



# NLM Housing Association

## Lettings and Allocations Policy

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## **1 Introduction**

This document sets out the Association's Policy for the selection of applicants and the priority for the allocation of its properties that staff should follow when assessing housing need. The Association will work within the boundaries of the Housing and Regeneration Act 2011 and Localism Act 2011. NLM's equalities and diversity policy will be observed at all times and objectives outlined in the association's strategy will be linked to this policy document.

The Association's aims and objectives are to run the business of providing housing, accommodation and assistance to help house people and provide associated facilities and amenities as far as practicable and reasonable.

## **2 Aims and Objectives**

### 2.1 NLM aims to:

- Let properties as quickly as possible
- Be responsive, fair and fully accountable when dealing with people who are applying for housing
- Make best available use of stock and promote mobility
- Achieve sustainable communities and assist in the creation of stable communities
- Work closely with local authorities in helping to meet local needs and in carrying out their duties towards the homeless
- Comply with statutory and regulatory requirements
- Let properties according to objective and fair criteria
- Holding a Transfer List for NLM's own tenants
- Assist applicants to move using HomeSwapper scheme and by Mutual Exchange Schemes.

### 2.2 The Association provides housing for:

- Families
- Extended Families
- Couples without dependants
- Single People

## **3 Selection policy**

NLM considers applicants from a number of sources:

### 3.1 Local Authority Nominees

- 3.1.1 The Association works closely with five local authorities with whom it has nomination agreements. Each authority will nominate according to its priorities and will be able to give prospective tenants details about how they may be nominated to a housing association.
- 3.1.2 All Housing Associations have a legal duty to assist local authorities with their statutory duties in providing housing. NLM is committed to working with its partner local authorities to assist those in greatest housing need, particularly the homeless, by providing nomination rights to some of our homes.
- 3.1.3 Local authorities are entitled to an agreed percentage of 'true voids' (appendix A). Our aim is to achieve a minimum of 50% of one-bed/bedsit homes and 75% of family homes. On new schemes these percentages may increase to 100% in the first year.
- 3.1.4 NLM will send the local authority a void notification with all the relevant information on the property to be let. Following the submission of the notification, NLM will require the local authority to provide upto 5 nominations at one time, within two weeks of receiving the request for nomination. Failure to provide the nominations within the given time period will result in NLM withdrawing the property and seeking alternative way to let the property i.e. through internal transfer or referrals.
- 3.1.5 If all nominees refuse, NLM will request further sets of nominees upto three sets from the local authority. If at any point the local authority fails to send nominees within three weeks of the request NLM will withdraw the property and seek alternative way to let the property.
- 3.1.6 This is to ensure that NLM reduces its void loss and ensure compliance with nominations agreement.

### 3.2 Transfers List

- 3.2.1 NLM recognises that its tenants may require a transfer from their existing home to one which is more suitable for a number of reasons. It is the association's policy to assist such tenants whenever it is possible to do so in the circumstances set out below.
- 3.2.2 Priority is given to tenants whose homes are no longer suitable for their needs. As there are more tenants wishing to transfer than we are able to help all transfer cases are prioritised according to whether their need to move is urgent or non-urgent. Within each category priority is given on a date order basis.
- 3.2.3 There are a number of points to consider when advising applicants seeking transfers.
  - 1) Applicants can select any postal area in which the association operates, but specific neighbourhoods within the area cannot be guaranteed because of limited supply of accommodation.

- 2) Requests to remain on existing estates but moving house are only realistic if the association has a large number of properties on that estate. The likelihood of a tenant being offered a property on their existing estate is very remote because of the association's nomination commitments. Offers will only be made to the tenant when their case is considered to be the one of greatest priority of those requiring a move on or to that estate.

#### 3.2.4 Management Transfers

Management transfer cases are those which fall outside the usual criteria for transfers that are based on the point scheme. Cases which might fall within this category are difficult to define. Potential cases should be discussed and approved with the Housing Director and Chief Executive to assess their suitability for inclusion in this category where the allocation of points is inadequate to deal with the circumstances of the case.

