Choice Based Lettings Scheme

Home-Options – Policy

Version: Partner 9 (01-09-11)
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INTRODUCTION

Derbyshire Dales District Council, High Peak Borough Council, Amber Valley Borough Council and Erewash Borough Council have established a partnership called Home-Options to deliver greater choice to all those seeking housing and to enable people to make well-informed decisions about their housing options.

This policy document sets out the priorities and procedures for accessing affordable housing under Home-Options.

The principal partners are:

- Amber Valley Borough Council
- Amber Valley Housing Limited
- Dales Housing Association
- Derbyshire Dales District Council
- Erewash Borough Council
- High Peak Borough Council
- High Peak Community Housing
- Three Valleys Housing

For the purposes of this document ‘Home-Options’ refers to all above partners.

This policy meets the requirements set out in Part VI Housing Act 1996 (as amended by the Homelessness Act 2002), giving reasonable preference to those applicants in greatest need. It incorporates the key aims and objectives outlined in the Peak Sub Regional Housing Strategy.

Under Home-Options, ‘homeseekers’ and transfer applicants are placed in one of four broad bands of housing need according to their circumstances. Vacant properties will be advertised in a variety of ways, which may include a free sheet magazine, paper adverts and on the Internet, and applicants are able to bid for properties. Adapted properties will be classified and advertised as suitable for applicants with matching mobility needs.

Although Home-Options will provide greater choice for applicants, the scheme in itself will not increase the number of properties available. The majority of vacancies will be advertised and applicants will be encouraged to take an active part in the process by expressing their interest in each bidding cycle. The system is more transparent and is expected to provide applicants with a more realistic view of their prospects of securing accommodation.

Acceptance onto the Home-Options register is not a guarantee that you will be offered accommodation.

Home-Options is unlikely to satisfy all home seekers by finding affordable rented accommodation and so alternative housing options will be advertised such as private rented accommodation, mutual exchanges as well as low-cost home ownership and
shared ownership properties. Some housing associations who advertise their homes through **Home-Options** may also have restrictions as to whom they offer properties i.e. some will not offer a tenancy to an applicant under 18 years of age.

**Summary**

The **Home-Options** scheme applies to both ‘homeseekers’ and applicants seeking a transfer.

There are two ways in which **Home-Options** can allocate a property; through choice based lettings (see Part 6 Choice for Applicants) or, in exceptional circumstances, through a direct let (see Part 6.10 Direct Lets).

**Home-Options** is under a legal duty to award priority for accommodation to certain categories of people. Although regard should be had to the policy as a whole, the priority for accommodation may be summarised as follows:

- An applicant is placed into one of four bands (A-D, in decreasing order of preference), depending on his or her needs
- The type of property for which the applicant and his or her household are eligible is also assessed, including the size of property he or she can bid for.

Exceptional cases may be referred to the **Home-Options** Review Panel for further consideration.

When a property becomes available, it will be advertised. The advert will identify the number of bedrooms and the number of people it is suitable for. From all the bids, a shortlist of applicants who may be invited to view the property will be identified.

**Award of tenancies through Home-Options**

The award of a tenancy is decided first by the local authority area, second by band and thirdly by priority date within the band. The diagram below shows the order in which we consider the bids for properties:
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<tr>
<th>Band</th>
<th>Description</th>
<th>Priority Date</th>
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<tr>
<td>1</td>
<td>Band A</td>
<td>(by Priority Date)</td>
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<td>2</td>
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<tr>
<td>12</td>
<td>Band D</td>
<td>(by Priority Date)</td>
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In certain circumstances, we may allocate properties under a Local Lettings Policy. Please see Part 6.2 for further information about Local Lettings Policies.

There are circumstances in which we will help you to bid. There are also circumstances in which we will make a direct offer of accommodation if we consider it necessary (see Part 6.10 Direct Lets, for further advice).
PART 1: THE LEGAL FRAMEWORK

The Housing Act 1996 and the Homelessness Act 2002

Part VI of the Housing Act 1996, as amended by the Homelessness Act 2002, sets out the legal framework for the letting of accommodation by local authorities.

**Home-Options** maintains a Housing Register and only ‘qualifying persons’ will be registered on it. The Secretary of State may define who are and who are not ‘qualifying persons’. Subject to the terms of the Act and related Regulations, **Home-Options** may determine who may or may not be on the Housing Register.

Each Housing Authority has a duty under the Act to ensure that in letting its property it gives ‘reasonable preference’ to certain categories of housing need as defined in the Act. Subject to this requirement, the **Home-Options** scheme also reflects local priorities.

The Act requires a published summary of the Home-Options policy to be available free of charge on request. This **Home-Options** policy is available for inspection from any of the principal partners and is free to download from the **Home-Options** website.

The **Home-Options** policy will be reviewed annually taking into consideration any changes in the legal framework provided by Communities and Local Government within that year or to respond to any case law that affects the operation of the **Home-Options** scheme.

In framing the policy to offer a choice of accommodation to applicants, **Home-Options** will also ensure its policies and procedures are compatible with obligations imposed on it by other existing legislation, in addition to Part 6 of the 1996 Act, including but not limited to:

- The Race Relations Act 1976 (in particular s.71)
- Disability Discrimination Act 1995 (in particular s.49A)
- The Sex Discrimination Act 1975 (in particular s.76A)
- The Equality Act (Sexual Orientation) Regulation 2007 (in particular regulations 5 and 8)
- The Human Rights Act 1998
- The Freedom of Information Act 2000 (in particular s.19)
- The Data Protection Act
- The Race Relations Amendment Act 2000.
PART 2: EQUALITY AND DIVERSITY STATEMENT

Equality and diversity in the Home-Options area

Strong communities will thrive and prosper if individuals and groups are treated fairly, with respect, and given access to rights and services. Home-Options' aim is to create an environment where this is possible and to put equality and diversity at the heart of everything that it does.

Home-Options will promote equality and diversity by:

- Building values of mutual respect where individuals have a sense of belonging and where individuals are encouraged to participate and gain full access to services to which they are entitled.

- Recognising that some individuals and certain communities are particularly disadvantaged and will require extra recognition and support to deal with their disadvantages.

Home-Options’ aims are:

- To improve social cohesion by promoting positive relationships and a sense of community and belonging - by reducing fear and tensions – particularly around race, faith, generational, gender and sexuality issues – by promoting a vision in which individuals, groups and communities are properly valued.

- To promote citizenship, rights and responsibilities. Home-Options will do this by ensuring that the Partnership does all it should in providing real leadership and compliance with its duties and by encouraging its partners to do likewise. It will also do this by acting to protect the rights of individuals and groups by ensuring that abuse, mistreatment or discrimination is recognised and properly dealt with.
PART 3: REGISTRATION

All applicants for housing will need to register with **Home-Options**.

All applicants will have to complete a registration form. This includes existing tenants of a **Home-Options** partner who require a transfer. Applications may be made via the on-line application form or by contacting one of the principal partners.

If one of the partner authorities has accepted a duty towards an applicant under Part 7 of Housing Act 1996 (the duty to provide a homeless person with accommodation), the applicant will be asked to complete a registration form and their application for entry onto the housing register will be assessed.

All applicants will be offered advice and assistance in completing the application form, including translation and interpreting facilities where required.

**Registration with Home-Options is not a guarantee that you will be offered accommodation.**

3.1 Who can register

Anyone 16 and over, and:

- Their current address is their only home, or sole residence, and
- They are not already registered for housing with **Home-Options**; either on their own or on someone else’s housing application.

