

<p>Radian</p> <p>Allocations and Lettings Policy</p> <p>Approved by Executive Team Date of approval: December 2016 Review date: December 2019</p>	
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1. Statement of Intent

- 1.1 We are committed to ensuring that properties are offered to potential tenants, who are unable to compete on the open market, in an efficient, effective and timely manner and to make best use of our housing stock to achieve mixed, sustainable communities.

2. Definition

- 2.1 This policy sets out our approach to the allocation of our general needs, supported and sheltered rented properties. It relates to properties developed with public subsidy. Details of the tenancies we offer and the circumstances under which fixed-term tenancies may be re-issued are contained in our separate Tenancy Policy.
- 2.2 All references to Radian include all Registered Providers (RPs) that form part of Radian.

3. Policy

- 3.1 Radian has housing stock over a large geographical area, located in many local authority areas. There are a variety of arrangements for the allocation of properties, in line with any Section 106 agreements, local lettings plans and Nomination Agreements with partner local authorities. Radian will seek to cooperate with local authorities' strategic housing functions in line with the HCA's Tenancy Standard and the general requirement on RPs to assist local authorities to discharge their statutory duties.¹
- 3.2 The fundamental principles of this policy are:-
- Openness, fairness and efficiency;
 - Affordability;
 - Adherence to equality principles;
 - Assessment of priority on the basis of housing need;
 - Sustainability of neighbourhoods;
 - Co-operation with local authorities in meeting their responsibilities towards those in housing need;
 - Adherence to the Homes and Communities Agency's regulatory framework; and
 - Suitability of properties to meet the needs of individual households.

Joint Housing Register and Choice Based Lettings

- 3.3 Joint Housing Registers or Choice Based Lettings schemes exist in all areas of our operation. Applicants for housing complete one form in their local authority area and are eligible for consideration by all the social housing providers within that area.

¹ Section 170 Housing Act 1996

Transfers

- 3.4 We aim to help our existing residents have an opportunity to move to accommodation which is more suitable for their needs This may be via Radian's internal transfer list in the Windsor area, choice based lettings schemes or by promoting mutual exchange schemes.
- 3.5 Properties owned by Radian's subsidiaries, Drum Housing Association and Portal Housing Association have charitable status. Their charitable purpose is to house those in necessitous circumstances. Applicants nominated by Local Authorities either through direct nomination or through Choice Based Letting schemes will be deemed to have been assessed by the relevant Local Authority as being in necessitous circumstances.

Occupation Criteria

- 3.6 Properties will normally be allocated in line with the occupation criteria as stated in Appendix One and in accordance with the relevant local authority Nominations Agreement.

Local Lettings Plans and Affordable Rent Tenancies

- 3.7 Local lettings plans may be considered to promote sustainable communities, assisting a neighbourhood to become more balanced with a variety of different households. Local lettings plans will reflect, and help to deliver, our commitment to equality and diversity. All such plans will be approved by the relevant local authority and Area Housing Manager.
- 3.8 Radian will allocate all new build properties and some social rent properties which become vacant at Affordable Rents (up to 80% of Market Rent). This is in accordance with funding contracts with the Homes and Communities Agency (HCA) Please see the Affordable Rent Policy for further details.

Under occupation

- 3.9 In general needs and sheltered accommodation we will not normally allow under occupation and will adhere to current Department of Work and Pensions guidance when allocating properties according to size of household. However there are some exceptions where DWP allows under occupation. In addition there are circumstances in supported accommodation where under occupation will be considered, such as where a bedroom is not of a sufficient size for the occupant or where a local authority has made a specific case for an extra bedroom.

Accepting and refusing Nominations

- 3.10 All allocations will be in accordance with the relevant Local Authority's nominations agreement and Radian's Allocations Policy. In some circumstances we will refuse to make an offer of permanent or temporary accommodation². These include:
- The applicant has access to another property over which they have occupation and/or ownership rights and they choose not to live in this property. This includes

² In most cases Nominations Agreements allow us to refuse a nominee on these grounds but in some cases the right to refuse may be more limited. Noms agreements should always be checked for any such restrictions before a decision to refuse is made.

properties owned by an applicant where they have let the property on a tenancy agreement for profit. Exceptions will be considered when an applicant can show they have a court order transferring rights, including any ownership or security of tenure;