#### 3.2.5 Urgent Transfers on Management or Medical Grounds

##### a) Fire or Flood

In the event of fire or flood where the applicant cannot remain in the home while remedial works are undertaken, up to two offers of alternative accommodation will be made. i.e. bed and breakfast. Or temporary accommodation arranged by the Insurance company.

##### b) Violence or Severe Harassment

In the event of violence, threat of violence or extreme harassment, and a victim centred approach will be adopted. We will help the tenant to approach local authorities' homeless departments as they are eligible to apply to any local authority in the UK for help to flee violence and for housing benefit on both properties up to 12 months. NLM will approach the Local Authority with reciprocal request to arrange suitable alternative accommodation.

##### c) Highly Pointed Medical

Where a tenant cannot return home from hospital because their home is no longer suitable or where in the opinion of the association, the cost of major adaptations is too high, NLM will approach the 'Specials Needs Housing Team' of the Local Authority with a reciprocal request to arrange suitable alternative accommodation. This will be decided after consultation with the applicant's occupational therapist and medical adviser.

#### 3.2.6 Overcrowding and Under Occupation

Where the applicant's, current home no longer meets their needs because of the number of bedrooms, points will be allocated. The allocation of properties to those in this category will be made strictly in order of; points awarded bed size and by location required.

#### 3.2.7 Relocation

NLM recognises that its tenants will from time to time experience a change in their circumstance which necessitates a move to alternative accommodation.

Every attempt will be made to assist where the applicant:

- a) Requires a transfer to receive support from relatives or carers

- b) To take up or continue to work
- c) Requires a move into sheltered housing from a general needs family unit.

Except in exceptional circumstances tenants cannot register for a transfer unless they have held a tenancy in their current home for 12 months or over.

Exceptional Circumstances are:

- 1) Extreme violence or harassment
- 2) The current home is detrimental to health

### 3.2.8 Note

Tenants are entitled to two reasonable offers for all transfers, unless in rent arrears. Anyone refusing their final offer will have their application suspended but will be entitled to submit a new application after one year.

### 3.3 Direct Applicants

The Association does not at the present time hold a waiting list.

### 3.4 Referral Agencies

We will work with agreed agencies that assist those in housing need within the local area. In the environment of community care and joint planning of services, NLM wishes to extend its services to a number of disadvantaged groups who may not necessarily seek access to its housing stock directly. The association will meet its objectives by attracting applicants through working in partnership with the North London Muslim Community Centre.

### 3.5 Connected Individuals

#### 3.5.1 Offers of housing to Staff, Board Members and Individuals connected to Staff or Board Members

The Housing and Regeneration Act has repealed Schedule 1 of the Housing Act 1996, in relation to the provision of housing and other benefits, whereby a registered Housing Association cannot make a payment, grant a benefit or a housing association tenancy to a board member, officer or employee (now or within the last 12 months), or to any of their relatives.

Applicants will be required to declare connections to staff or board members on the application form. The Association must be satisfied that the applicant meets the eligibility criteria and priorities set out in the Allocation policy.

All cases will be subject to Board of Management or Chair of the Board of Management approval where interest has been declared or where one is established.

NLM will work within our own “Probity Policy” regarding letting of properties and will ensure that individuals, connected tenants, staff or board members must not receive preferential treatment in the allocation, sale or management of properties. Any conflict of interest must be disclosed at the time of application in accordance with the NLM’s procedures on Disclosure of Conflicts of Interest and approved under the procedure for Allocations of Housing stock to connected individuals.

### 3.6 Mobility Schemes – HomeSwapper

HomeSwapper is for social tenants (in rented property) who want a house swap (or flat swap). This is also called mutual exchange. If someone lives in a council house or housing association property, then they can swap.

As the UK's leading professional mutual exchange service for both Housing Association's and Council's tenants, HomeSwapper houses the largest community of tenants actively looking to move home. Any landlord can partner the service to enhance their mobility options by offering a free home swap service to their customers/tenants.

The association is committed to participating in such specific schemes, which are designed to assist tenants who wish to move to other areas. Nominations are made and accepted between such organisations whose tenants need to move. The association will endeavour to assist tenants wishing to move to another area in the country where it will assist them to: obtain work, be closer to their support networks, give support to family or friends, or where the tenant or members of their family seeks to escape domestic violence or harassment or for any other reason of their choice.