Unless:

- They do not qualify because they are ineligible for housing by reason of their immigration status. Those ineligible for housing are determined by the Secretary of State.
- They (or a member of their household) have been guilty of unacceptable behaviour serious enough to make him unsuitable to be a tenant (see Part 3.5 Exclusions from the Housing Register).

Social tenants applying for a transfer should apply as a household so that when a new tenancy is accepted, their existing home will be vacated.

In cases of family breakdown or emerging households applicants will be determined as ‘homeseekers’.

3.2 Local Connection

When properties are let, priority is usually given to applicants who have a local connection.

Local connection is defined in s.199, Housing Act 1996. For the purposes of registration and priority award it means applicants who are:
• Currently resident in a **Home-Options** area (either Derbyshire Dales District, the High Peak Borough, Amber Valley Borough or Erewash Borough) and have been for a continuous period of 6 months; Or

• Not currently resident in a **Home-Options** area (either Derbyshire Dales District, the High Peak Borough, Amber Valley Borough or Erewash Borough) but have previously been living in a **Home-Options** area for at least 3 years out of the last 5 years; or

• A person currently resident outside of the **Home-Options** area who supports or requires support from someone who has been resident in a **Home-Options** area for 5 years (Derbyshire Dales District, the High Peak Borough, Amber Valley Borough or Erewash Borough); or

• Have been in permanent employment in the **Home-Options** area for the last 6 months.

• Given a local connection status to either Amber Valley Housing Ltd, Derbyshire Dales District Council, Erewash Borough Council or High Peak Community Housing by virtue of their homelessness acceptance with that **Home-Options** partner.

• For rough sleepers, a local connection will be verified by emergency hostel, support agency, assessment by Housing Options Service, registration with the DWP, day centre or non-mobile soup kitchen or any other relevant agency.

Where the applicant has been resident in the **Home-Options** area but is staying away from their home because of domestic violence, racial harassment, etc., **Home-Options** will seek to verify their circumstances (this may differ for those making a homelessness application).

This also applies to applicants who would normally be resident in the **Home-Options** area but who, because of circumstances, are not currently able to, e.g. prisoners who lived in the **Home-Options** area before they were sent to prison, those in the armed service who lived in the **Home-Options** area before joining. For these purposes, the definition of normally resident is having lived in the **Home-Options** area for at least three out of the last five years, prior to their service or imprisonment.

Properties will normally be advertised by relevant local authority area within the **Home-Options** area. All **Home-Options** applicants will be encouraged to bid for any property they are eligible for and interested in, irrespective of their local connection.

Properties are shortlisted in order of the applicant’s local connection to that authority area. Should there be no applicants from within the local authority area, then applicants from the rest of the sub-region will be considered. If there are no bidders from the rest of the sub-region then out of area applicants will be considered.

Local connection is not absolute and would not be applied so as to discriminate between ethnic groups.
3.3 Documentation required for entry onto the Housing Register

Documentation is required from all applicants before they can register to establish:

- The identity of the applicant and other members of the household who might reasonably be expected to live there
- That the applicant is eligible to register for housing
- That the applicant and other household members live where they say they do and the terms on which they live there (e.g. licence, tenancy)
- That children being registered are the responsibility of the applicant or their partner.

One of the documents from each of the following areas is necessary to establish this:

- Identity - birth certificate, passport, immigration papers;
- Residence - electoral register entry, rent book/card, recent bill or credit payment book for gas, electricity or water supply, pension notification, confirmation from employer or Department of Work and Pensions/Job Centre Plus, tenancy agreement, full driving licence, recent bill for Council Tax or telephone, recent bank statement;
- Qualifying/non-qualifying - passport, national identity papers, Home Office documents, proof of housing benefit;
- Children - Child Benefit notification, Residence Order, statement of arrangements for children, confirmation from Department of Work and Pensions, Social Services, Health and Education authorities, full birth certificate. Where children have previously been cared for by another person, including an ex-partner, and in the absence of a Residence Order from the courts, a combination of this evidence must be provided. **Home-Options** will consider each case on its merits in order to be satisfied that the children’s normal place of residence is with the applicant;
- Pregnancy - antenatal card/book from hospital, doctor’s letter;
- In cases of threatened eviction – tenancy agreement, Notice to Quit, Court Order and/or landlord reference.

If an applicant is unable to provide the necessary documents and there appears to be good reason for this, the case should be referred to the appropriate local manager of the **Home-Options** scheme. The Housing Manager should consider other sources of information such as DWP, JCP or confirmation from support providers who have already determined the applicant’s identity.
Under the Housing Act 1996 and Homelessness Act 2002, it is a criminal offence for anyone to knowingly give false information or to withhold relevant information if reasonably required to give it, on any matter regarding the letting of accommodation.

3.4 Eligibility categories

Under the Housing Act (1996), local authorities must consider whether applicants are eligible for housing assistance. This relates to some people who may have been living abroad or who do not have permanent permission to remain in the UK.

Home-Options cannot, by law, allocate housing accommodation to anyone who is subject to immigration control within the meaning of the Asylum and Immigration Act (1996), unless they:

- Already hold a secure tenancy
- Already hold an assured tenancy allocated to them by a local housing authority
- Are in a class prescribed by regulations made by the Secretary of State.

Any person making an application who is identified as falling under the Asylum and Immigration Act 1996 will be assessed in accordance with the Act.

There are also circumstances in which persons from abroad who are not subject to immigration control will be ineligible for registration. These categories of person are prescribed by law and an applicant will be informed if they fall within one of these categories.

Home-Options reserves the right to seek independent advice and assistance to resolve the issue of eligibility.

Applicants re-housed through Home-Options will not normally be accepted onto the register within a period of 12 months from the date their tenancy started, except where there are significant changes in their circumstances.

Applications from ineligible applicants will not be registered. The applicant will be notified in writing of the decision and the reasons for the decision will be explained to them. If an applicant is accepted onto the register, but subsequently becomes ineligible, their housing application will be cancelled and the applicant notified.

Applicants found to be ineligible have a right to ask for a review of the decision (see Part 3.7 Home-Options Review Procedure).

3.5 Exclusions from the Housing Register

Home-Options may exclude an applicant from the register if it considers that they have been guilty of unacceptable behaviour and is therefore unsuitable to be included on the housing register. Home-Options will take into account all relevant factors when making these decisions.
“Unacceptable behaviour” is defined as behaviour, which would, if the person was either a secure tenant or a member of a secure tenant’s household, entitle a landlord to a possession order under any grounds 1 to 7 of schedule 2 of the Housing Act 1985. “Unacceptable behaviour” includes (but may not be limited to):

1. Breach of the terms and conditions of a tenancy agreement
2. Anyone who has caused wilful damage to rented property
3. Anyone with a history of anti-social and/or criminal behaviour
4. Anyone who has been violent to, or threatened, staff or agents of any of the principal partners (as stated on page 4), previous landlords the police or any other statutory or voluntary agency.

Each case will be judged upon its merits.

Other reasons why applicants may be excluded from the Housing Register include:

1. The applicant is unable to sustain a tenancy. This may be due to mental incapacity or lack of relevant support. Each case will be judged upon its merits.
2. Persons who deliberately worsen their housing situation to gain a higher priority on Home-Options. This includes those who deliberately move into unsatisfactory, overcrowded accommodation or encourage others to move in to your accommodation to create overcrowding.

If an applicant who has previously been refused an application onto the housing register because of unacceptable behaviour, and considers that their unacceptable behaviour should no longer be held against them, then they can reapply to join the housing register. They will be informed about timescales for re-applying within any notification that they have been excluded from the register.

