



ALLOCATIONS POLICY

November 2013 (as amended)

Table of Variations

Page	Section	Amendment	Date made	By Whom
20	14.13	Clarification on over 55 financial status	01/03/2015	KW
20	14.14	Extra Care applicants financial exemption	01/03/2015	KW
15	13.2	Updated criteria for Local connection through employment	20/04/2015	KW
9	4.9	Right to Move Regulations and Guidance referenced	20/04/2015	KW
16	13.7	Right to Move Criteria inserted	20/04/2015	KW
33	19	Right to Move Criteria inserted	20/04/2015	KW
56	42.2	Clarified wording relating to "priority order"	06/01/2015	PT

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PART I: INTRODUCTION

I. Housing Options Policy Statement

- I.1** There is limited availability of social housing in Hart.
- I.2** The Council's Housing Service offers housing advice and support for all residents regarding available housing options. It is not simply a homelessness or allocations service.
- I.3** The Council's Housing Service works in partnership with a range of agencies and organisations, across the private, statutory and voluntary sectors, in seeking to holistically meet the individual needs of customers.
- I.4** The Allocations Policy sets out locally agreed qualifying criteria and priority will be given to certain types of household, and based on housing need.
- I.5** The Council will explore all available options to prevent and alleviate homelessness. This includes private rented sector options to meet housing need.
- I.6** For households accepted as homeless under s193, Part 7 of the Housing Act 1996 (as amended), the homelessness duty may be ended with an offer of suitable private rented sector accommodation, without requiring applicant consent.
- I.7** Homelessness does not provide for any guarantee of an offer of social housing in Hart, and the full range of available housing options will be explored to meet housing need in every case.

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2. Background & Summary

- 2.1** In 1994 Hart District Council transferred all its housing stock to Sentinel Housing Association. Sentinel, along with various other housing associations (also called Registered Providers) provide affordable housing in Hart.
- 2.2** The Council continues to manage and administer the Housing Register which determines access to housing association rented properties.
- 2.3** The demand for accommodation in Hart is greater than the number of homes available.
- 2.4** The Council is committed to providing housing at affordable levels for local people.
- 2.5** There is no statutory requirement to maintain a Housing Register however the Council and its partners in Hart consider there are significant benefits in doing so.
- 2.6** The Hart Housing Register framework provides a single point of entry for all applicants, and will be delivered alongside a comprehensive housing options approach providing advice and support to all residents.
- 2.7** Where Hart District Council has nomination rights to resulting vacancies, applications from existing housing association tenants seeking to transfer within the district are included within the scope of the Allocations Policy.
- 2.8** The Allocations Policy extends to all applicants seeking accommodation who are eligible and meet the locally set qualifying criteria. The policy seeks to support eligible and qualifying households who are in greatest need in order of length of time that they have been waiting.
- 2.9** The Council allocates the majority of homes through a Choice Based Lettings (CBL) system. This involves advertising vacancies each week through Hart Homes. The system enables eligible and qualifying applicants to view and express an interest in appropriate properties advertised. The Hart Homes CBL system is explained in later sections of this policy, but can be accessed using this link:

www.harthomes.org.uk

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- 2.10** Part 4 explains how the policy links to a complementary sub-regional CBL scheme called HomeSelecta. HomeSelecta represents a partnership between Hart District Council and Guildford, Rushmoor and Waverley Borough Councils to support cross-district boundary mobility between the different authority areas.
- 2.11** Housing association homes available for Mutual Exchange, Private Rented Sector accommodation and Shared Ownership properties may also be advertised within the parameters of this policy.
- 2.12** Please note that partner housing associations will also have allocations policies. Housing association allocations policies are used by housing associations to determine individual assessments of applicants nominated by the Council to vacancies within their housing stock. Housing associations are able to refuse Council nominations made on behalf of applicant households within the scope of these policies. See Appendix I.
- 2.13** This document represents the full version of the Council's Allocations Policy.

