



# Allocations & Letting Policy

## General Needs Housing

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<b>Author Title &amp; Issuing Department</b>	Simon Young, Head of Landlord Services Housing Services Directorate
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## 1. Aims and Objectives

**1.1** At SYHA, our purpose is for all SYHA customers to **settle, live well** and **realise your potential**. We achieve this by ensuring the homes offered are suitable for customer and household needs and meet local housing needs. Our mission is to create homes and communities that our customers can be proud to call home for many years to come. We see the signing of a SYHA Tenancy Agreement as the beginning of an ongoing positive relationship with our customers where all respective responsibilities are fulfilled.

Our Policy has been developed to be clear, fair and understandable, providing a secure framework for our customers.





- Helps to describe the choices available
- Supports people where they need to move home
- Gives those looking to downsize or change their home a way to do this
- Makes the best use of all our SYHA homes to meet local population need
- Offers a security of tenure appropriate to the circumstances
- Encourages people to maintain networks and support in their local community
- Makes sure empty homes are let as quickly as possible
- Provides a range of support mechanisms to help sustain tenancies

## 2. Key Principles

**2.1** To achieve the above, we will:

- Offer priority to our existing SYHA customers with a priority housing need when considering allocation of SYHA homes
- Set time limits for people who are given priority
- Count time on the transfer list for SYHA applicants with no identified housing need
- Monitor diversity information for all lettings and applicants to monitor whether our allocations reflect the communities we serve
- Give adapted properties to people with disabilities requiring the same in the first instance
- Meet our Service standards which are detailed within our overall Customer Standards
- Have a review and appeals procedure
- Be clear about what information you need to provide and when you need to provide it
- Share information on how rehousing decisions are made
- Involve customers in any review of the Allocation & Letting Policy
- Ensure that SYHA homes continue to meet local need by engaging with Local Authorities

**2.2** There are multiple ways that a customer might move into a SYHA property. If you are not an existing SYHA customer looking to transfer into another social housing property, the main route is to bid through the local authorities' Choice Based Letting process. We have contractual agreements in place with local authorities which specify a set percentage of all SYHA lettings that must be made through each local authority to ensure that those most in need of homes are given priority across all available social housing. Therefore, this must be our primary letting route. The main steps through this process are:

<b>Search</b>	<b>Bid</b>	<b>Priority</b>	<b>View</b>
<p>You can find a home through choice based lettings. To bid for one of our homes, you'll need to be registered with the local authority in the area you'd like to live in.</p> 	<p>When you find a home that's right for you, place a bid.</p> <p>You can bid for more than one home at a time.</p> 	<p>All bids are reviewed and ranked from highest to lowest.</p> <p>This is based on people's needs and circumstances.</p> 	<p>The people with the highest priority bids will be invited to view the home.</p> 

### 3. Looking for a new home with SYHA

#### 3.1 *What if I'm not already an SYHA customer?*

If you are not an existing customer of SYHA, you should approach the local authority in the area where you would like to live to join their housing register, and they will assess your housing needs. SYHA has agreements in place with Local Authorities to allocate properties through the local Choice Based Letting (CBL) scheme – so, applicants must be registered and will be able to bid for SYHA homes through the local CBL scheme.

#### 3.2 *What if I am already a SYHA customer and I want to transfer to a new home?*

Existing customers can apply to be added to the transfer list after being in your home for at least two years. The transfer list lists existing SYHA customers who want to move to another SYHA property. In exceptional circumstances, we may consider a transfer if you have been in your current home for less than 12 months. Only one application to the transfer list is permitted at any one time. Your application is terminated at the point of offering you a transfer home.

If you apply for a transfer, you will be put on a list for the property type, size, and area you request. The number of lists you can join is unlimited. However, there are rules about the size and type of property you are eligible for (see section 4). We will tell you if you do not qualify for your requested property.

You will be added to the transfer list from the date we receive your application, and you can modify your choices of area or property type by contacting us. We will inform you about the average waiting time for a particular area before being offered a home, providing you with a sense of reassurance during this period.

We may suspend or cancel transfer list applications if tenancy conditions have not been adhered to. You will be informed of this, and further detail is given in Section 7.

### **3.3 *Can I make a joint application to join the transfer list?***

Customers may apply to join the transfer list as joint applicants, provided one applicant is an existing SYHA customer. If you are a joint applicant, you will only be made an offer of accommodation if both applications meet the offer criteria (see Section 7). Joint transfer list applicants will usually be granted a joint tenancy.

### **3.4 *Closing Transfer Lists***

We may close a transfer list for a particular neighbourhood in exceptional circumstances. The Head of Landlord Services will make the decision to close a transfer list after discussing it with the Executive Leadership Team.

### **3.5 *Local Lettings Policies***

In some neighbourhoods, we may apply local lettings policies. In these cases, specific rules will apply to how we allocate properties. We will provide applicants with information on the covered areas and the rules that apply where a local lettings policy is in place.

## **4. Allocation of Properties**

### **4.1 *What choices can I make?***

You may choose an unlimited number of neighbourhoods where you wish to live and change your choices without losing your registration date or associated points.

Some homes have specific conditions concerning who can move into them. For example, some properties are for people of a certain age or who might have a disability. The conditions are included in this Policy in Appendix A. If you are interested in joining any list for these homes, we will inform you of any applicable conditions.

### **4.2 *What size of property can I apply for?***

Our allocation process is designed to be fair and considerate of your household's needs. We ensure that SYHA homes are allocated for the best possible use and that the home will be big enough for your household. As such, we will not offer you a property where it would result in you being overcrowded.