### 3.7 Mutual Exchange

The association has many demands placed on it for housing by our tenants in great housing need. Because NLM is from time to time unable to meet such demands it strongly supports the use of Mutual Exchange's between its tenants and those of other similar organisations as a means of meeting demand.

## **4 Allocation policy**

### 4.1 Priority between Categories

The Association has entered into nomination agreements with a number of local authorities with agreed targets. After honouring these agreements, the association will prioritise its own highly pointed transfer list cases over other sources when housing needs priorities are equal, followed by applicants from referral agencies.

#### 4.1.1 Type of accommodation to be provided

NLM will always try to offer accommodation of a suitable size to meet the needs of each household applying to be housed. The size of property that we offer depends on the size and type of the household and the availability of accommodation. We attempt to offer accommodation that we feel most closely meets the known needs of the household. The ideal property size/household ratios that we aim to achieve are detailed in the table:

Household size	Standard property size
Single person	Bedsit or 1 bed 1 person
Couple (no children)	1 bed 2 person
2 adults not living as a couple	2 bed 2 person
1 or 2 adults + 1 child	2 bed 3 person
1 or 2 adults + 2 children	2 bed 4 person
1 or 2 adults + 3 children	3 bed 5 person
1 or 2 adults + 4 children	3 bed 6 person

4.1.2 We will also aim to apply the following principles in allocating property:

- Unborn children will not be counted towards the bedroom assessment until after they have been born.
- A bedroom of less than 10 sq. metres is a 1 person room
- The main applicant is considered to need a double bedroom irrespective of whether they have a partner or not.
- Two children of different sexes are expected to share a bedroom until the oldest becomes 10 years of age.
- Children and young people of the same sex (and where the age difference is up to 20 years or less ) are expected to share a bedroom irrespective of their actual relationship to each other or the main applicant.
- Lettings need to contribute to the creation of balanced and sustainable communities and on occasions we may under let or target a particular type of household to achieve this aim.
- On occasions we may over let properties. This would only apply to those on NLM's transfer list. A typical example would be where a family live in a 2 bed property but require a 4 beds. Given the low level of 4 bed properties the family might be offered a 3 bed instead.
- Adults sharing accommodation but not living as a couple will be offered separate bedrooms;

The association will use its best endeavours to meet the needs of tenants when a change of circumstances takes place. However, the association's ability to deal with these situations depends on the availability of suitable housing stock.

4.1.3 Reasonable offers

4.1.3.1 *Definition*

- A reasonable offer should meet the essential needs of the household, for example in terms of size or floor level. Supporting medical evidence may be required.
- NLM will note applicant's preferences, e.g. for a particular type of property, and will attempt to satisfy them. However, an offer would not be considered unreasonable if it failed to satisfy those preferences.
- Transfer applicants will be able to specify postcode areas that they prefer. However, a further geographic preference within that area will only be treated as a preference unless there is some overwhelming social or medical need. Move on and referral agent nominations will be offered properties anywhere within the stock, unless there is an overwhelming social or medical need.
- For an offer to be reasonable the property must be physically sound and fit for long term human habitation.

#### 4.1.3.2 Areas of choice

All internal transfer applicants to the association, are required to select three areas in which they would consider living. The only exception will be where an applicant requires specific support from an agency or medical support, and this cannot be provided outside of a specific area.

#### Use of large properties

If it is to the Association's advantage to agree a transfer to release a large property, such cases should be in priority as a Management Transfer.

## POINTS SCHEME

### Transfer List

Concern	Weight	Description
01	1	Lacking 1 Bedspace
01	3	Lacking 2 Bedspaces
02	5	Lacking 3 or more Bedspaces
D	20	Decanting for Major Works
EC	15	Emergency Cases or Urgent Management Transfers
EP	15	Elderly Persons - Under occupying a house requesting sheltered housing / House

M1	5	Medical -low priority
M2	15	Medical -Urgent
MT	10	Non-Urgent Management Transfer
RH	15	Racial Harassment
SH	15	Serious Harassment
SS	5	Sex Separation - Children of opposite sex - over 10 years
AS	5	Age separation - children of same sex with 20 years or more age difference
UO1	15	One Bedroom in excess
UO2	20	Two bedrooms or more in excess