When making a decision regarding unacceptable behaviour Home-Options will consider:

- If the applicant (or a member of their household) has been guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant of any Home-Options partner landlord (unacceptable behaviour can include tenancy related debt or other breach of tenancy)
- When the unacceptable behaviour took place and consideration will be given to the length of time that has elapsed and whether there has been any change in circumstances.

All applicants who are excluded due to unacceptable behaviour, will be informed of this decision in writing and how they can become eligible, for example, by agreeing an arrangement to make payments towards rent arrears and adhering to this, or by the
applicant showing that the circumstances or behaviour that made them unsuitable to be a tenant, has changed.

If an applicant is accepted onto the register, but subsequently becomes ineligible, due to unacceptable behaviour, their housing application will be removed and the applicant will be notified.

Exclusions can be imposed at any stage of the Home-Options process when information is obtained that proves the applicant or applicants family have been guilty of unacceptable behavior.

Applicants found to be ineligible due to unacceptable behaviour have a right to ask for a review of the decision (see Part 3.7 Home-Options Review Procedure). A delegated senior officer will undertake the review.

3.6 Entry onto the Housing Register

Where Home-Options decides not to register an applicant, they will be informed in writing of the reasons and of their right to a review of the decision.

Applicants will be informed in writing when their application for registration is accepted. At the same time applicants will be told of their responsibility to notify any changes in circumstances relevant to their application for housing.

Applicants will be notified in writing of any amendments to their registration with the exception of minor changes made at their own request.

Applicants will be given information about their relative priority for re-housing when their application is registered and periodically thereafter.

Information given is confidential. Upon request, applicants will be supplied free of charge with a copy of their own registration details.

The fact that a person is registered with Home-Options shall not be revealed to any other member of the public.

An applicant can have only one active application as a main applicant on the housing register at any time.

3.7 Home-Options Review Procedure

If there is any decision taken on an application that an applicant does not agree with applicants are encouraged to speak to their local Home-Options office. It may be there is information that has not been taken into account or an applicant's circumstances have changed.

If after speaking to their local Home-Options office the applicant is still not happy with the decision the applicant can ask for their application to be re-assessed by a senior officer not involved with the original decision. Stage one of the process is as follows:
• applicants write to their local Home-Options office within 14 days of receiving a decision letter,

• Home-Options will deal with an applicants request within 14 days or write and advise if it will take longer,

• Home-Options will write to applicants with the outcome of the re-assessment within a further 7 days.

If applicants are still not happy with the decision after a re-assessment they can ask for stage two review of the decision. Applicants also have the legal right to ask for a review of certain decisions. These are:

• not to accept an application on to the Home-Options register,

• the band or priority date that an applicant has been awarded,

• the suitability of a housing association property an applicant may be nominated for.

The process for stage two reviews is as follows:

• applicants write to their local Home-Options office and ask for a review, giving reasons within 21 days of receiving the senior officer’s decision on a re-assessment or after receiving the original decision. In exceptional situations we may agree a longer period with you. Applicants can request an oral hearing.

• the Review Panel will comprise of at least three officers from different Home-Options partners. The Home-Options area or partner where the review request has been made from will not be involved in that review so any hearing is impartial. The Home-Options Review Panel will carry out the review and check all relevant information has been collected and dealt with correctly.

• the review will be completed within 21 days and applicants will receive a written response within a further 7 days.

If applicants are still not happy with the outcome of a review they can appeal to their local Home-Options partner by following the respective partner’s complaints procedure.
PART 4: EXCEPTIONS AND DEFINITIONS

4.1 Property ownership and equity

Existing and former homeowners and those with equity are allowed to register with Home-Options but are asked to declare any interests in land, property or equity that they have. Their registration is then deferred pending further assessment (see 4.2 – Deferred Status).

Home-Options defines equity as the value of property less any outstanding mortgage or secured loans, savings, investments, stocks and shares. Property includes any home an applicant owns, whether they live there or not, including time-shares, caravans, mobile homes and chalets.

In determining their priority on the Housing Register or to qualify for an offer, an assessment will be made of whether the applicant has sufficient equity to secure housing for themselves. Where the applicant is or was a joint owner of a property or jointly owns any equity, any assessment will be based upon that proportion of equity to which they can rightfully lay claim.

The decision will be based upon a level equivalent to half the average house price across the Home-Options area based on Land Registry figures, adjusted annually. It is anticipated that property owners and former property owners with equity above this level will be expected to use their equity to secure suitable accommodation for themselves (all tenure options to be considered, including further purchase of property and privately rented accommodation) and therefore will receive lower priority on the Housing Register. Each case will be assessed upon its own merits.

The priority to be granted to any owner-occupier, former owner or those with equity under half the average house price for the district based on Land Registry figures is in accordance with the criteria set out in Part 5 - Priority on the Housing Register.

Owner-occupiers who live in conditions of disrepair or in unsuitable accommodation who are vulnerable due to age or disability may be considered for re-housing. Resources available to such applicants will be taken into account (including grants available for repair etc. and the capital value of their property). Options other than re-housing through Home-Options may be more appropriate, and if so they may also be referred to other appropriate agencies. Advice will also be sought from officers who currently assess the housing needs of older/disabled people.

4.2 Deferred status - further action on applications

An application may be deferred in certain circumstances. Where an application is deferred, the applicant remains on the housing register and continues to accumulate waiting time within his particular band (see Part 5 Priority on the Housing Register). He is prevented, however, from expressing any interest in a property, from bidding or from receiving a direct offer of accommodation. An application may be deferred for a number of reasons, including:
• property owners awaiting a Home-Options assessment (see Part 4.1 Property Ownership and Equity),
• investigation of incomplete or inconsistent details on the application,
• awaiting proof of change of circumstances before amending registration details,
• applicant has notified that they are seeking their own accommodation,
• applicant is exercising their Right to Buy (the deferment of a transfer application only takes place once an applicant has formally accepted the Partnership’s Right to Buy offer),
• applicants in supported accommodation who are not ready to move-on,
• 16 or 17 year old applicants waiting for assessment of their ability to manage a tenancy (see section 4.3 16/17 Year Olds),
• applicants not ready to move but who wish to accrue waiting time.

4.3 Sixteen and seventeen year old applicants

Where a 16 or 17 year old applies to be placed on the register, his application will be deferred while Home-Options determines whether they are capable of managing a tenancy. If they are not considered capable, their application will remain deferred until they have reached the age of 18.

Where there are concerns about ability to manage a tenancy, Home-Options will work with other agencies to seek a resolution of the problem. Accordingly, in any of the following circumstances, the application will not be deferred:

• the applicant is accepted as a priority nomination from Social Services,
• the applicant is accepted as requiring move-on accommodation following a successful period of sustained tenancy from an accredited Supporting People provider or a Local Authority recognised support provider,
• a move-on support package is in place at the point of offer.

The Law of Property Act 1925 prevents minors holding a legal estate in land. However the Act does not prevent minors from holding an equitable interest in the land, i.e. an equitable tenancy.

It will be for landlords to determine the type of tenancy to be issued to an applicant under the age of 18. Applicants who are 16 or 17 and accepted onto the housing register on the basis of the above criteria will be able to express an interest in accommodation. Unless the property advert states an age restriction, 16/17 year old applicants should be offered an appropriate tenancy if they successfully bid for the advertised accommodation.

4.4 Removal from the Housing Register

Applicants can request to have their entry removed from the Housing Register.