The following table outlines the size of the home you can apply for. A child is considered as anyone up to the age of 18. Where someone has a confirmed pregnancy, we will count it as if the child has already been born.

**Table showing eligibility for SYHA properties**

■ = Eligible for SYHA property				Blank = Not eligible for SYHA property					
<b>Household description</b>	Studio flat	1 bed flat, house or bungalow	2 bed flat	2 bed house	2 bed bungalow	3 bed house or bungalow	3 bed flat	4 bed house	5 bed +
Single person	■	■	■		■				
Single person with overnight access to one or more 1 child	■	■	■	■	■				
Single person with overnight access to two or more children	■	■	■	■	■				
Single person with overnight access to three or more children	■	■	■	■	■	■	■		
Two adults		■	■	■	■				
Household with one child			■	■	■				
Household with up to 2 children of same gender or 3 individual adults			■	■	■	■	■		
Household with 2 children of opposite gender both under 5 years of age			■	■	■	■	■		
Household with 2 children of opposite gender with one over 5 years of age						■	■		
Household with 3 or more children; or household of at least 6 people in total						■	■	■	
Household with 4 or more children; or household of at least 7 people in total						■	■	■	■

#### **4.3 What if I am pregnant or have overnight access to children?**

If you have a confirmed pregnancy, this will count as if your child was already part of your household.

Lone-parent families will be treated the same as two-parent families.

If you frequently have overnight access to children, they will be treated as living with you when deciding what type of property you are eligible for. If children for whom someone in your household has parental responsibility live or stay with you for less than 50% of the time, they will be treated as living with you.

You will be eligible for family properties depending on the number, age, and sex of the children. This will only apply to children under 18.

#### **4.4 What properties have age restrictions?**

Some SYHA homes are allocated to customers of a certain age for various reasons, usually related to the suitability of that particular property type. A full list of properties with age restrictions is included in Appendix A. We will engage with existing affected customers on any changes to age restrictions, and the SYHA Board will need to agree on this.

If you apply for a property and are under the required age, you can register for the property, but you will only generally be made an offer once you reach the relevant age.

If you are a couple and apply for a property with an age restriction, at least one of you must meet the required age.

If you are under the required age for a property but are disabled, within the meaning of the Equality Act 2010, and the property is particularly suitable for your needs, you can register for the property and the Head of Landlord Services will consider whether the property should be offered to you.

#### **4.5 What if I have a pet or assistance animal?**

We will let you know if animals are permitted when you are offered a SYHA property. Registered assistance animals are not normally considered 'pets' but there may be restrictions which prevent any animals from residing at the premises.

## **5. Specific Housing Need**

Existing SYHA customers with specific housing needs are carefully considered when deciding on allocation. To ensure consistency and fairness, housing need points are awarded based on an assessment of need, and the property is allocated to the person with the most points (with the highest level of need).



There are two types of housing needs points: **urgent** and **beneficial**. These points can be awarded to any transfer applicant. If you believe you have a specific housing need, you should indicate this on your application form or contact our Customer Connect Team, who will arrange for an assessment.

If you are awarded need points, we will review them regularly. If your circumstances change or you do not comply with the conditions outlined when you were awarded the points, we may need to adjust or even revoke your points.

### **5.1 Urgent needs (100 points)**

100 urgent needs points are awarded for specific needs that require quick action (see Section 7 for details). We award urgent needs points for a specific time period and review them at the end of the period.

If you are awarded points, we will make you up to 3 reasonable offers of alternative accommodation. If no suitable properties arise within the time period, we will award the points for a further time period, provided your housing needs remain the same.

If we have made three reasonable offers and you have rejected them, we will cancel the urgent needs points and write and tell you that this is what we have done. You may use the review and appeals procedure if you are unhappy with our decision (see Section 12).

Urgent need points cannot be added together, and urgent need points cannot be added to beneficial need points.

### **5.2 Beneficial needs (50 points)**

Fifty beneficial needs points are awarded for housing needs where a move would benefit the applicant but is less urgent (see Section 7 for details). We award beneficial points on a time-limited basis and then review them at the end of the period.

If you are awarded these points, we will make you up to 3 reasonable offers of alternative accommodation. If no suitable properties have arisen within the period, we will award the points for a further period, provided your housing needs remain the same.

If we have made three reasonable offers and you have rejected them, we will remove your beneficial needs points and write to you to confirm that we have done this. You may use the review and appeals procedure if you are unhappy with our decision.

Beneficial need points cannot be added together, and beneficial need points cannot be added to urgent need points.

## **6. Urgent & Beneficial Need**

Housing needs points can be awarded to any of our transfer applicants for the following categories of need:

- Domestic abuse(section 6.1)

- Medical or disability need (section 6.2)
- People leaving SYHA supported housing (section 6.3)
- People experiencing harassment (section 6.4)
- Need for support (section 6.5)
- Overcrowding (section 6.6)
- Under occupation (section 6.7)
- Releasing an adapted property (6.8)
- Relationship breakdown (section 6.9)
- Moves to take up employment (section 6.10)
- Special cases (section 6.11)

The following section describes each individual category and how these needs points are awarded.

### **6.1 *What if I am experiencing domestic abuse? Urgent need (100 points)***

We will do all we can to support anyone who is experiencing domestic abuse in a way which helps them find the best solution to ensure their safety. Our Safeguarding Adults & Children Policies make clear our responsibilities and actions in reporting and managing domestic abuse cases.

If you are a SYHA customer or the partner of a SYHA customer and have been treated violently or threatened with violence by your partner, you should contact us as soon as possible. If you decide to move to a new home, we may give you 100 points to help you do this.