## 5 Lettings procedure

### 5.1 Application for housing

### 5.2 Note

- 1) At present, the Association does not accept direct applications.
- 2) Local Authority Nominees (CBL and Direct nominations) are entitled to one offer. If the applicant refuses an offer, this should be referred to the nominating authority immediately.
- 3) Internal Transfers are entitled to two reasonable offers. If the first offer is refused it should be recorded giving the reasons.
- 4) A second offer should be made. If the tenant refuses this offer, it should be explained that a second refusal could result in the application being deferred for 1 year, if it is felt that the offer is reasonable.

When a property becomes available to be considered for letting, the Housing Director should liaise with the Housing Staff to establish which category of applicant is eligible to receive offers for that Property.

### 5.3 How to deal with a local authority nomination

- 5.3.1 If the property is to be let for the first time, nominations should be requested at the earliest opportunity. Discussions should take place between the association and the appropriate local authority in advance of the expected handover date. Local authority will confirm whether the scheme is subject to sub-regional nomination protocol.
- 5.3.2 For Re-lets, the nomination agreement must be consulted to establish if the property should be offered to a nominee of the Council or to NLM's own tenant. Once determined, a nomination request should be made as quickly as possible - in line with the Lettings Procedure.
- 5.3.3 On receiving the list of names, assessments and viewing should be completed as soon as handover of void property takes place.
- 5.3.4 NLM will proactively work to let the property as soon as possible and tenants would collect their keys and sign the tenancy agreement.
- 5.3.5 If a property is refused and there are no reserve nominees, or, if there is a transfer applicant in need of an urgent move, and they require the size and type of property in the relevant location, an offer should be made to the transfer applicant after discussion with the local authority. A written record must be kept of the discussion and with whom the discussion took place.
- 5.3.6 The Local Authority must be informed of the outcome of any letting regarding their nominee within 5 days.

### 5.4 How to deal with a NLM's tenants request for transfer

- 5.4.1 Tenants will be advised to register with the Local Authority in earliest opportunity and join the common waiting list in the Borough when completing NLM's transfer application form.
- 5.4.2 The Housing Officer should also advise tenant to complete NLM's transfer application form and register on NLM's Transfer waiting list. The Application Form should be referred to the Housing Officer for conformation.
- 5.4.3 The tenant's property must be in good decorative order. Any damage other than fair wear and tear must be remedied and/or payment made for rechargeable repairs before moving.
- 5.4.4 In the case of relationship breakdown we will not re house the separating partner.
- 5.4.5 A tenant will not be accepted onto the list, or their case will be suspended, where legal action is being taken (e.g. a notice of seeking possession has been served) because of a breach of the tenancy agreement.
- 5.4.6 If the applicant has medical reasons for seeking a transfer, the completed form should be assessed and awarded the appropriate point level.
- 5.4.7 Tenant must be informed of all points awarded and how they are made up. A realistic assessment of their chance of being housed at the point level awarded should be made and the tenant advised.

## 5.5 Arrears

A tenant will not be accepted onto the list if they are in rent arrears. If a tenant on the list falls into arrears they will not be made any offers of accommodation. If the tenant is next in line for an offer, they will be given the opportunity to clear their outstanding rent arrears within 7 days. The only exceptions are:

- The transfer is urgent because of harassment; violence or extreme health/disability problems are considered to present immediate and serious danger to the applicant. The applicant must have made and be keeping to an agreement to clear the arrears
- Under occupation if the financial incentive (from Local Authorities ) removes the arrears and the move to a smaller property will help with financial problems and an agreement to clear the arrears has been kept to
- Arrears that are entirely due to housing benefit 4 weeks in arrears
- Where the arrears are entirely due to an outstanding housing benefit claim. The tenant must provide comprehensive evidence that they have submitted their claim on time, provided all the supporting documentation to the local authority, that they will be entitled to full housing benefit for the period in question, and that once the housing benefit is paid the arrears will be cleared in full.

## 5.6 Priority

5.6.1 Due to the limited amount of accommodation available we prioritise transfer requests using two categories - urgent and non-urgent. Within each band priority is given to those who have been on the list the longest.