- The applicant does not intend to reside and continue to reside after the letting at the offered property as their only or principal home as required by the Housing Act 1985 and Housing Act 1988 (as amended) or any successor legislation;
- If the applicant has an outstanding debt to Radian (or a subsidiary) or another Registered Provider they must have maintained a satisfactory repayment agreement over a period of at least 6 months. If there are any debts outstanding at the start of any new tenancy an agreement needs to be made to ensure these are cleared within a maximum of two years from the tenancy start date. In cases where this debt was caused by a reduction in benefit due to under-occupation and the move will remove this reduction, Radian may consider the move and allow the debt to be recovered under the new tenancy agreement;
- The applicant has been evicted for ASB or other breach of tenancy or abandoned a previous tenancy.
- Where we do not have the ability to reasonably adapt the property to the specific needs and requirements of the applicant;
- The applicant is a minor and it has not been possible to arrange a guarantor
- The applicant, or members of the household, have been assessed as presenting a considerable risk to the community and/or Radian staff, following a risk assessment agreed by an Assistant Director
- The applicant does not meet the criteria as specified in the local lettings plan agreed by the relevant local authority.
- After affordability checks have been undertaken the applicant cannot demonstrate an ability to pay rent and other charges
- The property will be statutory overcrowded
- The applicant and or members of their household do not have the Right to Rent³

3.11 Any decision to refuse a application for any of the reasons listed above will be made by the Area Housing Manager

3.12 Refusals to accept nominations may be appealed by the applicant using Radian's Appeals process.

Disabled adaptations and lettings to disabled applicants

3.13 We will ensure that adapted properties, or properties that are suitable for adaptation, are, wherever possible, occupied by those who can make the best use of these properties.

Sheltered and Supported Accommodation

3.14 Accommodation in sheltered schemes will be let in line with any local lettings plans or nominations agreements (including planning restrictions) to those over the age of 60 or who are in receipt of an occupational retirement pension.

3.15 Accommodation will be let in accordance with the management agreement/service level agreement/lease agreement or nominations & voids agreement (as applicable).

Medical Transfers

³ Under the Immigration Act 2014 and the statutory Code of Practice

3.16 Where a subsidiary RP holds their own waiting list, applicants may apply for medical priority. Radian reserves the right to have the application assessed by an independent medical advisor.

Management Transfers

3.17 Management transfers will be offered in exceptional cases, where a person's needs for a move is so great that they are immediately given the highest priority for a transfer. In most circumstances their application will be supported by external agencies.

3.18 Management transfers will normally be granted on a like-for-like basis and only one offer will be made.

Succession to Tenancies

3.19 Individual succession rights will be detailed in the tenancy agreement. In general, if a tenant dies, in accordance with succession rights detailed in individual tenancy agreements their partner, (married, civil partner, co-habiting or same sex partner) occupying the tenancy as their only or principal home may succeed to the tenancy.

3.20 Radian will also consider discretionary succession rights to:-

- Another member of the family who has lived with the tenant for a period of 12 months immediately before the death and who resided at the property at the time of the tenant's death and who has no other home;
- A person who has been caring for the tenant and living with them at the property for at least 6 months and who has no other home (with the exception of Partnership and Agents properties where care has been provided by a support provider or managing agent);
- A person who has accepted responsibility for the deceased tenant's child/children. The child, or at least one of the children if more than one, must be under 18 and they must live at the property and have no other home; and
- Where there has already been one succession but there is an individual in occupation that would otherwise be entitled to succeed as a statutory successor (spouse, civil partner or partner) or under one of the above categories.

3.21 None of these classes of person has an automatic right to succeed and Radian will decide each request on its merits, taking into account the nature of the accommodation, the needs and means of the individual and any relevant history known to the Group. This could include, but is not limited to, consideration of the following issues:

- Where occupation by the successor applicant would result in under-occupation. In this case, if otherwise satisfied that the individual would be entitled to a discretionary succession, a more suitable property will be offered – subject to availability (this may be with another landlord);
- Where the applicant has a known history of anti-social behaviour or criminal activity;
- Where the individual was previously a tenant of Radian (or a subsidiary) and was evicted or ended the tenancy owing rent arrears, which have not been discharged;
- Where the individual owns another property where they could reasonably be expected to reside;

- Where the individual or a member of their own household has some vulnerability due to, for example, age, illness, disability;
- Where the individual has dependant children;
- Where the individual would suffer undue hardship if not permitted to succeed;
- The ability of the individual to pay the rent and sustain the tenancy;
- Where the property has been specially adapted and there are housing applicants who have a need for those adaptations;
- Whether the applicant would be treated as eligible for re-housing under the statutory homelessness criteria; and
- Where there are competing interests for succession from another member of the household.
- Whether the applicant and or members of the household have the Right to Rent

3.22 An individual wishing to apply for a discretionary succession must make their application in writing within 1 month of the tenant's death.