If you are a SYHA customer and are suffering from domestic violence from a person who does not live in the property, we may also give you 100 points.

If the violence or threat of violence comes from someone who is not a SYHA customer or eligible to be a joint customer, you must end your tenancy when you are rehoused. We will then treat anyone left living at the property as an unauthorised occupier.

If the violence or threat comes from someone who is a SYHA customer, or eligible to be a joint tenant, we may not allow them to stay in the property unless there are extenuating circumstances. In this case, we will grant a new sole tenancy.

100 points will be awarded for three months and reviewed at the end of this period. We will give you up to 3 reasonable rehousing offers if you are awarded these points.

If you are a SYHA customer or the partner of a SYHA customer and have been subject to other domestic abuse by your partner or by someone else, we may give you 100 points to help you move to a new home.

### **6.2 *What if I have a medical or disability need?***

We can make minor adaptations to your home, and your local authority can assist with more extensive adaptations if you wish to stay where you are.

If you are a SYHA customer and believe your current home is unsuitable for medical or disability needs, you can ask to be assessed for medical or disability points.

The number of points awarded is not a one-size-fits-all approach. It depends upon the extent of your needs and how you manage your daily living activities in your current home, ensuring you feel valued and understood.

The points you are given are valid for any neighbourhood, but the type of property must be suitable for and benefit your medical or disability needs. For example, if you need a home that is on one level, you can be offered a flat or a bungalow, but we would not offer you a house or flat without a lift because it would be unsuitable.

There are 2 levels of medical or disability need which are outlined below.

**6.2a What if I have an urgent need to move related to a medical condition or disability? (100 urgent need points)**

These points are awarded if you are a SYHA customer and:

- You are being discharged from hospital and your current home is unsuitable for your needs; or
- In exceptional circumstances, you are unable to cope in your current home.
- You cannot reach essential facilities in your home; or
- You cannot get in or out of your home; or
- You have other medical or disability conditions or needs which mean your home is having a very harmful effect on your physical or mental health.

We will offer up to 3 reasonable accommodation offers if you are awarded these points. The points are given to you for six months and will be reviewed at the end of this period.

**6.2b What if my medical or disability needs are less urgent but moving would benefit my health or condition? (50 beneficial needs points)**

These points may be awarded if you are limited in how much you can get in or out of your home or by pain or discomfort when you move around. In these circumstances, you would typically be able to use the facilities in your home and the local area, such as shops and buses, but doing so may cause you pain or discomfort.

If there is clear evidence that a move would improve your quality of life, you will be awarded 50 points. The points are awarded for a period of 6 months and will be reviewed at the end of this period, providing reassurance that your situation will be regularly assessed.

### **6.3 What if I am leaving SYHA supported housing? Urgent need (100 points)**

Upon your departure from the supported housing provided by SYHA, you will be awarded 100 urgent points. This award is contingent upon the confirmation that your need for supported housing has been fulfilled and you are prepared and able to live independently or have wrap-around support in place.

If you are awarded these points, we will make you up to 3 reasonable offers of accommodation. The points will be awarded for 3 months and reviewed at the end of this period.

### **6.4 What if I am experiencing harassment? Urgent Need (100 points)**

SYHA is dedicated to taking all reasonable steps and actions to tackle all forms of harassment. Our utmost priority is ensuring that SYHA customers feel valued, safe, and enjoy their homes without fearing harassment.

Rehousing is not the only option if you or your household are being harassed. We are here to support you. Wherever possible, we will take action against the person who has harassed you. We can also help by making your property more secure, providing you with a sense of safety and security.

Harassment points may be awarded if you are being harassed because of your racial or ethnic diversity, sex, sexual orientation, gender reassignment, mental health conditions, disability or any kind, marital status, religion, HIV/Aids status or any other protected characteristic. Harassment points may also be awarded if you are being harassed for reasons that are not related to specific protective characteristics.

These points will be awarded if you are being harassed, and it is necessary for your safety and that of your household to be rehoused.

If you are awarded these points, we will make you up to 3 reasonable offers of accommodation. The points will be awarded for three months and reviewed at the end of this period.

### **6.5 What if I need support to live independently or carry out daily tasks?**

We are keen to support SYHA customers in remaining independent in their own homes wherever possible. We also want to support people in caring for their families and friends. We recognise that support from family and friends can be vital if people want to maintain their independence.

For these reasons, we will help SYHA customers move closer to their family or friends to receive or give support. The number of points awarded depends on how essential the support needs are. Speak to a member of the Lettings Team who can offer support and assistance in this area.

### **6.6 What if I have an urgent need to move to give or receive support? (Urgent need - 100 points)**

We will award urgent need points for support where someone requires a high level of support. Support can come from many places, including family or friends, the community, and voluntary agencies. The points can be awarded to either a person receiving or delivering the support.

Points will only be awarded if:

- a) there is evidence that a high level of support is needed and that without that support you or the person you are providing support to would have serious problems in daily life; and
- b) the person giving support confirms they are already giving a high level of support or will give it if one of the parties is rehoused; and
- c) moving home will greatly cut or ease the travelling time needed to give or receive the support.

We will not award the points where enough support is available within the current household.

If an agency provides the support, the agency must confirm that you need a high level of support and that they will provide that support. They must also demonstrate why you could not get that support where you currently live.

If you get support from another SYHA customer, the points will be awarded to whoever can move quickly.

If you are awarded these points, we will make you up to 3 reasonable offers of accommodation. The points will be awarded for six months and reviewed at the end of this period.