3. Policy Aims

3.1 The primary aims of this policy are:

- To make the best possible use of all available housing stock
- To provide housing that is suitable based on individual household needs
- To help applicants that are most in need
- To give customers as much choice as possible, enable them to participate in the allocations process, and to enable them to make informed choices about their housing options
- To help build and encourage sustainable mixed communities and neighbourhoods of choice
- To allocate housing resources in a way that is fair and transparent
- To encourage out of work residents to enter employment where they are capable of doing so

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4. The Legal & Policy Context

- 4.1** The Allocations Policy sits within a legal framework and wider policy context.
- 4.2** The Housing Act 1996 (as amended) sets out a requirement for the Council to have an allocations scheme for determining priorities, and that sets out the procedure to be followed when allocating housing accommodation, including when making nominations to housing providers.
- 4.3** The Council must publish a summary of the allocation scheme and make it available free of charge to any person who asks for a copy, and make the scheme available for inspection at the Civic Offices, on payment of a reasonable fee, to any person who asks for one. This document represents the full version of the Council's allocations scheme and it is available on the Council's website at www.hart.gov.uk and from the Civic Offices in Fleet.
- 4.4** The local allocations scheme must set out a statement of the Council's policy on offering people who are to be allocated housing a choice of accommodation, or the opportunity to express preferences about the housing to be allocated to them.
- 4.5** The 1996 Act further requires that the Council give reasonable preference within the Allocations Policy to people with high levels of assessed housing need. This includes people who are homeless, people living in unsatisfactory housing conditions, those who need to move due to welfare or medical reasons, and those who would face hardship if they did not move to a particular area of the district. The reasonable preference categories are set out in section 15.2.
- 4.6** This policy complies with the requirements of the Housing Act 1996 (as amended) and has been developed with regard to statutory guidance on allocations: '*Allocation of Accommodation: Guidance for Local Housing Authorities in England – June 2012*'.
- 4.7** When framing the allocations scheme for Hart, the Council has also had regard to:

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- The Housing and Regeneration Act 2008 and all other relevant legislation
- Housing Allocations – Members of the Armed Forces (circular 04/2009), April 2009
- Equality Act 2010
- The Armed Forces Covenant May 2011
- Part 7 of the Localism Act 2011
- The Allocation of Housing (Qualification Criteria for Armed Forces Personnel) (England) Regulations (SI 1869/2012)
- Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012 (SI 2989/2012)
- Welfare Reform Act 2012
- The Hart Housing Strategy 2011-14
- The Council’s Tenancy Strategy
- The Hart Homelessness Strategy 2011-14
- The Hart Private Rented Sector Offer Policy (relating to end of duty options for households accepted under the provisions of the Housing Act 1996, Part 7 as amended by the Homelessness Act 2002 and Localism Act 2011)
- The Council’s Corporate Plan
- Existing case law

4.8 The policy has also been framed with regard to statutory guidance issued in December 2013, *‘Providing social housing for local people: Statutory guidance on social housing allocations for local authorities in England’*. Qualifying criteria will be kept under review to ensure it meets a balance of priorities and contributes to the Council’s strategic housing objectives.

4.9 The policy has been amended in April 2015 to take account of the *“The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015”* which came into force on 20th April 2015, and has had regard to *“The Right to Move: Statutory guidance on social housing allocations for local housing authorities in England”* published in March 2015.

5. Equal Opportunities

5.1 It is the aim of Hart District Council to ensure that no-one applying for housing is treated less favourably for any reason.

5.2 The Council is therefore committed to giving equality of opportunity and ensuring that it does not discriminate on grounds of sex or sexual-orientation, trans-gender status, marital status, race, religion or belief, age, disability, pregnancy or maternity. It will not discriminate on the basis of HIV status, social or economic status, responsibility for dependents, trade union membership or unrelated criminal conviction.

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- 5.3** To assist in ensuring that we are administering the Housing Register fairly, applicants will be asked to complete a monitoring questionnaire at the back of the application form. This information will be treated in the strictest confidence and it will not affect applications in any way. Applicants do not have to answer any of these questions if they do not wish to.
- 5.4** This policy is compatible with the Council's equality duties.

6. Data Protection

- 6.1** All information held by the Council is subject to the Data Protection Act 1998 and therefore all personal information must be treated in strictest confidence.
- 6.2** Applicants are entitled to request a copy of the information held about them (for which they may be charged an administration fee).
- 6.3** By completing and signing the Housing Register application form the applicant provides their consent to the Council processing sensitive personal data about them, and consenting to the Council requesting and sharing information about them with and/or from other agencies and organisations.