Home-Options can, at its discretion and in line with its normal policies, remove someone from the Housing Register. There is a legal duty under Part VI of the
Housing Act 1996 and Homelessness Act 2002 remove an applicant from the Housing Register if it appears:

- that they are not a ‘qualifying person’ under the Act,
- when it is assessed they have deliberately worsened their housing situation to gain a higher priority on Home-Options. This includes those who deliberately move into unsatisfactory or overcrowded accommodation or encouraged others to move in to their accommodation to worsen their circumstances.

Before someone’s registration is removed, Home-Options will write to the applicant requesting any information necessary to assist a decision. The applicant will be given at least 28 days to respond.

From time to time (normally annually), entries on the Housing Register will be reviewed by writing to applicants to establish whether they wish to remain registered with Home-Options. Applicants who do not respond will be removed from the Housing Register.

Other than in exceptional circumstances, applications can only be reinstated within a period of three months following removal. After this time, a new application has to be made. Exceptional circumstances may include where the applicant was not aware that he had been removed from the register or where he was removed from it by administrative error.

Where a registration is removed other than at the applicant’s request, the applicant will be informed in writing of the decision and the reasons for it.

4.5 Difficult and exceptional cases

Ultimately Home-Options has the responsibility for deciding who is or is not entitled to register for housing. Any difficult or exceptional cases will be referred to the Home-Options Review Panel for a decision (see Part 3.7 Home-Options Review Procedure).
PART 5: PRIORITY ON THE HOUSING REGISTER

5.1 Prioritising applicants

The Homelessness Act 2002 requires that ‘reasonable preference’ be given to certain groups of applicants. All applications for housing are placed onto one Housing Register, which comprises both new applicants (‘homeseekers’) and transfer applicants. All registered households are grouped together in four bands according to the priority awarded. Band A has the highest priority and band D the lowest.

The date the relevant priority is awarded becomes the registration date within that band. Priority for an offer will first be determined by connection to the Home-Options area and then by band. Priority within the band will be determined by the relevant registration date within that band. No distinction is made between the different priority reasons within each band, only the date registered in the band.

One exception to this will be if the property is let subject to a local lettings policy (see Part 6.2 Local Lettings Policies).

There may be occasions when it is necessary for a Home-Options partner to make a direct let (see Part 6.10 Direct Lets for more information).

5.2 Explanation of Priority Reasons – Band A

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<tbody>
<tr>
<td>1</td>
<td>URGENT MEDICAL PRIORITY</td>
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<tr>
<td>2</td>
<td>MAJOR PROPERTY FACTORS (DECANT, ENFORCEMENT OF THE HOUSING ACT 2004 LIKELY TO LEAD TO HOMELESSNESS OR STATUTORY OVERCROWDING)</td>
</tr>
<tr>
<td>3</td>
<td>SOCIAL HOUSING TENANTS UNDER OCCUPYING</td>
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<tr>
<td>4</td>
<td>URGENT SOCIAL PRIORITY</td>
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</tbody>
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Applicants are prioritised in each band according to the date they became registered in it, irrespective of their priority reason unless local lettings criteria apply.

A-1. URGENT MEDICAL PRIORITY

Applicants who have a permanent (life-long) medical condition, illness or disability and as a result are unable to continue occupation in their current accommodation will be considered for Urgent Medical Priority. An applicant’s accommodation MUST be assessed as no longer being accessible or suitable and ONLY where urgent re-housing is assessed as being vital can applicants be awarded Urgent Medical Priority.

Examples include:
- hospital discharge where the applicant cannot return home,
- applicant is unable to access crucial parts of their home, e.g. bathroom, toilet,
- accommodation assessed as life-threatening to the applicant, e.g. fall hazard.
A-2. MAJOR PROPERTY FACTORS

‘Property factors’ priority reason applies to applicants who are living in a property, which is:

- occupied by Dales Housing, High Peak Community Housing, Amber Valley Housing Limited or Three Valleys Housing tenants who are required to leave their home as a result of a regeneration scheme,
- subject to a Demolition Order
- subject to Environmental Health Action – such as Statutory Overcrowding or an irresolvable category 1 hazard which requires the applicant to leave their home.

Major property factors also apply to individual tenants of Dales Housing, High Peak Community Housing, Amber Valley Housing Limited or Three Valleys Housing whose properties are subject to major renovation/rehabilitation or extensive repairs, and where they cannot remain in the property for the duration of the works.

Inclusion in this category is decided by Dales Housing, High Peak Community Housing, Amber Valley Housing Limited and Three Valleys Housing. Environmental Health Departments in the Home-Options area local authorities will refer tenants of private sector landlords for consideration. Other Housing Association tenants may also be eligible for this priority.

A-3. SOCIAL HOUSING TENANTS UNDER OCCUPYING

This priority reason applies to tenants of Dales Housing Ltd, High Peak Community Housing, Amber Valley Housing Limited or Three Valleys Housing. Other housing association under-occupiers may also be eligible for this priority where the vacated property is to be advertised through Home-Options.

Only those tenants willing to move to a one-bedroom home or give up at least two bedrooms will be considered in this category i.e. where a tenant moves from a three-bed house to a one-bed bungalow.

Applicants may not qualify for this band where the accommodation was originally under-occupied at the point of letting i.e. a family with one child offered a three-bed house. Each case will be assessed on its own merits.

Participation by tenants in this scheme is on a voluntary basis.

A-4. URGENT SOCIAL PRIORITY

a. Personal protection/harassment

This priority reason applies to applicants who have been assessed as being at significant risk in their current home and no other alternatives are available to alleviate the risk. This can be for reasons of harassment, racial harassment, police witness
protection, etc. Priority will only be granted by a senior officer of **Home-Options** following referral or advice from the relevant statutory agency, including the Police.

We reserve the right not to offer accommodation in areas where the applicant may be at further risk.

**b. Emergency fire or flood**

Tenants of the Partnership who are unable to return to their tenancy due to extensive works required following a fire or flood.

**c. Urgent temporary accommodation move**

Where the property of someone in temporary accommodation is needed urgently for another person.

**d. Exceptional circumstances**

Where exceptional circumstances arise and there is an urgent need to move. Such applications will be considered by the **Home-Options** Review Panel.
5.3 Explanation of Priority Reasons – Band B

<table>
<thead>
<tr>
<th>Band B</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>MOVE-ON FROM SPECIALIST AND SUPPORTED ACCOMMODATION</td>
</tr>
<tr>
<td>2</td>
<td>HOMELESS WITH DUTY TO ACCOMMODATE</td>
</tr>
<tr>
<td>3</td>
<td>PREVENTION OF HOMELESSNESS</td>
</tr>
<tr>
<td>4</td>
<td>OVERCROWDING – REQUIRE TWO OR MORE BEDROOMS TO SOLVE OVERCROWDING</td>
</tr>
<tr>
<td>5</td>
<td>MULTIPLE NEEDS</td>
</tr>
<tr>
<td>6</td>
<td>SOCIAL HOUSING TENANTS UNDER OCCUPYING – FREEING ONE BEDROOM</td>
</tr>
</tbody>
</table>

Applicants are prioritised in each band according to the date they became registered in it, irrespective of their priority reason, unless local lettings criteria apply.

B-1. MOVE-ON FROM SPECIALIST AND SUPPORTED ACCOMMODATION

Applicants will be placed into this band at the point they move into supported accommodation or at the point an initial application is made to Home-Options (applications will not be back-dated and therefore it is key for support agencies to assist applicants to register for accommodation at the earliest opportunity). Applicants will be given a deferred status on Home-Options and therefore will not be able to express interest in advertised properties.