### **6.7 What if my support needs are less urgent but a move would be beneficial? (Beneficial need - 50 points)**

We recognise that some SYHA customers may rely on a lower level of support to sustain their tenancy. This support may be less about supporting their physical needs and more about providing social support. While it may not be deemed essential, SYHA recognises how beneficial this support is in daily life and settling into a community. It may be provided from within a particular group or network.

We will award 50 beneficial need points where there is evidence that this support will help you, for example:

1. to live independently
2. to deal with a problem which may be impacting on your mental health
3. to overcome a particularly difficult or traumatic episode in your life

We may award beneficial needs points to support a move closer to or within your support network. If you get support from another SYHA customer, the points will be awarded to whoever can move quickly.

Please let us know about any support needs of this nature that you would like us to consider.

If you are awarded these points, we will make you up to 3 reasonable offers of accommodation. The points will be awarded for six months and reviewed at the end of this period.

### **6.8 What if my current home is too small for my household? Urgent need (100 points)**

We recognise how important it is to have a home that is the right size and the impact being overcrowded can have on people. As a result, we use a more generous way of assessing overcrowding than how it is defined in the 1985 Housing Act. If you are a SYHA customer and tell us that you are overcrowded, we will assess and advise you if we can give you points for rehousing.

Appendix B outlines how we calculate if a household is overcrowded. If it is, we will give you 100 points to help you move to a larger home. This may be out of SYHA's stock if there are no suitably sized properties available or across the stock.

If you are awarded these points, we will make you up to 3 reasonable offers of accommodation. The points will be awarded for six months and reviewed at the end of this period.

### **6.9 What if I would like to move to a smaller home? Urgent Need (100 points)**

We are keen to make the best use of all the homes we own and manage and to help ease overcrowding. We also recognise the impact the welfare benefit restrictions have had on households deemed to be under-occupying their homes and on some households' incomes.

If you are a SYHA customer and live in a home that you feel is too big, for example, because household members have left home, you may be awarded 100 urgent need points to move to a smaller home.

To be given these points:

- a) You will need to confirm you will not be leaving anyone in occupation in your current home
- b) You will need to be eligible for the type of properties you apply for
- c) Your move to a new home would need to release a *larger* property

These points will be reviewed every six months.

### **6.10 What if I would like to move to a less expensive home?**

If you are a SYHA customer and wish to move to reduce your rental payments, for example, you are on housing benefit and will no longer be eligible to make a claim based on your total rent due to the rules on under occupation of your home, or you are struggling to meet the payments in your current home, and a move would lessen or alleviate the affordability problems you face, you may be given 100 urgent need points if you can demonstrate a move will help address your financial hardship or if you are on housing benefits and not getting benefits based on your total rent due to the spare room rules. This allows you to move to a new home with lower rent or one where you can claim housing benefits based on the total rent being charged.

- a) You will need to confirm you will not be leaving anyone in occupation in your current home
- b) You will need to be eligible for the properties you apply for

These points will be reviewed every six months.

**6.11 What if I live in an adapted property that may be suitable for someone with a disability and no longer need it? Urgent need (100 points)**

If you live in a SYHA property built or specially adapted for a person with a disability, and that person no longer lives with you or no longer needs it, you may be awarded 100 urgent need points to allow you to move to another property and relinquish the adapted home.

If you succeed the tenancy of a property that was built or adapted for a person with disabilities, and you do not need that property, you will be awarded 100 urgent needs points to allow you to move to an alternative property and free up the adapted home. Points will be reviewed every six months.

In some cases possession proceedings may be taken to force a move from an adapted home where there is no-one in the household that requires the adaptations.

**6.12 What if my relationship breaks down and one party wants to move? Beneficial need (50 points)**

If you are a SYHA customer and your relationship has broken down, you may be awarded points to find a new home. This part of the Policy applies to a relationship breakdown of existing SYHA customers only if they are joint tenants or would be eligible to be joint tenants.

If there are children involved in the relationship breakdown, we will encourage the primary carer of the children to remain in the current home.

If you are the partner leaving and will have frequent access to the children, you will be considered as if the children lived with you permanently for your eligibility for an alternative home. Please refer to point 4.3 relating to requirements pertaining to overnight access.

In these cases, the partner leaving will be awarded 50 beneficial need points to help them move to a new home.

In cases where, based on our knowledge of how often homes become available, we think the award of 50 beneficial needs points will not secure you a move within a reasonable period, we will consider applying discretion where appropriate.

If you are awarded these points, we will make you up to three (3) reasonable offers of accommodation. The points will be awarded for six months, after which they will be reviewed and may be cancelled.

**6.13 What if I need to move for employment? Urgent need (100 points)**

We are keen to support any SYHA customer who needs to move to take up a job. If you are a SYHA customer who requires a move to take a job, you may be awarded 100 urgent need points.

We will only give these points if we have properties where the job is located, and you need to be rehoused to take the position. You must provide proof of an employment offer from your new employer.

If you are given these points, we will make you up to three (3) reasonable accommodation offers. The points will be awarded for three months, at which point they will be reviewed based on the position and the employment offer.

#### **6.14 What if I have an urgent need to move which is not covered in this policy? Special case urgent need (100 points)**

If you are a SYHA customer and need to move urgently, but your particular circumstances are not covered in this Policy, you or someone acting on your behalf may ask us to consider you as a special case. Please provide us with as much information as possible to support your case.

Please provide a summary of your case to the Lettings Manager. The reason for the request will be considered, and we will let you know the decision in writing within 14 days. You have the right to a review of the decision. (See section 10 on Reviews and Appeals)

If it is agreed that you should be treated as a special case, you will be given 100 urgent needs points. This will only happen in unusual cases that are not covered elsewhere in this Policy. We may limit the points by demand, estate/area, property type, and size.