7. Housing Options, Advice and Support

- 7.1** Hart District Council is committed to delivering pro-active advice and support to people in housing need in the district.
- 7.2** This policy is supported by a strong and proactive housing options approach, providing realistic advice, promoting other housing options and offering support to access housing solutions that meet identified need.
- 7.3** Not everyone who seeks housing advice and assistance from the Council will qualify to join the Housing Register or be successful in securing an allocation of housing association accommodation.
- 7.4** Everyone who seeks advice and assistance from the Council will be offered realistic advice and support that is tailored to their individual circumstances and with the aim of alleviating their immediate and longer term housing needs.
- 7.5** This allocations scheme requires the participation of housing applicants. The Council aims to provide advice and assistance to qualifying persons to ensure that no-one is disadvantaged by the scheme. See [Section 39](#) for further information regarding support for vulnerable applicants.

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8. Statement on Choice

- 8.1** The Council believes that any applicant who is assessed to be an eligible and qualifying person under this scheme should be able to express a preference regarding the type of property and the area in which they would like to live.
- 8.2** Within the scope of this policy the Council aims to offer all eligible and qualifying applicants some choice when applying for housing. The amount of choice that the Council is practicably able to offer and the Council's ability to satisfy expressed preference may however, be severely limited. This is due to the acute housing pressures facing the district.
- 8.3** The Council has responsibilities to some types of applicant household in housing need, for example those who have been accepted as statutorily homeless by the Council, and this may further limit the choice available to those households.

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PART 2: HOUSING REGISTER AND ALLOCATIONS

9. Eligibility

9.1 When applicants apply to join the Housing Register, the Council will first consider:

- Whether someone is eligible to apply for housing, and if yes;
- Do they qualify under the scheme rules?

9.2 To be eligible applicants must be:

- 16 years of age or older
- Resident in the United Kingdom

9.3 Section 160ZA of the Housing Act 1996 prescribes certain groups of people who are ineligible for an allocation of accommodation. In general terms, this means:

- any person from abroad who is subject to immigration control and has no recourse to public funds or
- any person excluded by regulations made by the Secretary of State, or
- any person not habitually resident in the United Kingdom or who is required to leave the United Kingdom by the Secretary of State

9.4 More specifically, the Secretary of State has determined that the following groups are not eligible to access social housing because of their immigration status and they are not, therefore, eligible to join the Hart Housing Register:

- A person registered with the Home Office as an asylum seeker
- A visitor to this country (including an overseas student) who has limited leave to enter or remain in the UK granted on the basis that he or she will not have a recourse to public funds
- A person who has valid leave to enter or remain in the UK which includes a condition there will be no recourse to public funds
- A person who has a valid leave to remain in the UK which carries no limitation or condition and who is not habitually resident in the Common Travel Area
- A sponsored person who has been in this country less than 5 years (from date of entry or date of sponsorship, whichever is the later) and whose sponsor(s) is still alive
- A person who is a national of an EU country that is subject to immigration control
- A person who is a national of a non EEA country that has ratified the European Convention on Social & Medical Assistance (ECSMA) and/or the European Social Charter (ESC) but is not lawfully present in the UK (i.e. does not have leave to enter or remain or is an asylum seeker with a temporary admission) and/or is not habitually resident in the Common Travel Area
- A person who is in the UK illegally or who has overstayed his/her leave to remain

- 9.5 When Housing Register applications are received, the Council will need to satisfy itself that the applicant is eligible based on where a person normally lives (“habitual residence”) and their immigration status.
- 9.6 Applicant households who are considered ineligible for social housing allocations, and who are therefore unable to join the Housing Register, will be advised of the Council’s decision in writing. See Section 30 for further information about requesting a review of the Council’s decision.

10. Qualifying Persons

- 10.1 The Localism Act 2011 amended a number of sections contained within Part 6 of the Housing Act 1996. These amendments included provisions so that local authorities can set their own qualifying criteria to determine who can be considered for allocations. Hart has set its own local qualifying criteria.
- 10.2 Once the Council has established that a person is eligible to be considered for an allocation of social housing, it will then proceed to consider whether they qualify to join the Housing Register.

11. Applicants who do not qualify to join the Housing Register due to unacceptable behaviour:

- 11.1 Applicants will not qualify to join the Housing Register if they are deemed to be guilty of unacceptable behaviour that is serious enough to make them unsuitable to be a tenant.