An applicant’s status will be set to ‘live’ once Home-Options is notified by the accommodation provider or support provider that an applicant has sustained a satisfactory term of supported living and a move-on support package is in place to help the applicant to sustain their tenancy.

The applicant will be awarded the date in which they were awarded band B – Move-on status - and not the date in which the applicant was set to live. It is in the interest of Home-Options to promote move-on and therefore applicants will benefit from the date they move into supported accommodation to assist a quicker move into independent living thus offering supported accommodation to those in the greatest need.

B-2. HOMELESS WITH DUTY TO ACCOMMODATE

Applicants to whom a duty for re-housing has been accepted by one of the partner authorities under Part VII of the Housing Act 1996, as amended by the Homelessness Act 2002.

Applicants accepted as homeless by an out of Home-Options area local authority will be placed in band D unless Home-Options offer to assist in the discharge of the duty (for example a Home-Options partner accepts a s.213 referral) or unless one of the partner authorities has accepted a local connection referral under s.198, 1996 Act. The local authority accepting the duty of homelessness has to provide a suitable offer of accommodation.
Applicants who have been accepted as homeless by an out of Home-Options area local authority but placed in accommodation within Home-Options area will also be awarded band D as the local authority accepting the homelessness duty has to provide a suitable offer of accommodation.

Applicants who refuse a suitable offer of accommodation to discharge the duty owed to them under the homelessness legislation will have their application re-assessed and set to the appropriate banding according to their circumstances. Applicants will not be unduly penalised under the Home-Options policy for refusing an offer under the homelessness legislation. The applicant can continue to bid and refuse accommodation but the local authority no longer has any duty to provide accommodation under homelessness legislation.

**B-3. PREVENTION OF HOMELESSNESS**

Applicants threatened with homelessness who are likely to lose their accommodation through no fault of their own will be placed in band B when:

- they are assessed by a partner (a local authority or their agent) as likely to be in priority need,
- they are receiving housing advice from the partner (a local authority or their agent) to prevent homelessness,
- the applicant would not be judged to be intentionally homeless,
- there is no legal redress to prevent the homelessness.

Applicants in this category where there is evidence of rent arrears, antisocial behaviour or collusion may be assessed as homeless under the Housing Act 1996 as amended by the Homelessness Act 2002 and categorised accordingly.

This band reason does not detract from an applicant’s statutory rights to make a homelessness application.

**B-4. OVERCROWDING – REQUIRE TWO OR MORE BEDROOMS**

This category applies to all applicants who are lacking two or more bedrooms in their current home.

The following groups of applicants are classed as overcrowded:

- child/children sharing with a parent,
- cohabitating couple who share a bedsit,
- adults over the age of 18 that are not a couple and are not siblings sharing a bedroom,
- children of the opposite sex sharing a bedroom where at least one child is over seven years,
- two children of the same sex sharing a bedroom, one of which is aged ten years or older; and there is an age gap of five years or more.
Regard will be taken of accommodation available to all members of the applicant’s household (e.g. split households where each partner has an interest in a different property):

- unless exceptional circumstances apply, the household will be assessed as if they were living in the most favourable property (in terms of housing needs) available to any member of the household,
- if a member if the household owns a property, the application will be deferred until they have been assessed as in Part 4.1 Property Ownership & Equity,
- this also applies where households are living apart.

**B-5. MULTIPLE NEEDS**

Applicants in band C who are awarded medium medical needs (Band C-4) and one or more of the following:

- Applicants who lack or share facilities (Band C-1)
- Overcrowding – lacking one bedroom (Band C-2)
- Living with families, friends or ex-partner (Band C-3)
- Homeless without priority need (Band C-6),

will be awarded increased priority for multiple needs and be registered in band B.

**B-6. SOCIAL HOUSING TENANTS UNDER OCCUPIING - FREEING ONE BEDROOM**

The purpose of this band is to free-up family accommodation with the household downsizing by one bedroom. Those accepted into this band will be vacating designated family accommodation (houses or maisonettes) and moving to accommodation not designated as family accommodation (flats or bungalows).

Applicants may not qualify for this band where the accommodation was originally under-occupied at the point of letting i.e. a family with one child offered a three-bed house. Each case will be assessed on its own merits.

This priority reason applies to tenants of Dales Housing Ltd, High Peak Community Housing, Amber Valley Housing Limited or Three Valleys Housing. Other housing association under-occupiers may also be eligible for this priority where the vacated property is to be advertised through Home-Options.

Participation by tenants in this scheme is on a voluntary basis.
**5.4 Explanation of Priority Reasons – Band C**

<table>
<thead>
<tr>
<th>Band C</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>APPLICANTS WHO LACK OR SHARE BASIC FACILITIES</td>
</tr>
<tr>
<td>2</td>
<td>OVERCROWDING – LACKING 1 BEDROOM</td>
</tr>
<tr>
<td>3</td>
<td>LIVING WITH FAMILY, FRIENDS OR EX-PARTNER</td>
</tr>
<tr>
<td>4</td>
<td>MEDIUM MEDICAL NEEDS</td>
</tr>
<tr>
<td>5</td>
<td>MEDIUM SOCIAL NEEDS</td>
</tr>
<tr>
<td>6</td>
<td>HOMELESS WITHOUT PRIORITY NEED</td>
</tr>
<tr>
<td>7</td>
<td>INTENTIONAL HOMELESS</td>
</tr>
</tbody>
</table>

Applicants are prioritised in each band according to the date they became registered in it, irrespective of their priority reason, unless local lettings criteria apply.

**C-1. APPLICANTS WHO LACK OR SHARE BASIC FACILITIES**

Applicants who currently:

- lack or share* bathroom facilities or kitchen facilities or inside WC,
- lack or share* permanent hot water supply or electrical supply.

*Share with non-family, friends or relatives.

**C-2. OVERCROWDING – LACKING 1 BEDROOM**

This category applies to all applicants who are lacking 1 bedroom only in their current home.

The following groups of applicants are classed as overcrowded:

- child/children sharing with a parent,
- cohabitating couple who share a bedsit,
- adults over the age of 18 that are not a couple and are not siblings sharing a bedroom,
- children of the opposite sex sharing a bedroom where at least one child is over seven years,
- two children of the same sex sharing a bedroom, one of which is aged ten years or older; and there is an age gap of five years or more.

Regarding will be taken of accommodation available to all members of the applicant’s household (e.g. split households where each partner has an interest in a different property):

- unless exceptional circumstances apply, the household will be assessed as if they were living in the most favourable property (in terms of housing needs) available to any member of the household,
• if a member if the household owns a property, the application will be deferred until they have been assessed as in section “Property ownership & equity”,
• this also applies where households are living apart.

C-3. LIVING WITH FAMILY, FRIENDS OR EX-PARTNER

An applicant that shares facilities with family, friends or an ex-partner and wishes to live independently will be considered in band C. Facilities taken into account in this category are:

• bathroom
• kitchen
• living room.

C-4. MEDIUM MEDICAL NEED

Households which include a person (or persons) whose illness or disability is made worse by their present home and who need a move to improve the effect on their medical condition will be awarded Medical Priority for registration in band C. This applies to applicants whose long-term needs are not met by the property in which they currently live, but whose health is not at immediate risk should they have to wait for a move.

C-5. MEDIUM SOCIAL NEED

Households which include a person (or persons) who are experiencing harassment or anti-social behaviour but where there is not a significant risk. Evidence to support the award of priority must be provided and it is expected that applicants will have worked with anti-social behaviour teams, police or other agencies to try to resolve their problems. Confirmation that a move is the only option available to alleviate the situation will be required to support the award of this priority.