For example, we may award special case points if you or your family have a range of issues or needs that, when combined, make a serious case for you to move.

If you are awarded these points, we will make you up to three (3) reasonable offers of accommodation. The points will be awarded for six months, after which they will be reviewed and may be cancelled.

## **7. Suspending Applications**

### **7.1 Suspending Applications**

We will normally suspend an application and not make any offers of housing if:

- you owe money to SYHA or another social landlord (section 7.2)
- you are an SYHA customer and you have a Court Order for rent arrears (see 7.2 below);
- you are an SYHA customer and there is a current Notice Seeking Possession or Court Order served on you that is not related to rent arrears.
- you have behaved violently, abusively or anti-socially. (section 7.3)
- you have been evicted from a previous tenancy for nuisance, anti-social behaviour, or harassment (section 7.3).



- you do not reply to an offer of accommodation within the timescales mentioned in our offer to you.

If your application is suspended:

- we will not make you an offer of a property.
- we will also not offer a property to anyone who has applied with you, or to anyone who would be eligible to be a joint tenant.

If we suspend your application, or restrict it, we will write to you and explain the reasons why.

You can find more details about the reasons we may suspend your application in the following sections.

## **7.2 Housing applicants with arrears or other debts**

We will suspend your application and will not offer you a property if you owe money to SYHA, or another social landlord from a current or former tenancy.

We will make exceptions to this rule in the following circumstances:

- There is no valid Court Order; and
- The total debt is less than 5 weeks rent owed, and
- You have kept to a repayment agreement for a minimum period of 13 weeks; and
- You have not moved with rent arrears or other debt in the last 3 years.

If you do not meet the criteria for an exception but feel that you have special and unusual circumstances that SYHA should consider, you can apply for a discretionary decision to be made. You will have to:

- Provide detail of what the special circumstances are.
- Provide detail on the efforts you have made to repay the debt.
- Describe how you intend to do in the future to pay off the debt and pay the rent on a property.
- Make a repayment agreement and keep to it.

The request for a discretionary decision in such circumstances will be made to a Housing Manager. They will inform you of their decision in writing and you will have the right to a review of the decision (see section 13 on Reviews and Appeals). Whilst the decision is being considered you must keep to the repayment agreement you have made.

## **7.3 Housing applicants with a history of anti-social behaviour**

We will suspend your application and will not offer you a property if:

- you have been evicted for anti-social behaviour from an SYHA tenancy, or other social landlord tenancy, within the last two (2) years.
- you left a previous tenancy before being evicted but would have been evicted for anti-social behaviour if you had stayed, then you will be considered as being evicted for the purposes of suspension.

- you are a SYHA customer, or the tenant of another landlord and you've been served with a current Notice of Seeking Possession, or have a Court Order for anti-social behaviour, or if there is an ongoing open case under investigation.
- you, or any member of your household who you wish to be rehoused with you, has behaved violently, abusively or anti-socially within the last two (2) years, or has been the subject of an injunction for anti-social behaviour, within the last two (2) years.

If you fall into one or more of the above categories but feel that you have special and unusual circumstances that SYHA should take into account, you can apply for a discretionary decision to be made. You will have to:

- Provide detail of what the special circumstances are.
- Provide detail on the efforts you have made to change the behaviour.
- Describe what you intend to do in the future to make sure there is no repeat of the behaviour.

You will be informed of the decision in writing, and you will have the right to a review of the decision. (See section 13 on Reviews and Appeals).

#### **7.4 If you have not maintained your property in a reasonable condition**

We will suspend your application and not offer you a property if you have not maintained your home in a reasonable condition in accordance with your tenancy conditions.

We will suspend applications if we are likely to have significant costs to prepare your property for a new tenant and there is proof that this is due to your negligence, damage you are responsible for, or alterations you have made without permission.

If we suspend your request to move, we will tell you what work you must do in your home to have the suspension lifted.

If you have exceptional and unusual circumstances that SYHA should consider, you can apply for a discretionary decision to be made. You will have to:

- Provide detail on what the circumstances are.
- Provide detail on the efforts you have made to modify the behaviour.
- Describe how you intended to ensure your property remains in a reasonable condition

The request for a discretionary decision in such circumstances will be made to a Housing Manager. They will inform you of their decision in writing, and you will have the right to review it. (See section 13 on Reviews and Appeals).

## **8. Allocations**

### **8.1 General Information**

Through all our work, SYHA is committed to creating strong and sustainable communities. This includes successfully allocating SYHA homes and creating meaningful relationships with

customers. SYHA recognises the importance of responding to changes in our tenants' household and personal circumstances and addressing housing needs.

As a result, SYHA customers who have submitted a transfer application and who have an acknowledged housing need (having been awarded urgent or non-urgent needs points) will be prioritised when allocating most SYHA properties. A property will be offered to the applicant with the highest number of points. If more than one person has the same number of points, the offer will be made to whoever has held needs points for the longest time.

If there are no transfer applicants with needs points, the property will be offered to the transfer applicant with the longest waiting time.

If there are no eligible transfer applicants for the property, we will request a nomination from the Local Authority waiting list.

## **8.2 Offers**

You may be offered unlimited properties unless any urgent or non-urgent needs points specify a limit to the number of offers that can be made. A reasonable offer is defined as *one that would resolve your housing need, provides an adequately sized home and does not put you or your household at risk due to its location.*

It's important to note that if you do not respond to a property offer within the specified timescales, your application will be temporarily suspended. Please refer to section 8 for further details on this process.