5.6.2 Urgent need is where a tenant or a member of their household is, or likely to face violence, a threat to their personal safety or severe medical problems as a result of their housing conditions which may be resolved by moving to a more suitable property. The situation must be immediate thus requiring an urgent move. The bands are defined as follows:

<b>Urgent</b>	<b>Non-urgent</b>
Health / medical grounds	Under occupation
Harassment	Overcrowding
Domestic Violence	Health/ disability
Anti- social behaviour	Support or care of relatives or friends
Wheelchair unit no longer needed	To move from a bedsit to a flat
	Management reasons such as a neighbour dispute
	Requires sheltered housing

5.6.3 All applicants in the urgent band will have their application reassessed every 6 months to verify remaining on the list and in that band. Applicants in this band will be expected to actively explore other housing options through CBL and Home swapper due to NLM's low level of empty properties, which limits the ability to offer immediate rehousing. If the 6-month review concludes that the need to move is not urgent the tenant will be transferred to the non-urgent list. The date of application in this case will still be the original date of registration.

5.6.4 The allocations policy cannot cover every eventuality. Where an applicant has a special need the Housing Director has the power to make an Exception to Policy. In such cases the reason for the exception is recorded and reported to Housing Services Committee each quarter.

5.7 How to deal with harassment, domestic violence & other emergency transfer cases

5.7.1 Harassment, urgent domestic violence and emergency cases will fall outside the above procedure.

#### 5.7.1.1 *Harassment or Violence Cases*

- If a case of violence or **serious harassment** is reported, the Housing Officer should **visit the property within 48 hours** to obtain details of the case. Once the facts are gathered including making contact with other organisations to obtain a full picture, the Housing Officer should:
- Prepare a full record of the incident, if appropriate on a Management Transfer/Harassment Form **advise** the tenant to contact the police and any other relevant agency if they have not already done so. The Association will advise tenant to contact the local authority as tenant have right to temporary accommodation and housing benefit on both properties up to 12 months on the ground of fleeing violence / harassment. The Association will assist tenant by providing relevant contact details of external agencies. Housing officer will discuss the report with the Housing Director to agree the best course of action. Place a record of any cases of harassment reported by resident on the 'House File' for monitoring.

#### 5.7.1.2 *Note*

In cases where there are language difficulties, the Housing Officer should make contact or arrange to see other agencies e.g. Police or Victim Support Group on behalf of tenants.

5.7.1.3 *The Housing Officer should record the proposed course of action for resolving the case and place it in the house file. The tenant must be informed as quickly as possible.*

5.7.1.4 *If it is decided that the case does not warrant a transfer, the Housing Officer will inform the tenant of the outcome, giving specific reasons for the decision taken.*

5.7.1.5 *If a transfer is agreed and is urgent, the requirement for 12 months residence in the present accommodation, and that there must be a clear rent account can be waived with the agreement of the Housing Director.*

## 5.7.2 Fire or Flood

*5.7.2.1 In the case of fire or flood, the Housing Officer and the Maintenance Officer should visit the site immediately to assess the extent of the damage. A decision must be made about the seriousness of the damage and whether work can be carried out with the tenant in residence. If the decision is that the property is too badly damaged for the tenant to remain, arrangements must be made at the meeting whether to decant the tenant into alternative accommodation e.g. alternative accommodation arranged by the insurance company or Bed & Breakfast. It is to be assumed that the move will be temporary and for a minimum period.*

*5.7.2.2 The maintenance department will be responsible for organising the work to be undertaken. The Technical Officer is responsible for liaising with the tenant.*

## 5.8 How to deal with referral agencies

5.8.1 Housing Director should liaise with the Chief Executive and Housing Officer before requesting referral for a void property from the Referral Agency.

5.8.2 NLM will work with North London Muslim Community Centre (NLMCC), whose referrals should be registered with the Local Authority's general waiting list.

5.8.3 Housing Director will write to NLMCC at the earliest opportunity requesting referrals for the void property.

5.8.4 On receiving the list of referrals, assessments and viewing should be completed as soon as handover takes place.

5.8.5 The Housing Officer should contact applicants to assess in more detail their housing need and discuss rent and other charges.

