

# Lettings Policy

<b>Operating Company:</b>	Aster Group		
<b>Approved by:</b>	<i>Customer &amp; Community Network</i>		
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## 1 Introduction

- 1.1 Aster is committed to providing good quality affordable homes to people who would be unable to rent or buy in the private sector, subject to our affordability check.
- We will take into account the needs and aspirations of existing and potential customers and offer a range of housing products to meet their requirements.
  - We aim to let our homes in a fair, transparent and efficient way, making the best use of the housing available.
  - We will make sure every property is let in a safe, clean condition which reaches our defined lettable standard.
  - We will let our empty homes as quickly as possible to avoid loss of rent, vandalism or squatting.
  - We will let our properties by the most appropriate tenure in delivering this policy.
  - We will work closely with local authorities and contribute to supporting them to meet their strategic housing aspirations where possible.
- 1.2 This policy sets out how we will let our general needs, housing for older people, extra care, supported accommodation, intermediate, social and affordable rent homes. (This policy does not cover market rent properties, shared ownership properties and garages).

## **2 Policy statement**

### **2.1 Understanding and responding to customers**

2.1.1 We will make sure that everyone is treated fairly and without discrimination, whilst at the same time considering the appropriateness of the allocation.

2.1.2 We will make sure that all lettings are carried out in accordance with the Aster Group Equality & Diversity Policy.

### **2.2 General approach to lettings**

We will make the best use of all our properties and will:

- Let our homes as quickly as possible to avoid loss of rent, vandalism or squatting.
- Encourage, support and prioritise our existing customers to move to smaller homes if their current ones are larger than they need or can afford.
- Encourage and support home swaps (mutual exchanges) and provide free subscription for all existing customers to a national home swap service.
- Offer suitable alternative accommodation if a person has succeeded to a tenancy of a property that is larger than they need.
- Work with other organisations to offer a wide range of housing options to those considering a move.
- Aim to match adapted properties to those in need of the adaptations.
- Work with Local Authorities and other stakeholders to develop local lettings plans (LLP) with the aim of improving access to housing and creating sustainable neighbourhoods.

### **2.3 Criteria for who can be offered an Aster home**

In aiming to make best use of the housing we own, there are clear criteria around the size of home we will offer for each type of household. We will inform all applicants/existing tenants of the potential impact of welfare reform and the under occupation penalty in regards to bedroom entitlement.

### **2.4 Nominations and advertising of vacant homes**

We will let the majority of our homes to people nominated by local authorities and other statutory agencies but reserve the right to refuse a nomination that does not meet our lettings criteria.

We reserve the right to allocate direct to applicants and/or customers in line with our agreements with our local authority partners.

We will let our homes in accordance with any Town and Country Planning Acts in place and ensure the criteria are clearly advertised.

We will advertise our immediately available homes on our website in accordance with our difficult to let procedure.

## **2.5 Employees and relatives**

We will only let a property to an Aster Group employee, their relatives, Non-Executive Directors or their relatives in accordance with Aster's Conflict & Declaration of interest policy and ensure that the allocation is in line with this policy.

## **2.6 Existing Aster customers**

Our existing customers may be able to transfer to alternative accommodation. In the majority of cases this will be facilitated through the relevant local authority nomination process. We will support transfer requests from our existing customers.

Management transfers are considered where the circumstances of the customers are such that they require an urgent move to permanent accommodation. This can be defined as 'a move agreed in exceptional circumstances due to significant issues associated with the tenant's occupation that has resulted in imminent personal risk to the household if they remain'. Customers are eligible for a management transfer if they are at imminent risk of harm, such as those suffering from domestic abuse, severe harassment or for households placed under the witness protection programme.

## **2.7 Advice and support**

We will provide all applicants for our homes with advice and guidance on accessing housing, including support with the application and bidding process.

We will ensure available properties are advertised in a range of ways to meet the needs of our applicants.

We will offer translations services to applicants who do not speak English as their first language and others who have difficulties with written English.

When letting our homes we will work closely with applicants, and partner agencies to identify any vulnerability or support needs and ensure support packages are in place.