It is important to ensure that tenancies are granted to the person making the application, and SYHA will conduct periodic monitoring to ensure there are no cases of tenancy fraud\* in any SYHA home. For this reason, we will not grant a tenancy unless you provide valid proof of your identity when signing for the property. We will outline in our offer what we will accept as valid identification. SYHA will also require all new tenants to allow us to take a photograph of them and store it with our tenancy records.

\* Tenancy fraud (or social housing fraud) occurs when a South Yorkshire Housing Association home is occupied by someone who...

- is not legally entitled to be there;
- has obtained use of the property fraudulently; and/or
- leaves the property empty while living elsewhere.

Tenancy fraud deprives deserving people of access to affordable homes, and can also lead to anti-social behaviour.

Types of tenancy fraud:

- Subletting is when a customer rents out all or part of their home to someone else without the permission or knowledge of the landlord.
- Application fraud is when a prospective customer knowingly provides false information on their housing application to obtain a property, or if they apply for multiple properties in different locations and through different landlords.

- Succession fraud includes when a person moves into a home (when the legal customer either dies or moves away) without the right to do, misrepresents their eligibility to succeed including the relationship they had with the deceased tenant, whether they actually resided with the deceased tenant, or the amount of time they have lived there.
- Abandonment/non-occupation is when a customer moves out of their property without informing the landlord.

Enforcement action will be taken against anyone who is deemed to have committed tenancy fraud, which may in the case of subletting include a claim for a money order requiring the tenant to pay over their unlawful profits.

### **8.3 Affordability**

You will be required to show us that you can pay your rent at the property you have been offered. Support will be provided for any help to understand affordability and implications for rent or service charges prior to entering into a tenancy agreement.

We use a standard measure to assess affordability based on the household income you declare to us. If we find that the property offered to you is unaffordable, we will withdraw the offer. Any case of household income to rent ratio exceeding 33% of total income must have approval from a Housing Manager prior to an offer being made.

### **8.4 Use of Discretion**

Our Housing Managers, in consultation with the Head of Landlord Services, may use their discretion to approve an offer of housing. Examples of discretion may include, but are not limited to:

- making an offer to someone with a lower position on the waiting list, acknowledging their special circumstances.
- not making an offer to an applicant if there are exceptional circumstances.
- making decisions on rehousing and registrations on the waiting list if this policy does not cover the applicant's circumstances.
- suspending, or otherwise restricting, a waiting list application for reasons of anti-social behaviour (as set out in sections 7.3).
- waiving any part of this policy in exceptional circumstances, demonstrating our commitment to flexibility and understanding.

All discretionary letting arrangements will be reported to the SYHA Board annually.

### **8.5 'First come, first served' and immediately available homes**

Most of our properties have a transfer list of tenants who want to move into them or will be allocated through Local Authorities nomination agreements.

There may be a small number of properties without a transfer list applicant or any local authority nominations, and we will offer these to people on a "first come, first served" basis.

In these cases, we may advertise through a variety of means, including the use of partner agencies/charitable associations, and through other marketing tools.

For immediately available homes, we ensure a swift allocation process. The first person to express an interest by completing an application form will be considered, provided they do not breach any of the criteria set out in Section 7 of this Policy and do not already own a property in their own right.

### **8.6 Nominations from Local Authorities**

SYHA has Nomination Agreements with the Local Authorities in the areas where we work. This means that the local council will advertise SYHA properties through their Choice Based Letting arrangements – which usually requires ‘bids’ to be made on properties.

In a small number of neighbourhoods, we have an agreement with the Local Authority that they will get 100% of the homes that become available to nominate. You must register and apply through the Local Authority to move into a SYHA property in a 100% nomination neighbourhood. You can see a list of the areas where this applies in [Appendix C](#).

It is important to note that anyone nominated through a Local Authority must meet our specific criteria. These criteria pertain to debt (section 7.2) and anti-social behaviour (Section 7.3). Understanding and adhering to these criteria is crucial when applying for a SYHA property.

### **8.7 Letting homes to SYHA Employees**

Our Chief Executive Officer must approve all allocations to SYHA employees in line with SYHA’s Probity Policy.

## **9. Tenancies**

### **9.1 Tenancy Types**

The different tenancies used in letting SYHA General Needs homes are:

Type	What it means
Assured non shorthold	There is no end date to the agreement. Rent is set by South Yorkshire Housing Association. This is the most frequently tenancy agreement we use.
Secure	There is no end date to agreement. Rent is set by the Valuation Office Agency. Only used when someone has an existing secure tenancy and is moving with us.
Assured shorthold	There is an end date to agreement. Only used in exceptional circumstances.

SYHA will predominantly grant new customers an Assured Tenancy, which has no end date. The exception would be agreements for SYHA homes with care and supported services linked

to the tenancy agreement, or homes that may be let via a private letting agency. In some circumstances, our existing customers may move and keep their secure tenancy.

The type of tenancy which has been offered to you will be clearly stated in the offer and explained in detail during the offer process, ensuring you are fully informed and confident in your decision.

## **9.2 Notice Period**

All customers who are moving from a SYHA property, including tenants transferring to another SYHA property, must give four weeks' notice.

This means you will have to pay rent on both properties for four weeks. If you claim housing benefit, you may be able to claim this back. We understand that each customer's situation is unique, and we are flexible in our approach. We will talk to you about this when you inform us that you want to end your tenancy.

## **10. Property Succession**

### **10.1 Succession**

The Housing Act, 1988 sets out the circumstances in which a person may have the right in law to succeed to an assured tenancy. The succession rights for secure tenants are different. However, we offer the same succession rights to both secure and assured tenants. A succession does not create a new tenancy. A 'tenant' refers to the customer named on the tenancy agreement for succession.