5.8.6 Once a decision is reached about which candidate should be offered the property, an offer in writing should be made, and the lettings procedure followed.

## 5.9 How to deal with HomeSwapper

5.9.1 When tenants request a move to another area, Housing Officer should discuss their reasons for needing a move. From the information obtained, the Housing Officer should advise the tenant on the facilities offered through the HomeSwapper Scheme. NLM pay annual subscription fee to HomeSwapper on behalf of tenants.

## 5.10 Changes in circumstances

5.10.1 Tenants should first inform their Housing Officer of any changes in their circumstance so that their tenancy file can be updated. Where the change has a bearing on their housing need, this should be noted and the case re-pointed.

5.10.2 Tenants should be advised of their new points within 7 days.

5.10.3 Transfer application is not live if rent account is in arrears and the tenants should be informed accordingly.

## 5.11 Maintaining the transfer list

5.11.1 NLM will assess all transfer application forms on annual basis. All details must be checked to ensure accuracy and update changes.

5.11.2 The purpose of contacting the tenant is to assess housing need and how long the applicant has had to endure the unsuitable conditions. This process should ensure the applicant meets the Association's criteria for a transfer.

## 5.12 What to take into account for internal transfer list?

- 1) Date – transfer application made
- 2) Housing need, i.e. points levels
- 3) Size of property
- 4) Area of choice

5.12.1 Applicants should be considered in the following order of priority: -

- 1) Decants or NLM's own interest
- 2) Urgent Management Transfers or highest pointed cases
- 3) Medical
- 4) Reciprocal
- 5) Applicants on Internal Transfer List
- 6) Referral Agreement Nominees or other Contractual Agreements

5.12.2 Where there is disagreement about an allocation, the Chief Executive should be consulted and will make the final decision.

5.12.3 All decisions must be minuted by the Housing Officer.

5.12.4 Negotiations with the Council for use of a property for one of the Association's own tenant in place of one of their nominee should be conducted in the first instance by the Housing Officer.

## 5.13 CORE forms

5.13.1 It is essential the CORE form is completed with an accurate explanation of the reason for the move. Use of "OTHER" must be limited to exceptional circumstances and must be first approved by the Housing Officer.

## 5.14 Ending & creating a tenancy

5.14.1 It is the responsibility of the Housing Officer to start, amend and end all tenancies on the system.

5.14.2 The Housing Officer should follow the Voids Procedure on being advised of the intention of a tenant to leave the property or where an offer of alternative accommodation has been made by the Association and accepted by the tenant.

5.14.3 On receipt of the keys from the departing tenant, the Housing Officer should enter the keys into the Key System.

5.14.4 The Housing Officer will update the Computer System to show the property is void.

#### 5.15 Starting a tenancy

5.15.1 The Housing Officer should follow the procedure to start the tenancy on the system.

5.15.2 A payment card and forms for Direct Debit should be prepared with the account number and tenancy number clearly shown.

5.15.3 The Housing Officer should advise tenant to apply for Universal Credit/Housing Benefit and ensure that the tenant has done so within first week of the tenancy.

#### 5.16 Action before agreeing to an exchange

Housing Officer should highlight the differences between Secure and Assured tenancies when advising tenants who are planning to exchange to different types of landlord or tenancies. Applicants should also be advised to view each other's property – it can save a lot of problems.

#### 5.17 Permission for tenants to exchange

Tenants must each apply to their own landlord for permission. Assured tenants of housing associations usually have the contractual right to exchange in their tenancy agreements.

## **6 Appendix A - Definition of a true void**

A true void is generally described as:

- Voids within new build, newly completed or newly completed major repair schemes (including properties originally vacated through decanting)
- Voids created through urgent transfer to another borough (if the association cannot demonstrate reciprocity).
- Voids created through tenant moves to another landlord where no reciprocal arrangements exist
- Voids created by the death of a tenant where there is no statutory or contractual right to succession
- Voids created by tenants buying their own property in the private sector
- Voids created by eviction or abandonment of property.

Further reference should be made to the relevant boroughs nominations agreement, as differences may exist between the boroughs.