“Unacceptable behaviour” can include:

- Owing significant rent arrears and/or failing to comply with a current or past tenancy agreement with a Council, housing association or private landlord to such an extent that a Court would grant a possession order
- Conviction for illegal or immoral purpose
- Causing nuisance and annoyance to neighbours or visitors
- Committing certain criminal offences in or near the home and still posing a threat to neighbours or the community
- Being violent towards a partner or members of the family
- Allowing the condition of the property to deteriorate
- Obtaining a tenancy by deception, for example by giving false or misleading information
- Acts of violence and aggression towards employees or elected members of the Council will not be tolerated. Any applicant who threatens or uses violence towards any Council employee, elected member or contractor will be removed from the Housing Register

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- 11.2** In determining whether a person does not qualify due to “unacceptable behaviour”, the Council will consider:
- If any member of the applicant household has been guilty of unacceptable behaviour
 - If the unacceptable behaviour was serious enough that a court would have awarded the landlord possession on the basis of the behaviour
 - At the time of the application, if the applicant or a member of the applicant household is still unsuitable to be a tenant due to that behaviour
- 11.3** The Council will also consider whether an applicant applying to join the Housing Register (or an existing Housing Register applicant), has provided false information, or deliberately withheld information that is reasonably required to accurately assess the application, in order to obtain advantage on the Hart Housing Register. In these circumstances the applicant will not qualify to join. An applicant already registered will cease to be considered a qualifying person and their application will be closed. The applicant can reapply as a qualifying person 12 months from the date of their application refusal or closure, providing all other eligibility and qualifying criteria are met at that time.

12. Further Qualifying Criteria:

- 12.1** To be a qualifying person and therefore able to join the Housing Register, an applicant must be able to demonstrate that they have:
- *a local connection to the Hart District*
 - *meet the financial assessment criteria*
 - *have a housing need (reasonable preference)*
- 12.2** The following sections will prescribe the local qualifying criteria. It will also prescribe specific exemptions from these requirements.

13. The Local Connection Qualifying Criteria:

- 13.1** The local connection qualifying criteria has been set so that it reflects the amended s199 of the Housing Act 1996 and working definitions set out in Chapter 18 and Annex 18 of the 2006 ‘Homelessness Code of Guidance for Local Authorities’.
- 13.2** To qualify to join the housing register, an applicant (or person reasonably expected to reside with the applicant) will therefore be required to demonstrate that they have a local connection with the district in the following way(s):

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- They are, or were in the past normally resident in Hart and this residence can be evidenced for a minimum of 6 out of the previous 12 months or 3 out of the previous 5 years. Residence must also have been by choice.
- They are employed and actually working in the district:
 - The employment must be permanent employment and not simply engaged in agency work on a temporary basis. “Permanent” for the purpose of this policy will mean a permanent employment contract or a fixed term contract for a period of at least 2 years.
 - The employment must be for a minimum of 16 hours a week and applicants may be self-employed with their business base in Hart.
 - The applicant and or their partner must provide proof of their employment status. Only originals of official documents will be accepted which should include one of the following; contract of employment, payslip, P60 or tax return.
 - If the evidence either does not show the hours of work or is not available, then bank statements or written proof from an employer can be considered along with any other appropriate documents. The Council will determine whether evidence provided by an applicant satisfies this aspect of the allocations policy and recognises that not all self-employed people will be working in “hours-based” employment.
 - Where an applicant is self-employed, they must provide proof of their self-employment status. This can be in the form of documented tax returns, VAT registration certificate, business insurance certificate, and proof of a business bank account and/or invoices from business suppliers. Clients confirming location of business base may also be considered. The Council will consider evidence that the applicant has registered themselves as self-employed. Proof of employment must be supplied at the time of application and verified at the time of any offer being made.
 - Should an applicant cease to be in employment within the district within the scope of this policy, the applicant must notify the Council as soon as possible regarding the change in circumstances
 - Applicants who cease to meet the above criteria may also cease to be a qualifying person for the purposes of this policy where qualification was conferred solely on the grounds of employment.

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- They have a close family association(s) with the district that can be evidenced including frequent contact and/or commitment and/or dependency. Family associations will normally arise where an applicant or a person who might reasonably be expected to reside with an applicant has parents, adult children, or brothers or sisters who are currently resident in the district, and have been resident in the district for a period of at least 5 years at the date of application to join the Housing Register.
- The applicant can demonstrate and evidence that there are special circumstances through which a local connection can be established with the district. Relevant applications will be assessed on a case by case basis and determined at the discretion of the Housing Options Manager. It is at the Council's discretion that circumstances may be considered exceptional.