## 2.8 When we offer a tenancy, we will:

- Assess all applicants prior to offer to make sure the property is suitable for them and that the household meets all our letting criteria.
- Complete an affordability assessment to make sure the customer can afford to live there.
- Collect applicant information and financial information to allow us to assess the needs of the whole household.
- Carry out an accompanied viewing of the property before expecting the applicant to accept the offer.
- See proof of identification from all our new applicants, including photographic ID such as passport or driving licence.
- Take a photograph of all our new customers and hold this on file. This will assist us to tackle tenancy fraud and ensure our homes continue to be occupied by the people named on the tenancy agreement. It is also a requirement of the Money Laundering Act. We will hold this information in line with the Data Protection Act and the General Data Protection Regulation.
- Make sure that every property is let in a safe, clean condition that meets our lettable standard.
- Have a needs led approach to the tenure we offer all new tenants.
- Explain to customers their rights and responsibilities under their tenancy agreement.
- Encourage customers to pay up to a months rent in advance before we let the property to promote a rent first culture.
- Let our homes and issue tenancy agreements or terms of occupation that:
  - are compatible with the purpose of the accommodation
  - meet the needs of the individual households
  - ensure stability of the community
  - make efficient use of our housing stock.
- Consider offering a home to young people aged 16-17 years. If an offer of a tenancy is made we will issue a licence agreement that rolls into a starter tenancy agreement when the young person reaches 18 years of age.
- Offer housing for older people, to those who have reached the set minimum age for that particular scheme or who have a disability or support need.

The types of tenures we will offer are as follows:

- Assured tenancies – for existing assured or secure social tenants and those new customers in extra care or housing for older people homes.
- Fixed term tenancies for new tenants living in general needs homes or for affordable rent tenancies.
- Starter tenancies that roll into a fixed term tenancy for new tenants where after our pre-allocation assessment we identify there is likely to be a need to keep a close eye on the tenancy in the early days, due to historical factors such as a previous history of rent arrears, or concerns around health conditions, lack of previous tenancies held, etc.
- Licences for 16/17 year olds that roll into starter tenancies upon them reaching the age of 18.
- Assured shorthold tenancies for intermediate rent.
- Assured shorthold tenancies for short-term accommodation to help our local authority partners prevent homelessness.

## **2.9 Exceptions – when we might offer a licence that rolls into a starter tenancy**

We will, in the majority of circumstances, offer fixed term or starter tenancies to new tenants.

When dealing with certain types of potential new tenants, (i.e. ex-offenders with substance abuse), due to historical problems, the administration time and cost of managing lettings and tenancies in those circumstances we will offer a 12 week licence that flows into a starter tenancy.

## **2.10 Decants**

There are situations when Aster may require customers to move from their homes either permanently for redevelopment purposes, or temporarily due to major works or an emergency. This process is known as decanting. When developing a decant programme or requiring individual households to move, Aster Communities /Synergy Housing will comply with current legislation, regulatory guidance and reflect best practice and work in partnership with Local Authorities.

In order to achieve successful outcomes Aster will treat each move individually, recognising, respecting and responding to people's different needs, circumstances and requirements. We will work with customers to facilitate a decant and will ensure where required that customers are advised of any compensation or financial assistance they may be entitled to. This

includes a statutory Home Loss payment for permanent decants and reasonable disturbance payments to cover the costs of the move itself.

## 2.11 Appeals

In exceptional circumstances, we may agree lettings that are outside the normal lettings process. This will be at the discretion of the Regional Head of Housing and records will be kept to explain the reasoning behind the decision. Anyone who does not feel that they have been dealt with fairly when applying for an Aster home can appeal against our decision to a Regional Head of Service.

## 3 Policy Implications

3.1 We will monitor the performance of the Lettings Service and provide reports which will check the following:

- Average time taken to relet our homes;
- Refusals by applicants and by Aster;
- Percentage of homes accepted on first offer ;
- Percentage of rent lost through voids;
- Amount of rent loss through all voids including majors, minors, properties associated with options appraisal or void disposal pool;
- Continuous Recording (CORE) 2 reports.

3.2 This policy has been checked to make sure that it is fair and equally accessible to those in need of housing. A copy of this analysis is available along with any changes that we have made as a result.

## 4 Legal & regulatory requirements

4.1 Elements of and case law relating to the following legislation affect the allocation and letting of social housing. The lettings service has to take into account the following legislation:

- Data Protection Act
- Asylum and Immigration Act
- Children (Leaving Care) Regulations
- Civil Partnership Act
- Equality Act
- Housing (Homeless Persons) Act
- Homelessness Act
- Housing Act
- Housing and Planning Act
- Human Rights Act
- Mental Health Act
- Section 106 of the Town and Country Planning Act
- Sex Discrimination Act
- Supporting People

- Localism Act
- Anti-social Behaviour Act
- Armed Forces Act
- Children Act
- Equality Act
- Family Law Act
- Immigration Act
- Immigration and Asylum Act
- National, Immigration and Asylum Act
- Land Compensation Act
- Landlord and Tenant Act
- Local Government Act
- Local Government and Housing Act
- Matrimonial and Family Proceedings Act
- Mental Capacity Act

#### 4.2 Regulation

The Homes and Communities Agency published a new regulatory framework in March 2012:

The Regulatory Framework for Social Housing in England from April 2012.

#### 4.3 Links to other Policies

- [Equality & Diversity Policy](#)
- [Compensation Policy](#)
- [Tenancy Policy](#)
- Vulnerable Adults Policy
- Affordable Rents Policy.