C-6. HOMELESS WITHOUT PRIORITY NEED

Applicants assessed under Part VII of the 1996 Housing Act, Homelessness Act 2002 by the Housing Options Team and found to be unintentionally homeless with a local connection but not to be in priority need.

C-7. INTENTIONALLY HOMELESS

Applicants accepted as homeless in the Home-Options area by the local authority or their agent but who are considered to have made themselves homeless intentionally will be considered in this category.

Applicants assessed as intentionally homeless will not be considered for multiple needs (Band B-5).
5.5 Explanation of Priority Reasons – Band D

<table>
<thead>
<tr>
<th>Band D</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
</tr>
<tr>
<td>2</td>
</tr>
<tr>
<td>3</td>
</tr>
<tr>
<td>4</td>
</tr>
</tbody>
</table>

Applicants are prioritised in each band according to the date they became registered in it, irrespective of their priority reason, unless local lettings criteria apply.

**D-1. PRIVATE TENANTS WITH A DESIRE TO RESIDE IN SOCIAL HOUSING**

Tenants who live in private rented accommodation who have a desire to move to alternative accommodation.

**D-2. SOCIAL HOUSING TENANTS WITH A DESIRE TO MOVE**

Social Housing tenants who have a desire (but not a need) to move to alternative accommodation.

**D-3. OWNER OCCUPIERS**

Applicants who are owner occupiers and have been assessed by Home-Options to have sufficient resources to assist themselves in seeking alternative accommodation.

**D-4. ALL OTHER APPLICANTS**

Households which include a person (or persons) with an illness or disability which is not affected by their current home and where a move is desirable (but not essential) will remain in band D.

Applicants who have been accepted as homeless by an out of area local authority will be awarded band D as the local authority accepting the homelessness duty have to provide a suitable offer of accommodation.

All other applicants who have no housing need but a desire for accommodation in the Home-Options area.
PART 6: CHOICE FOR APPLICANTS

6.1 How properties are advertised

The Home-Options Partnership will advertise available properties in a variety of ways which may include a regular free sheet magazine which is available online via the website and at various places including Home-Options Partnership offices and other places agreed by the Partnership.

It is the intention of Home-Options to advertise all properties to:

- Transfer applicants – tenants of High Peak Community Housing, Dales Housing Association, Amber Valley Housing Limited or Three Valleys Housing who register for a move, and

- Homeseekers – applicants who register with Home-Options who are not currently tenants of High Peak Community Housing, Dales Housing Association, Amber Valley Housing Limited or Three Valleys Housing.

In exceptional circumstances, where properties are only advertised for transfer applicants or homeseekers, the reason for this will be included in the advert.

Eligibility criteria within the adverts for the property will be shown, such as:

- The minimum and maximum number of persons in the household
- If there are age limits or for households without dependent children
- The mobility group, if applicable
- If pets are allowed
- Whether it is sheltered housing
- Whether preference will be given to applicants satisfying any local lettings policy.

The advert will also specify:

- Who owns the property, which housing association or Council
- The number of bedrooms in the property
- The weekly rent, including any other charges
- Floor level (if a flat)
- Lift availability
- Special features (garden, pets)
- Local lettings policy
- The date the property will be ready for occupation (where possible)
- Other useful information about the local area.

Applicants are encouraged not to express an interest in properties they are not eligible for, as bids will not be accepted and applicants will waste one of three valid bids per bidding cycle.
There is a very limited supply of social housing with four or more bedrooms therefore alternative housing options should be considered by applicants requiring this size of property.

6.2 Local Lettings Policies

Due to the high demand for accommodation in the Home-Options area and the difficulty people experience in finding affordable accommodation within their own communities, properties may be advertised under a local lettings policy.

Local lettings policies have an important role in widening housing choices for local people and helping to provide sustainable communities. The national and regional housing agendas encourage mixed tenures that cater for a range of households with varying needs and aspirations.

Home-Options will work with local councils and housing associations partners to develop local lettings policies for new and existing developments where there is a case to do so within the Home-Options area. Properties may be made available to households that would not otherwise have the opportunity to access affordable housing. This will ensure the developments cater for a variety of residents as opposed to concentrations of households with particular support needs.

Local lettings policies will be based upon the needs of local people and developed in consultation with residents. The expected outcomes of any local lettings policies should be clearly set out and the impact of the plans will be monitored to make sure they meet the objectives they set out. Local lettings policies should for a fixed period of time and subject to regular review.

Where there are specific issues, local lettings policies can also assist in the management of existing stock to help resolve issues such as child density, antisocial behaviour or mixed communities.

In appropriate locations, local lettings policies may be used to give a higher priority to certain applicants having a specific local connection to a village, parish or locality. This will help provide sustainable communities by helping people to stay close to their support mechanisms from families or friends, local schools and jobs. In these circumstances the priority within a band will firstly be given to any applicants having a local connection and secondly to the date registered in the band.

Local lettings policies will be advertised on the Home-Options website, so that the letting of properties is clear and transparent.

Due to the requirements of planning permission, some new developments within the Home-Options area may also carry restrictive criteria for local lettings i.e. giving preference to people who have a local connection with the parish where the property is built. These properties will be advertised with the relevant clause inviting local people to express an interest.
### 6.3 Household eligibility

The matching policy will be used to assess applicant’s/household’s bedroom requirements.

Applicants will be entitled to bid only for property which suits the size of their household as follows:

<table>
<thead>
<tr>
<th>Household Size</th>
<th>0 bed flat/maisonette</th>
<th>1 bed flat/maisonette</th>
<th>1 bed house</th>
<th>1 bed bungalow</th>
<th>2 bed flat/maisonette</th>
<th>2 bed bungalow</th>
<th>2 bed house</th>
<th>3 bed flat/maisonette</th>
<th>3 bed house</th>
<th>4+ bed house</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Single Person</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>LLP</td>
<td>LLP</td>
<td></td>
<td>LLP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>B Couple</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>LLP</td>
<td>LLP</td>
<td></td>
<td>LLP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>B1 Single/Couple &amp; 1 adult</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>LLP</td>
<td>LLP</td>
<td></td>
<td>LLP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>B2 Single/Couple &amp; 2 adults</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>LLP</td>
<td>LLP</td>
<td></td>
<td>LLP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>B3 Single/Couple &amp; 3 adults</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>LLP</td>
<td>LLP</td>
<td></td>
<td>LLP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C Non-cohabitating couple</td>
<td>Y</td>
<td>LLP</td>
<td></td>
<td>LLP</td>
<td>LLP</td>
<td>LLP</td>
<td></td>
<td>LLP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D Single adult, 1 dependent child</td>
<td>Y</td>
<td>LLP</td>
<td></td>
<td>LLP</td>
<td>LLP</td>
<td>LLP</td>
<td></td>
<td>LLP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D Couple, 1 child</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>LLP</td>
<td>LLP</td>
<td></td>
<td>LLP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>E1 3 single adults</td>
<td>Y</td>
<td>LLP</td>
<td></td>
<td>LLP</td>
<td>LLP</td>
<td>LLP</td>
<td></td>
<td>LLP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>E2,3 4+ Single Adults</td>
<td>Y</td>
<td>LLP</td>
<td></td>
<td>LLP</td>
<td>LLP</td>
<td>LLP</td>
<td></td>
<td>LLP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>E Single/Couple, 2 dependent children who should share</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>LLP</td>
<td>LLP</td>
<td></td>
<td>LLP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>F1 Single/Couple, 2 dependent children who should not share</td>
<td>Y</td>
<td>Y</td>
<td></td>
<td>LLP</td>
<td>LLP</td>
<td>LLP</td>
<td></td>
<td>LLP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>F Single/Couple, 3 dependent children</td>
<td>Y</td>
<td>Y</td>
<td></td>
<td>LLP</td>
<td>LLP</td>
<td>LLP</td>
<td></td>
<td>LLP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>G Single/Couple, 4+ dependent children</td>
<td>Y</td>
<td>Y</td>
<td></td>
<td>LLP</td>
<td>LLP</td>
<td>LLP</td>
<td></td>
<td>LLP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>H 8+ People</td>
<td>Y</td>
<td>Y</td>
<td></td>
<td>LLP</td>
<td>LLP</td>
<td>LLP</td>
<td></td>
<td>LLP</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**LLP = Local Lettings Policy (see description below)**