13.3 Exemptions to the local connection qualifying criteria:

13.4 The Council has had regard to the Housing & Regeneration Act 2008, the Armed Forces Covenant 2011, the Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012 and the Allocation of Accommodation: Guidance for Local Authorities in England 2012. In framing the Hart allocation scheme the Council has opted to exempt the following applicants from the local connection qualifying criteria:

- those serving in the regular forces or who have served in the regular forces within five years of the date of their application
- Those who have recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner where—
 - the spouse or civil partner has served in the regular forces; and
 - their death was attributable (wholly or partly) to that service; or
 - is serving or has served in the reserve forces and who is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to that service.

For the purposes of this policy the definition of 'regular' and 'reserve' forces will reflect the definition set out in s374 of the Armed Forces Act 2006.

13.5 The Council may also consider applications from members of the armed forces community as defined within the armed forces covenant where there is evidence that applying the local connection qualifying criteria would cause them to have been significantly disadvantaged by the requirement for mobility whilst in service. This definition includes:

- Veterans (those who have served as a regular or reservist in the armed forces)
- Spouses, civil partners, and children for whom regular personnel, reservists and veterans are responsible (and in exceptional circumstances may include parents, unmarried partners and other family members)
- Bereaved immediate family of service personnel who have died, whether or not the death has any connection with service

13.6 Housing association tenants who reside outside the Hart district, but where the Council has nomination rights to the property and re-housing would create a resultant vacancy available to let through the Hart Homes CBL system, will be exempt from the local connection qualifying criteria.

13.7 Existing social tenants where the Council is satisfied that the “Right to Move” applies.

This exemption is only available for existing social tenants where the Council is satisfied that they are:

- Seeking to transfer from another local authority district in England.
- Able to demonstrate “Reasonable Preference” (as defined in s166(3)(e) of the Housing Act 1996, Part 6), because they:
 - Need to move to the Hart district to avoid hardship; and
 - They need to move because the tenant works in the district; or
 - They need to move to take up an offer of work; and
 - Where the Council is satisfied that failure to meet this need would cause hardship (to the tenant or to others).
- For a social housing tenant to fulfil the criteria of this exemption, the Council must be satisfied that they need, rather than want or wish, to move for work related reasons. A number of factors will be taken into account in determining this including:
 - The distance and/or time taken to travel between work and home.
 - The availability and affordability of transport, taking into account level of earnings.
 - The nature of the work and whether similar opportunities are available closer to home.
 - Other personal factors, such as medical conditions and child care, which would be affected if the tenant could not move.
 - The length of the work contract.
 - Whether failure to move would result in the loss of an opportunity to improve their employment circumstances or prospects, for example, by taking up a better job, a promotion, or an apprenticeship.

This is not an exhaustive list.

The tenant will not qualify if work is short-term or marginal in nature, or if it is ancillary to work in another district. Voluntary work is also excluded. (In this context “voluntary work” means work where no payment is received or the only payment is in respect of any expenses reasonably incurred).

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In determining short term, the Council will consider the following:

- Whether work is regular or intermittent - this is likely to be particularly relevant in the case of the self-employed.
- The period of employment and whether or not work was intended to be short-term or long-term at the outset. (Contracts of employment that were intended to last for less than 12 months could be considered to be short-term).

The Council will take account of the following in determining whether the work is marginal:

- The number of hours worked. (Less than 16 hours a week is likely to be considered to be marginal in nature).
- The level of earnings.

The employment must not be ancillary to work in another local authority's district. This means that, if the person works occasionally in the local authority's district, even if the pattern of work is regular, but their main place of work is in a different local authority's district, the work is excluded from the definitions within this policy.

The Council will also consider whether the tenant is expected to return to work in the original local authority district. Verification will be sought from the tenant's employer.

A person who seeks to move into the Hart area to be closer to work in a neighbouring authority does not qualify.

The term 'work' includes an apprenticeship. This is because an apprenticeship normally takes place under an apprenticeship agreement which is an employment contract (specifically a contract of service).

Where the tenant has been offered a job and needs to move to take it up, they must be able to demonstrate to the Council's satisfaction that they have a genuine intention to take up the offer. The Council will ask to see a letter of acceptance and may wish to contact the employer to verify the position.

13.8 Applicant households comprising single people or couples over the age of 55 years who are applying for older person's accommodation are exempt from the local connection qualifying criteria. These applicant households will be placed into Band D, save in exceptional circumstances.

13.9 The Council may consider exercising discretion in making other applicant households exempt from the local connection qualifying criteria where there are exceptional circumstances, such as people fleeing violence or harassment from the areas in which they have a local connection within the definition set out above. Decisions will be made on a case by case basis by the Housing Options Manager.