3.23 In every discretionary succession case, which is approved, a new starter assured shorthold tenancy will be granted. (This new tenancy will not necessarily be for the existing property as individual circumstances of the applicant will determine the appropriate accommodation).

Mutual exchanges

3.24 Mutual exchanges help meet residents' housing needs and aspirations and we will promote them wherever possible.

Starter tenancies

3.25 A starter tenancy will be given to all new general needs tenants unless they hold a secure or assured (non-shorthold) tenancy with a Local Authority or another registered provider which began on or before 1 April 2012 and they are moving to a social rented property (rather than an affordable rent property, in which case a starter tenancy may be given).

Appeals

3.26 Where an applicant is dissatisfied with a decision made with regard to the Allocations and Lettings Policy, they will be able to use our Appeals Process¹ to lodge an appeal.

Monitoring

3.27 Allocations will be reported on an annual basis to our Executive Board. Statistical data will be provided to the Continuous Recording of Lettings (CORE) and Local Authority partners, as requested. As part of this monitoring process we will work in partnership with Local Authorities to monitor allocations to ensure that they reflect the diversity of our communities.

Review

3.28 We will regularly review this Policy as part of our approach to continuous improvement and we will encourage residents to participate in this process through our resident involvement arrangements

Mobile Homes

3.29 For Mobile Home Owners we will work in accordance with the Mobile Homes Act 1983 (as amended) and will let Mobile Homes and plots, owned by us, in accordance with the appropriate procedure.

Our Commitment to Equality and Diversity

3.30 Radian values diversity. We will encourage a culture that challenges prejudicial behaviours and breaks down barriers to opportunities. We will ensure that our approach to equality and diversity is incorporated in all aspects of our business and the services we provide including our allocations policy and procedures. In creating and adopting this Policy we have had due regard to the need to eliminate discrimination, harassment, victimisation, advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

3.31 We will aim to meet any requirements or needs of those who are subject to this policy.

4. Legal & Regulatory Framework

- Housing Acts [1985](#), [1988](#) and [1996](#)
- [Town and Country Planning Act 1990](#)
- [Immigration and Asylum Act 1999](#)
- [Anti-social Behaviour Act 2003](#)
- [Mobile Homes Act 1983](#) (as amended)
- [Equality Act 2010](#)
- [Immigration Act, 2014](#)
- [Localism Act 2011](#)
- [HCA Regulatory Framework](#)

5. Links to other Policies

- [Equality and diversity policy](#)
- [Anti-social behaviour and harassment policy](#)
- [Void management policy](#)
- [Safeguarding of vulnerable adults policy](#)
- [Safeguarding children and young people policy](#)
- [Data protection policy](#)
- [Affordable Rent Policy](#)
- [Probity policy](#)

6. Related procedures

This policy does not detail the practical advice and assistance that should be provided, nor the actions to be taken by staff. Any such advice, action and assistance will be covered in specific procedure documents which should be used in conjunction with this Policy.

- [Allocations procedure](#)

- [Garage management procedure](#)
 - [Starter tenancy procedure](#)
 - [Death of tenants procedure](#)
 - [Abandonment procedure](#)
 - [Disabled adaptations for void properties procedure](#)
 - [Domestic abuse and violence procedure](#)
 - [Mutual exchange procedure](#)
 - [Void management procedure](#)
 - [Ending tenancy and pre-void inspection procedure](#)
 - [Lettings to minors procedure](#)
 - [Right to Rent procedure](#)
 - [Succession on the death of a tenant procedure](#)
- [Policy Owner: : Assistant Director \(Policy and Performance\)](#)

7. Appendices

Appendix One

Eligibility Criteria/Occupancy Criteria

Appendix One

Occupancy Criteria for General Needs

	Number of Bedrooms	People
Single person	1	1
Couple	1	2
Two people not in a relationship but being accommodated together	2	2
Parent or Couple with 1 Child	2	3
Parent or Couple with 2 Children (both under 10yrs, regardless of gender)	2	4
Parent or Couple with 2 Children (both under 16yrs and same gender)	2	4
Parent or Couple with 2 Children (one of which over 10yrs but of a different gender)	3	4
Parent or Couple with 3 Children (all under 16yrs)	3	5
Parent or Couple with 3 Children (one of which is over 16yrs and the other 2 are of different gender and over 10yrs)	4	5
Parent or Couple with 4 Children (all under 10yrs)	3	6
Parent or Couple with 4 Children (one of which is over 16 yrs and the other 3 are of different gender and over 10 yrs)	4	6
Parent or Couple with 5 Children (all under age 16 yrs)	4	7
Parent or Couple with 6 or more Children (all under age 16 yrs)	5	8