On a tenant's death, the tenancy is transferred to the person eligible to succeed. There can only be one succession over the lifetime of any tenancy. The individual who succeeds the tenancy must meet the following criteria:

- A joint tenant, or
- The tenant's husband or wife, or
- A partner who was living with the tenant as husband or wife at the time of the death or
- A member of the tenant's family who has lived with the tenant for at least 12 months before the tenant's death.

A joint tenant always succeeds on the death of the other joint tenant, regardless of whether they are still living in the property. We will take steps to end the tenancy where a surviving joint tenant no longer resides in the property.

For sole tenancies, if you are the tenant's spouse or the person living with the tenant as a spouse (including a partner of the same sex), you will have priority in any succession. If there is no spouse, a member of the tenant's family who has lived with the tenant for at least 12 months will succeed in the tenancy. If there is no agreement on which family member should succeed, the member who has lived with the tenant the longest will succeed the tenancy.

Joint tenancies will not be created on succession.

The family members eligible to succeed are:

- The tenant's husband or wife
- A partner who has lived with the tenant as husband or wife,
- A partner who has cohabited with the tenant in a gay or lesbian relationship
- The parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, or niece.

If more than one family member is eligible to succeed to the tenancy, they are be expected to agree between them who shall succeed, and if they cannot, SYHA will decide who will succeed in accordance with its lettings policy.

## **10.2 Death of a Successor**

SYHA will allow a new assured tenancy to be granted on the death of a successor to someone who would otherwise be eligible for an allocation of social housing in the following circumstances:

- A partner or relative, as set out above, who has lived in the property with the successor for the last two years of the successor's life or
- A person who has been looking after the successor and lived with them in the property for the last 12 months of the successor's life or
- A person who has accepted responsibility for the successor's dependants and intends to live in the property with them to care for them or
- A person who has lived with the successor for the last ten years of the successor's life. This will not apply if the person has been paying money to the tenant as rent.

You must be eligible for an allocation of social housing and meet one of the above requirements and not have a history of committing anti-social behaviour or owing debts to SYHA or other housing providers.

If you do not meet the above requirements, it is important to understand that you will be asked to leave the property. If you do not, SYHA may take legal action to recover the property.

## **11. Mutual Exchanges**

**11.1** Exchanges between secure and assured customers of SYHA and other landlords may happen if the landlord(s) agree. The exchange takes place normally using an assignment although in a few circumstances the tenancies are surrendered, and a new tenancy is granted to the new tenant of each landlord. An assignment is the transfer of interest in the property by the existing tenant, called the assignor, to another person, called the proposed assignee. Support will be provided by SYHA employees to assist customers to access mutual exchange services for those who may have challenges in using such services. Customers are encouraged to contact SYHA and ask for support in this area.

**11.2** An exchange will normally be agreed upon. However, Schedule 3 of the **Housing Act, 1985**, and Schedule 14 of the Localism Act 2011 sets out the grounds for refusing an exchange. Most of our tenancies are assured, and in these cases, the grounds for refusal of a mutual exchange by assignment are contractual rather than statutory. The grounds are:

- The assignee, or the proposed assignee, has a valid Court Order against them.
- Possession proceedings are being taken to regain the property.
- The property is larger than the assignee and their family need.
- The property is too small for the assignee and their family, and the exchange would

- result in statutory or local overcrowding or would breach the usual eligibility rules.
- The property has been let as a service tenancy.
- The property has been adapted for a person with a physical disability and is very different from an ordinary property, and if the exchange went ahead, a disabled person would not be living in the property.
- The property would generally be allocated to a person over 60, and if the exchange went ahead, such a person would not be living in the property.

**11.3** If a mutual exchange is not permitted, you will receive the reason for the refusal in writing usually within 42 days of your application. This process ensures that you are kept informed.

Conditional consent may be granted if, as a tenant, you are in breach of a tenancy condition. However, you will be allowed to proceed with the exchange if you rectify the issue. This approach, such as allowing an exchange if you clear rent arrears, is designed to support you in your housing needs.

**11.4** Your property must be in a good condition before the exchange will be allowed.

**11.5** A mutual exchange will not lead to your registration on the transfer list being cancelled but if it resolves your housing need, we will cancel your needs points.

## **12. Reviews & Appeals**

**12.1** You may ask for decisions made under the following sections of this policy to be reviewed:

- Decisions to suspend or cancel an application (section 8)
- A decision not to award housing needs points of any type (section 7)
- The use of discretion (section 9.5)

**12.2** The request for the review must be received within 14 days of you being told about the decision. The decision will be reviewed by a Housing Manager or Head of Landlord Services where the original decision was made by a Housing Manager. We will write to you to notify you of the outcome within 14 days of receiving your review request.

**12.3** If you are not satisfied with the review decision, you can ask for a second stage review to take place. The request for a second stage review must be made within 14 days of being notified of the outcome of your first stage review. The second stage review will be carried out by a manager or more Senior Officer who was not involved in the first stage review.

## **13. Management Lettings**

**13.1** In some very urgent circumstances, a Housing Manager or more Senior Officer may offer an empty home as a management letting. Management lettings may be used in the following circumstances, including but not limited to:

- To provide a temporary or permanent property for a tenant whose home may have been damaged by a fire, flood, or other event, which means the existing home is unfit to occupy



- To provide a temporary or permanent property for someone suffering serious anti-social behaviour or harassment
- To release a property for use by one of SYHA's LiveWell Supported Housing Projects
- To release a property on which SYHA has made a disposal decision.