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- 13.10** Applicants placed outside the district by the Council into accommodation with Transform Housing & Support at Simmonds Court will retain a local connection for the purposes of qualifying to join the Housing Register.

This arrangement is applicable to other supported housing schemes outside the Hart area where there is an agreement in place to facilitate Hart receiving first refusal on any resulting bed spaces.

- 13.11** Applicants who are placed outside the district as a result of a Private Rented Sector Offer, either to prevent homelessness or to end the main housing duty under homelessness legislation will be exempt from local connection criteria for a period of 2 years from the tenancy start date.

- 13.12** Local connection will not be established where the applicant has been placed in temporary accommodation within the district by other local authorities in the discharge of homelessness duties.

14. Financial Resources Qualifying Criteria:

- 14.1** The Council has set financial qualifying criteria so that people with sufficient combined household income and/or savings and/or assets will not qualify to join the Housing Register.

- 14.2** All applicant households will be required to supply evidence of their income, savings and assets at the point of application.

- 14.3** Applicant households will be assessed to determine whether they:

- a) Have a combined household income exceeding £60,000 per annum (excluding any means-tested welfare benefits received by the household).
- b) Have savings or assets valued in excess of £16,000.

- 14.4** Applicants who have income or savings/asset levels above the criteria set out in 14.3 will be subject to a further assessment to establish whether they qualify to join the Housing Register.

- 14.5** Where an applicant household triggers one or both of the criteria listed in 14.3, a Housing Cost Assessment will be carried out to determine whether the applicant qualifies to join the Housing Register. This assessment will be applied on the principle that average housing costs for the district should not exceed 30% of the total combined household income:

- a) Where an applicant's housing costs are assessed to be 30% or lower than the combined household income the applicant household will not qualify to join the Housing Register.
- b) Where an applicant's housing costs are assessed to exceed 30% of the combined household income, the applicant household will qualify to join the Housing Register.

These limits are likely to change. Officers will use guidance to apply this test.

- 14.6** Applicants who own a property will be considered to have sufficient financial means and will not be eligible to join the Housing Register unless their circumstances show that the property is not affordable for them and there is either no equity or equity to a value that does not exceed £16,000.
- 14.7** Applicants who have a shared interest in a property with a person not included on their application may be required to resolve the ownership issue before an application will be considered. Affected applicant households will be referred to the Housing Options Team in order to address these issues and look at all available options. The assessment may include referring the applicant to Money Advice.
- 14.8** Applicant households who do not qualify to join the Housing Register as a result of the financial qualifying criteria will be provided with advice and information regarding alternative housing options including applicable low cost home ownership products and private rented sector accommodation.
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- 14.9** A further check of the applicant's income and savings will be undertaken by the Council at the point of nomination. Failure to meet the Council's financial assessment criteria at this stage will result in any proposed nomination being withdrawn and the applicant's Housing Register application cancelled.

It is therefore important that all applicants keep the Council updated with any changes to their household circumstances throughout the application process. The requirement to keep the Council informed of changes in circumstances is outlined further in [section 26.2](#).

- 14.10** Housing associations will also carry out their own financial checks as part of the allocation process. If an applicant is found to be not eligible within the scope of the housing association's allocations policy, they will be advised in writing by the housing association. In these circumstances applicants will be provided with further advice by the Council's Housing Service regarding available options at that time to resolve their housing situation.
- 14.11** Exemptions to the financial resources qualifying criteria:
- 14.12** Any lump sum received by a member of the Armed Forces where this is evidenced as compensation for an injury or disability sustained on active service will be disregarded for the purpose of the financial resources qualifying criteria.
- 14.13** Applicant households comprising single people or couples over the age of 55 years who are applying for older person's accommodation are not exempt from the financial resources qualifying criteria however these applicant households will be placed into Band D, save in exceptional circumstances.
- 14.14** The Council may consider whether it is appropriate to exempt an individual household from the financial resources qualifying criteria where there are exceptional circumstances that may not otherwise be adequately taken into account by the Housing Cost Assessment. This could include:

- Applications where a member of the household has medical needs that require specific types of adapted property.
- Applications where the applicant (or other member of the household) may be affected by health problems that will significantly limit the length of time they can remain in their employment and this is likely to reduce the household income below the £60,000 threshold.
- Larger households who despite having an income exceeding £60,000 are assessed as being unable to afford to access market rent or purchase a home on the open market large enough to meet their needs. This assessment will be undertaken with regard to the Hart Bedroom Standard – see [section 18](#).
- Applicants who have been assessed as suitable for Extra Care housing will be exempt from the Financial Criteria.
- This list is not exhaustive.