*Y* – Where a 3 bed house is deemed more appropriate for larger families i.e. because it has additional downstairs rooms that could be used as bedrooms, priority will be given to households with 2 or more dependent children.
The table shows the size of property that applicants may be considered for based on their household composition, either when expressing interest for an advertised property or for a direct let. Please note that these are general guidelines. All properties that are advertised through Home-Options will be clearly labeled to identify the household size eligible to bid for each property.

**Home-Options** partners will label their properties to make best use of their individual homes.

**6.3.1 Sheltered accommodation**

Sheltered accommodation is aimed at people of 55 years and over (60 years and over in Amber Valley and Erewash), who are able to live independently. Its special features offer the potential for older and/or disabled people to maximise their independence, gain security and support, while they remain empowered to control their own homes through tenancy rights.

In certain circumstances sheltered accommodation may be advertised for people under the age of 55 (under the age of 60 in Amber Valley and Erewash) with a medical, disability or support need that will be addressed by living in sheltered accommodation. Applicants in these circumstances may be required to participate in an additional support needs assessment.

**6.3.2 Additional bedrooms required on medical grounds**

In addition to the number of people living in the household, there may be exceptional cases when applicants are eligible to apply for properties with an extra bedroom required to meet specific needs. These requirements will only be met in exceptional circumstances, such as the need for an extra room to install essential medical equipment, for example a kidney dialysis machine.

An applicant may be eligible for an additional bedroom for a carer where they can demonstrate that a live-in carer is essential, and the carer has been identified and has moved in with the household or is ready to do so when the accommodation is available.

**6.3.3 Dependent children**

Dependent children are those who normally live with the applicant or joint applicant. There must be an actual dependence on the applicant or joint applicant. There must be actual residence (or a reasonable expectation of residence) rather than a temporary arrangement whereby the child/children are merely staying with the applicant for a limited period.

A dependent child (or dependent children) include all children under the age of 16, and all children age 16 to 18 who are in, or are about to begin, full-time education or training, or who for other reasons are unable to support themselves and who live at home (e.g. for reasons of permanent disability).
Dependent children need not necessarily be the applicants’ own children but could, for example, be related to the applicant or his or her partner, or be adopted or fostered by the applicant. There must, however, be some form of parent/child relationship.

6.3.4 Additional bedrooms required on joint access grounds

In joint access cases or where couples have equal residency, bedroom eligibility will be awarded to the parent in receipt of child benefit. **Home-Options** will take into consideration both parents’ housing arrangements to ensure that one property has adequate accommodation for the children.

This does not prohibit the other parent from maintaining their usual and agreed access to the children, but they may have to accept an element of overcrowding, use of a reception room, or consider renting privately.

6.3.5 Local Lettings Policy

Properties may be advertised outside of the **Home-Options** policy rules for property size designation where a local lettings policy has been agreed. Generally these will be properties on new developments where local lettings policies allow lower occupancy to balance communities.

Where it is required for efficient management of a housing association’s housing stock, with the agreement of the local authority the property may be advertised with lower occupancy requirement.

Where no interest has been expressed when previously advertised, the property may be re-advertised with lower occupancy requirement.

6.4 Expressions of interest (bidding)

Properties will be advertised through **Home-Options** and all applicants will be able to express an interest (bid) for properties available that they are eligible to bid for (see Part 6.3). Adverts may state if a property is targeted at certain applicants, e.g. over a certain age or at households with a specific medical need (for example, ground floor accommodation).

Properties will normally be advertised by relevant local authority area within the **Home-Options** area. All **Home-Options** applicants will be encouraged to bid for any property they are eligible for and interested in, irrespective of local connection.

Applicants will be entitled to make a maximum of three bids every advertising cycle.

Sometimes an application is deferred and therefore not able to participate in the bidding process. For details of when this happens see Part 4.2.
6.5 The selection process

Once the advertising cycle is closed, all eligible bids for each property are placed in priority order. Priority is decided first by the local authority area, second by band and thirdly by priority date within the band (see below - unless a local lettings policy applies as outlined in Part 6.2 when priority within the band is firstly given to someone with a specific local connection). If there are no eligible bidders for a property the Housing Options team may decide to make a direct letting or re-advertise the property.

<table>
<thead>
<tr>
<th>The order in which bids are considered</th>
</tr>
</thead>
<tbody>
<tr>
<td>The applicant has a connection with the local authority area where the advertised property is located</td>
</tr>
<tr>
<td>1 Band A (by Priority Date)</td>
</tr>
<tr>
<td>2 Band B (by Priority Date)</td>
</tr>
<tr>
<td>3 Band C (by Priority Date)</td>
</tr>
<tr>
<td>4 Band D (by Priority Date)</td>
</tr>
<tr>
<td>The applicant has a connection with Home-Options but not the local authority area where the advertised property is located</td>
</tr>
<tr>
<td>5 Band A (by Priority Date)</td>
</tr>
<tr>
<td>6 Band B (by Priority Date)</td>
</tr>
<tr>
<td>7 Band C (by Priority Date)</td>
</tr>
<tr>
<td>8 Band D (by Priority Date)</td>
</tr>
<tr>
<td>The applicant is applying from outside the Home-Options area and has no connection with the local authority area where the advertised property is located</td>
</tr>
<tr>
<td>9 Band A (by Priority Date)</td>
</tr>
<tr>
<td>10 Band B (by Priority Date)</td>
</tr>
<tr>
<td>11 Band C (by Priority Date)</td>
</tr>
<tr>
<td>12 Band D (by Priority Date)</td>
</tr>
</tbody>
</table>

An offer of a new home to a household on the housing register will depend on an active application on the housing register i.e. one which is not excluded or deferred, and also:

- The composition of the applicant’s household
- Choices or bids made by the applicant
- The priority that Home-Options policy gives to different types of housing need
- The size and availability of properties.

Applicants by-passed for any reason will be contacted in writing with the reason why they have not been considered for accommodation. Applicants have the right to review this decision (see Part 3.7 Home-Options Review Procedure).
6.6 Viewing a property

Viewing takes place after the bidding process.

Multiple viewings may be arranged for certain properties. This means that more than one applicant will be invited to view the same property (for example, a shortlist of the first three highest priority bidders). The applicant with the highest priority will be offered the property if they are interested. If refused, the property will then be offered to the next highest priority bidder, and so on.

6.7 Change of circumstances

Checks will also be made at the time of the offer to ensure that the household details are correct and the property is suitable for the household size. If a household's current housing situation is different from their housing registration details, then a housing offer may be withdrawn. The application may be deferred until the applicant provides proof of their change of circumstances (see Part 4.4 Deferred Status).