**13.2** All management letting activity is reported annually to the SYHA Board.

## **14. Energy Efficiency**

**14.1** South Yorkshire Housing Association have made a strategic commitment to ensure that all homes achieve an energy performance certificate (EPC) rating of a 'C' by 2030. Before reaching this commitment, SYHA's Policy is that homes with an EPC rating of less than D will not be let. Works will be undertaken to get homes to EPC D before letting.

## **15. Equality Impact Assessment**

**15.1** A full Equality Impact Assessment has been undertaken for the Policy. Findings of the assessment have confirmed that there are no adverse impacts across all protected characteristics except for the following areas that will be implemented through the Policy launch.

**15.2** Disabilities may not be overtly apparent, and considerations may need to be made that do not relate to physical access requirements. Officers will need to consider non-overt signs of disability. There are also gaps in our current customer disability data that need to be addressed beyond the approval of this Policy. This will ensure a robust and critical review of all letting activity.

**15.3** This Allocation and Letting Policy is comprehensive and may be problematic for individuals with needs arising from literacy. Infographics have been used where possible to outline the main elements of the process; however, given the many variables it is not possible to have infographics for each process or eventuality. Once the Policy is approved, we will commission an easier-read version of the Policy and publish this.

**15.4** This Policy will be made available in alternative languages.

## **Appendix A: SYHA properties where there is an age designation**

**The following properties are designated for applicants of 60 years or over:**

### Sheffield

- St Elizabeths Close Community block - applicants who are registered disabled will also be accepted.
- Bellows Close 60 years+ or mobility problems

**The following properties are designated for applicants of 55 years or over:**

### Sheffield

- Bowden Wood (Darnall)
- Denmark Road Flats (Heeley)
- Steven Close (Chapelton)
- Joseph Road (Walkley)
- Leighton View (Gleadless) applicants with mobility problems will also be accepted at this scheme
- Fentonville Street (Sharrow)
- Penley Street (Sharrow)
- Standish Drive (Shirecliffe)
- Dyche Drive

### Rotherham

- Aldersgate Court (Maltby)
- Mill Street (Greasborough)
- Fitzwilliam Walk (Greasborough)

### Barnsley

- Rebecca Mews (Worsborough)

### Doncaster

- Epworth Court (Bentley)

**The following properties are designated for applicants of 40 years or over:**

### Rotherham

- Goodwin Avenue

### Sheffield

- The Fosters (High Green)

## Appendix B: Overcrowding

If one or more of these situations applies to you then you may be awarded overcrowding points.

- a) the number of persons living in the property, divided by the number of bedrooms, is greater than 2; or
- b) 2 people of the opposite sex, both over 10 years old, who are not living together as if they were married, must share a bedroom: or
- c) a household within the household being rehoused could ease the overcrowding. In this case only the household to be rehoused is awarded the points: or
- d) two separate households wish to live together but this would lead to overcrowding of the larger of the two properties.

In calculating if overcrowding applies people are counted as follows:

Over ten years	One person
One to nine years	half a person
Under 1 year	half a person
Pregnancy	half a person
Single parent	two persons.

Only people who have lived in the property as their permanent, full time home for at least six (6) months (other than babies under 6 months old) will be included in the assessment.

Only bedrooms are counted as rooms used for sleeping. However, if a property has two living rooms, one of them will be counted as a bedroom if it can be used as a bedroom.

If anyone in your household leaves, a reassessment will be carried out.

If any member(s) of the household have given up suitable alternative accommodation, they will not be included in the assessment.

## Appendix C: Properties with 100% nomination rights

The Local Authority have 100% nominations rights to SYHA properties for the below addresses. This means we must offer any empty properties to the Local Authority for them to nominate someone to us, before we can considering anyone from our own transfer list. These properties are in Chesterfield and North East Derbyshire

ALDER ROAD	PARK RISE
ASHLANDROAD	PARK STREET
BACK LANE	PEVERILROAD
BEECH WAY	PINFOLDCLOSE
BRACKENFIELD	QUEENSTREET
COMMONLANE	RIGGOTTSWAY
CORONATION STREET	RILEY AVENUE
DICKENS DRIVE	ROTHERHAM ROAD
ELMTREECRESCENT	SCHOOL LANE
GALLERYLANE	SHAKESPEARE STREET
HAWTHORNE AVENUE	SPRINGFIELD DRIVE
HEATHER WAY	SPRINGFIELD ROAD
HILLCREST AVENUE	STATION ROAD
KING GEORGE STREET	SYCAMORE AVENUE
MALTHOUSE LANE	THE CRESCENT
MARKET STREET	VALLEY ROAD
MASEFIELD AVENUE	WESTEDGE CLOSE
MATLOCKROAD	WOODSIDE AVENUE
OVERLEES	WOODSIDEVIEW
PARKGATE	

In Sheffield we have an agreement with the Local Authority which means that if they have awarded a priority to an SYHA tenant who is under-occupying their property, who is then rehoused by them, the property they move from vacate will be let to an overcrowded family on their waiting list.

## **Appendix D: SYHA General Needs Tenancy Policy**

- SYHA is committed to supporting safe, stable, successful communities.
- One way we do this is by offering new customers the most secure form of tenancy possible. This means we will offer assured or secure tenancies in social and affordable rented homes.
- A secure tenancy means our customers can stay in their homes as long as they want, subject to them keeping to their tenancy conditions. This helps us form ongoing relationships with our customers and means we can offer support where appropriate.
- We will offer secure tenancies in properties where a customer has succeeded to or transferred from a secure tenancy with SYHA. For all other social and affordable rent properties we will offer assured tenancies.
- The type of tenancy we are offering will be given in the offer you receive.