15. Housing Needs Qualifying Criteria (“Reasonable Preference”):

- 15.1** Only those households who are assessed to have “Reasonable Preference” as defined in Part 6, Housing Act 1996 will qualify to join the Housing Register. For the purposes of the Allocations Policy, “Reasonable Preference” means housing need.
- 15.2** Section 167 of the Housing Act 1996 defines reasonable preference in the following way:
- People who are homeless (within the meaning of Part 7 of the Housing Act 1996)
 - People who are owed a duty by any local housing authority under section 190(2), 193(2) or 195(2) (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any such authority under section 192(3)
 - People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
 - People who need to move on medical or welfare grounds
 - People who need to move to a particular locality in the district of the authority where failure to meet that need would cause hardship (to themselves or others)
- 15.3** Exemptions to the housing needs (“Reasonable Preference”) qualifying criteria
- 15.4** Housing association tenants who do not fulfil “Reasonable Preference”, but where the Council has nomination rights to the property and re-housing would create a resultant vacancy available to let through the Hart Homes CBL system. These applicant households will be placed into Band D, save in exceptional circumstances.
- 15.5** Applicant households comprising single people or couples over the age of 55 years who are applying for older person’s accommodation are exempt from the housing needs qualifying criteria. These applicant households will be placed into Band D, save in exceptional circumstances.
- 15.6** Applicant households who are in private rented sector accommodation will be considered to be in “Reasonable Preference” for the purposes of the Allocations Policy. This is to facilitate private tenants receiving active consideration for housing association accommodation where they meet qualifying criteria.

- 15.7** Applicant households who are serving in the regular forces or who have served in the regular forces within five years of the date of their application. For households fulfilling this criteria and who have no housing need, the application will be placed into Band D.

16. Applying the Eligibility and Qualifying Criteria and Reviews

- 16.1** The Council will assess each applicant household on their merits and make a decision on eligibility, and on whether they qualify to join the Housing Register.
- 16.2** Anyone subsequently made ineligible from the scheme, or found to be a non-qualifying person for any reason will be provided with a full written explanation for the decision and can request a review of the decision. Section 30 provides further information regarding decisions that the Council will review and the review process.
- 16.3** Applicant households classified as being ineligible due to “unacceptable behaviour” can apply to join the Housing Register again in future if they can demonstrate a changed pattern of behaviour. A minimum timescale within which reapplication cannot be considered in these circumstances is 3 months, however, the Council can consider reapplications sooner should there be any exceptional circumstances or clear evidence of a changed pattern of behaviour. It is for the Council to determine whether any suggested change in behaviour means the person qualifies to join the Housing Register. This is carried out at the point of re-application.
- 16.4** All applicant households will be asked for information about their housing history and legal status, including whether they are from abroad or subject to immigration control. The Council will carry out checks to establish eligibility for social housing allocations.
- 16.5** The Council may also carry out checks to satisfy itself that an applicant household qualifies to join the Housing Register within the scope of this policy. This will include requirements to provide proof of income and savings, proof of local connection and indications of housing need that reflect the “Reasonable Preference” criteria.

17. Assessing Applications

- 17.1** Online applications will be actively encouraged and supported. Where applying online is not possible or practical, paper applications can be accepted.
- 17.2** The Council aims to assess all applications as quickly as possible. Applications will normally be assessed within 10 working days, subject to any further information required.
- 17.3** If an incomplete application is received it will not be registered. All areas of the form must be completed before an application can be considered. Where incomplete paper applications are received they will be returned to the applicant for completion.
- 17.4** Online applications must be fully completed within 28 days of starting the process or they will be removed and the applicant must reapply.













- 17.5** The effective date of application will be the date the Council has received the fully completed application.
- 17.6** Applications will be registered according to the size of home the household requires. This assessment will be completed in accordance with the Hart Bedroom Standard (see [Section 18](#) below).
- 17.7** If the applicant is eligible and qualifies to join the Housing Register, their application will be registered and banded according to individual circumstances. For further information about the Banding Scheme see [Section 19](#).