6.8 Applicants who fail to bid

Home-Options may from time to time review applicants in bands who have not taken part in the bidding process and ascertain the reason for not bidding. For applicants in higher bands partners may instigate assisted bidding (see Part 6.9 Assisted Bidding).

6.9 Assisted bidding

Assisted bidding is making bids on an applicant’s behalf. Assisted bids will be placed on accommodation that best suit an applicant’s situation based on available properties and the general housing circumstances of the area.

Assisted bidding may be used in circumstances such as:

- Accepted homeless applicants
- Band A applicants deemed in urgent need of accommodation
- Where vulnerable applicants instruct Home-Options to make bids on their behalf.

If an applicant refuses to accept accommodation offered under these circumstances to solve their immediate housing difficulty their priority will be reviewed and may be removed. Applicants have a right of review of this decision (see Part 3.7 Home-Options Review Procedure).

6.10 Direct Lets

Most properties will be advertised through Home-Options. However in certain circumstances some properties may be let directly.
Where a **property** has been advertised for a reasonable period of time and there has been no interest, the property may be let outside of **Home-Options** on a ‘first-come, first-served’ basis.

Where an **applicant** is identified as requiring a direct let, the case will be referred to a senior officer for approval.

The list below gives examples of where we might do this. This list is not exhaustive:

- Where an award of a tenancy is required to ensure protection of the public, for example, following a decision made by a Multi-Agency Public Protection panel, or where a customer has been referred as part of the witness protection scheme
- Where an existing social housing tenant in the district needs to move due to imminent risk to safety
- Where an applicant’s property is being repaired and they need to be moved from the property on a temporary or permanent basis and a delay would have an adverse impact upon the renovation project or contract
- Properties let as temporary accommodation in support of the local authority’s duty under the homelessness legislation (for example ground floor level access accommodation for a homeless applicant who requires the use of a wheelchair).

Direct lets will not impact on reasonable preference and will only be used in exceptional circumstances. In all cases, the housing association and local authority will need to agree to the necessity of a direct let.

Direct lets will be made on the basis of a suitable property becoming available.

### 6.11 Housing associations

Housing association with properties in the **Home-Options** area can advertise them for rent through **Home-Options**.

Applicants on the housing register will be invited to bid in response to these advertisements. Where the housing association plans to allocate property under different criteria to this policy, it will be clearly stated in the advert.

Once an advertising cycle has ended, nominations will be forwarded to the housing associations as agreed under the relevant nominations agreement.

The housing association will normally offer the accommodation to the applicant with the highest priority, under their current nomination agreement. Housing associations are encouraged to allocate their homes in accordance with this policy, but some may have their own policy and may accept or refuse nominations on grounds not covered in this policy.
PART 7: OFFERS AND REFUSALS

Once an offer has been made and accepted, the new tenancy offered must be the sole residence of all members of the household and any existing tenancy must be relinquished (checks will be made following acceptance of an offer to ensure that other tenancies are relinquished).

7.1 Refusal following a bid

Home-Options will offer assistance and guidance to applicants, including vulnerable applicants, to help them through the application, bidding, viewing and sign-up processes.

Where an applicant does not keep an appointment to view a property or otherwise does not contact Home-Options regarding the offer, this will normally be treated as a refusal. This will not generally prevent applicants from bidding for or being offered other accommodation.

If an applicant was unable to keep a viewing appointment and was also unable to give prior notification to this effect, the offer may, at the discretion of Home-Options, be re-instated providing it has not already been re-offered to another applicant. This will also apply to vulnerable applicants who, by reason of their vulnerability, were unable to attend a viewing appointment.

Where an applicant has successfully bid for a property and then refuses it, generally no penalty will apply. In most cases, the applicant will be free to bid again according to the normal bidding process.

Where an applicant does not keep an appointment to view a property, or refuses it, the next highest-ranking bidder will normally be offered the property (see Part 6.6 Viewing a Property).

7.2 Homelessness applicants

Homeless applicants will be dealt with in accordance with the relevant codes of guidance and within the procedures of the relevant local authority. This will include appeals and reviews, and information on these will be provided to homeless applicants by the local authority.

Homeless applicants will generally be expected to bid for advertised properties in the same way as other applicants, but bids may also be submitted for suitable accommodation on behalf of homeless applicants at the discretion of the relevant local authority.

A local authority has a duty to provide permanent accommodation when accepting an applicant as homeless.

To discharge a duty to a homeless applicant under the Housing Act 1996 (as amended by the Homelessness Act 2002) the local authority (or their agent) must
secure a final offer of suitable permanent accommodation. The aim is to solve the applicant’s homelessness as quickly as possible.

Assisted bidding may be used to help homeless applicants to secure accommodation when they fail to express interest in advertised accommodation deemed to be suitable for their needs (See Part 6.9 Assisted bidding). Assisted bids will be placed on accommodation that best suit an applicant’s situation based on available properties and the general housing circumstances of the area.

If, following a bid placed by a homeless applicant or on a homeless applicant’s behalf (assisted bidding), they fail to take up the final offer of accommodation the local authority (or their agent) can under the terms of the Housing Act 1996 (as amended by the Homelessness Act 2002) discharge any further duty to assist them.

When assisted bidding takes place the local authority (or their agent) will write to homeless applicants informing them of properties where a bid has been placed on their behalf.

If a homeless applicant refuses to accept the accommodation offered (final offer) they have a right of review to the decision.

7.3 Feedback on let properties

All properties let through Home-Options will be listed in a future copy of the property sheet showing the number of bidders for each property, and the band and priority date of the successful applicant. The information is also available on the Home-Options website.

7.4 Other linked schemes and housing options

Due to the pressures on social housing across the Home-Options area, applicants will receive advice and information about a range of housing options such as low-cost home ownership schemes, suitable private rented accommodation and mutual exchanges.
PART 8: APPENDICES

Appendix 1: Local Connection – Section 199, Housing Act 1996

(1) A person has a local connection with the district of a local housing authority if he has a connection with it—

(a) because he is, or in the past was, normally resident there, and that residence is or was of his own choice,

(b) because he is employed there,

(c) because of family associations, or

(d) because of special circumstances.

(2) A person is not employed in a district if he is serving in the regular armed forces of the Crown.

(3) Residence in a district is not of a person’s own choice if—

(a) he becomes resident there because he, or a person who might reasonably be expected to reside with him, is serving in the regular armed forces of the Crown, or

(b) he, or a person who might reasonably be expected to reside with him, becomes resident there because he is detained under the authority of an Act of Parliament.

(4) In subsections (2) and (3) “regular armed forces of the Crown” means the Royal Navy, the regular forces as defined by section 225 of the [1955 c. 18.] Army Act 1955, the regular air force as defined by section 223 of the [1955 c. 19.] Air Force Act 1955 and Queen Alexandra’s Royal Naval Nursing Service.

(5) The Secretary of State may by order specify other circumstances in which—

(a) a person is not to be treated as employed in a district, or

(b) residence in a district is not to be treated as of a person’s own choice.

Appendix 2.1: Local Lettings Policy - Derbyshire Dales

The village local lettings policy will apply within the Derbyshire Dales area of the Peak District National Park and to other villages of less than 3000 population within Derbyshire Dales. It will not therefore apply to Matlock, Wirksworth, Darley Dale or Ashbourne.

Applicant’s resident for 3 months or more in a parish of less than 3000 population will be considered first within the band. If no applicants from the parish within the band express an interest then an applicant with a connection to the district will be considered next within the band before moving to a lower band (Band A, parish connection, then district connection, no bidders then band B, parish connection, then district connection and so on.)