.

The Council will conduct allocation reviews in accordance with any regulations issued by the Secretary of State. Currently, these require that the review be carried out by an officer not involved in the original decision and who is senior to the officer who made the original decision.

Requests for a review should be made in writing to the Housing Options Team Leader (Housing Supply) within 21 days of the date of the decision.

You can request a review of the following decisions:

- That your application does not meet the qualifying criteria to join the Housing Register.
- If your application is made non-active.
- If your application has been removed from the Housing Register other than by request.
- The banding assessment of your application.

Applicants must request a review in writing within 21 days of receiving the decision. The Council has discretion to extend the time limit if it considers this

would be reasonable. An applicant may provide any additional information that they think the Council should take into account when reviewing its decision.

A manager senior to the officer that made the decision and who was not involved in the original decision will carry out the review. The manager will notify the applicant of the decision and the reasons for it within 56 days, unless a longer period is agreed with the applicant.

An applicant will only be entitled to one officer review. If an applicant is still unhappy following the review of a decision, they can request a review of the decision by the Housing Review Panel within 21 days of being notified. The applicant cannot attend but can be represented by a Councillor.

If the Council upholds the decision that the applicant does not meet the qualifying criteria, any further application will be a fresh application.

- The suitability of accommodation which is a final offer discharging the Council's homelessness duty.

In this case, the review will be considered at Housing Review Panel. The manager will notify the applicant of the decision and the reasons for it within 56 days unless a longer period is agreed with the applicant.

Please note for reviews of medical decisions please see Section 13.

Elected Member Involvement

The Allocations of Housing (Procedure) Regulations 1997 (SI 1997 No. 483) restricts a housing authority's elected members involvement in allocations decisions in certain specified circumstances. They prevent an elected member from being part of a decision-making body (i.e. the housing authority or any sub-committee) at the time the allocation decision is made, when either;

- the unit of housing accommodation concerned is situated in their electoral ward; or,
- the person subject to the decision has their sole or main residence in the member's electoral ward.

Information on cases referred to the Housing Review Panel is sent to the Housing Portfolio holder after each meeting.

The applicant will be informed in writing of the decision made on review, and the reasons for it.

Reviews for decisions made under Part 7 of the Housing Act 1996 (Homelessness) are outside the scope of this scheme.

29. The Local Government Ombudsman

The Local Government Ombudsman investigates complaints of injustice arising from maladministration by local authorities and other bodies. They can be asked to investigate complaints about most council matters including housing.

If a complainant is not satisfied with the action the Council takes, the applicant can send a written complaint to the ombudsman. A complainant must give the Council an opportunity to deal with a complaint first, using its internal complaints procedure.

The Local Government Ombudsman can be contacted at: Local Government

Ombudsman
10th floor Millbank Tower
Millbank London SW1P 4QP

Telephone: 020 7217 4620 Email: enquiries@lgo.org.uk Website: www.lgo.org.uk

Appendix One Unacceptable Behaviour

Some applicants may not qualify to register for housing with the Council on the basis of unacceptable behaviour.

Where the Council is satisfied that an applicant is guilty of unacceptable behaviour (or a member of the applicant's household) serious enough to make him or her unsuitable to be a tenant, S.160A(7) they will be treated as a non-qualifying person for an allocation of housing.

The test which the Council will use is **had the applicant been a tenant of the Council when the unacceptable behaviour occurred, would the Council have been entitled to a Possession Order granted by the courts?**

It does not matter whether or not the applicant had been a tenant at the time, but whether or not the Council would have been granted a Possession Order if the applicant had been a tenant. If the Council concludes that the behaviour would have warranted a Possession Order they then have to consider whether or not the behaviour makes the applicant unsuitable to be a tenant. For example, would the Court have suspended the Possession Order?

If it is shown that the behaviour has improved, the Council may not consider the applicant as a non-qualifying person.

If the Council decides that the applicant is not a qualifying person then they will be informed of this and the reasons why, in writing.

Under S.167(4A)(d) applicants have the right to request a review under the allocations scheme of any decision as to qualification and a right to be informed of the decision on review and the grounds for that decision.

Appendix Two

Groups of People Classed as Being in Priority Need as per the Homelessness Act 2002

- A pregnant woman or a person with whom she resides or might reasonably be expected to reside.
- A person with whom dependent children reside or might reasonably be expected to reside.
- A person who is vulnerable as a result of old age, mental illness or physical disability or other special reason, or with whom such a person resides or might reasonably be expected to reside.
- A person aged 16 or 17 who is not a 'relevant child' or a child in need to whom a Local Authority owes a duty under Section 20 of the Children Act 1989.
- A person under 21 who was (but is no longer) looked after, accommodated or fostered between the ages 16 and 18 (except a person who is a 'relevant student').
- A person aged 21 or more who is vulnerable as a result of having been looked after, accommodated or fostered (except a person who is a relevant student).
- A person who is vulnerable as a result of having been a member of Her Majesty's regular Naval, Military or Air Forces.
- A person who is vulnerable as a result of:
 1. Having served a custodial sentence.
 2. Having been committed for contempt of Court or any other kindred offence; or,
 3. Having been in remanded in custody.
 - A person who is vulnerable as a result of ceasing to occupy accommodation because of threats of violence from another person or threats of violence from another person which are likely to be carried out.
 - A person who is vulnerable for any other special reason, or with whom such a person resides or might reasonably be expected to reside.
 - A person who is homeless, or threatened with homelessness, as a result of an emergency such as flood, fire or other disaster.

Enquiries will be carried out in all instances.

Appendix Three

Reasonable Preference Groups as Defined by the Housing Act 1996 (as amended by the Homelessness Act 2002)

The following groups of people must be shown to be given reasonable preference over other members of the public when allocating social housing by the Local Authority

- People who are homeless.
- People occupying unsanitary, overcrowded or otherwise unsatisfactory housing.
- People who need to move for medical or welfare reasons; and,
- People who need to move to a particular location – for example, to be nearer to special training opportunities, or special medical facilities – and who would suffer hardship if they were unable to do so.

Appendix Four Referrals

This relates to applicants who are referred to the Council under arrangements it has with certain referral agencies. Some of these cases may be considered at the Housing Forum. The agencies include.

- The Life Hostel.
- Young Peoples supported accommodation with Aldwyck (Housing Association) in St Albans.
- Care leavers referred by the Independent Support Service.
- Emmaus.
- Martin House.
- Kent House.
- Stonham Housing.

Appendix 5

Local Lettings Policy for Above Ground Floor Designated Elderly Properties

Vacant properties will be advertised and allocated in accordance with the following priorities

1. Applicants who are in Bands A – D who are aged 60 and over.
2. Applicants who are in Bands A – D who are aged 50 and over.
3. Applicants who are in Bands A to D who are aged 40 and over who do not have a history of anti-social behaviour.
4. If no one meets the above criteria then applicants over 60 in Band E will be considered.
5. From time to time additional criteria may be used e.g. if a property has adaptations that make it especially suitable for an applicant with mobility problems for example. These will be stated in the Herts Choice Home advertisement.