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18. The Hart Bedroom Standard

18.1 The Hart Bedroom Standard is aligned to the current regulations affecting bedroom entitlement for the purposes of Local Housing Allowance and Housing Benefit. It will also reflect the bedroom entitlement that will be used for the purposes of assessing the housing component associated with rental liability within Universal Credit.

18.2 The Bedroom Standard will determine the appropriate bedroom size for households who are accepted on the Hart Housing Register in the following way:

Household Type	Studio Flat	1	2	3	4	5
Single person						
Single person or couple						
Pregnant woman with or without partner, and no other children						
Parent(s) with one child						
Parent(s) with two same sex children where both children are under 16 years old						
Parent(s) with one girl and one boy both under 10						
Parent(s) with one girl and one boy where one child is over 10						
Parent(s) with two same sex children where one child is over 16 years old						
Parent(s) with three children regardless of age or sex						
Parent(s) with four or more children						

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- 18.3** Applicant households with a pregnant household member will not have their bedroom requirement reviewed until the baby is born and a copy of the birth certificate for the child has been received.
- 18.4** For any child (or children) to be included on a Housing Register application as part of the household, proof that Child Benefit is being received in respect of that child (or children) will be required. Applicant 1 or 2 must be the named recipient of the Child Benefit. Please see also the following points below.
- 18.5** Exceptions to the Hart Bedroom Standard
- 18.6** Properties that have a separate dining room (and where that room has been assessed as suitable for use as a bedroom) may be advertised to reflect a range of larger household sizes, for example applicant households requiring 3 and 4+ bedrooms. This will contribute to making best use of housing stock locally. When advertising available accommodation for specific household types in this way, the Council will have regard to the prevailing housing circumstances in the district and the various competing demands for vacancies at that time.
- 18.7** Where an applicant, or member of their household, is affected by a serious disability or medical condition that may indicate additional bedroom space is required, the Council's Health Adviser may be consulted for advice. It is at the discretion of the Nominations Officer / Housing Options Manager to determine whether available evidence and/or advice from the Health Adviser, means that it would be appropriate to award additional bedroom space on health grounds.
- 18.8** Where the Council considers sufficient evidence has been provided by external health professionals to demonstrate that additional bedroom space is required, the Nominations Officer / Housing Options Manager has the discretion to award additional bedroom(s) on health grounds.
- 18.9** Where the Council considers sufficient evidence has been provided by external health professionals to demonstrate clearly that additional bedroom space is not required, the Nominations Officer / Housing Options Manager has the discretion not to award additional bedroom space. This decision can be taken without recourse to the Health Adviser.
- 18.10** The Council will not request further evidence from health professionals in circumstances where information provided by the applicant household is considered adequate by the Council for the purposes of an accurate assessment of needs.
- 18.11** In exceptional circumstances, tenants of Registered Providers who are under-occupying large family sized properties may be considered for alternative accommodation that is larger than the Hart Bedroom Standard would ordinarily allow. For example, a single person or couple occupying 3 or 4 bedroom accommodation may be considered for a 2-bedroom property. This will contribute to making best use of housing stock locally. It will only be considered where Hart District Council would receive the resulting nomination rights to the vacated property.

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The decision will be taken with regard to affordability, the availability of family sized accommodation units, and all other competing demands at that time.

- 18.12** Applicant households who have “staying access” to dependent children, or shared residence orders, are not automatically entitled to bedrooms for those children. The Council recognises the need for a child to have one home of adequate size and will not usually accept responsibility for providing a second home for children.
- 18.13** Only in exceptional circumstances based on relevant factors specific to the case, and with regard to the scarcity of available housing accommodation in the district along with competing demands for accommodation locally, (including the likelihood, regularity and length of time a family sized property may be under-occupied if larger bedroom space were to be permitted), would the Council consider awarding additional bedroom space for children who have access to an adequate home elsewhere. In determining whether children could reasonably be expected to reside with a parent who is homeless, or in housing need, and seeking accommodation from the Council, the Council does not consider that it will be dealing with the same questions as a family court. The question of awarding an additional bedroom in these circumstances can only be determined by the Council in consideration of the factors outlined above.
- 18.14** Additional space awarded on these grounds will be limited to no more than 1 bedroom above the applicant household’s basic requirement. Any decision to award additional bedroom space will be at the discretion of the Housing Options Manager.
- 18.15** Where the Hart Bedroom Standard does not adequately account for an applicant household’s size and/or composition, for example:
- a) household members who do not ordinarily reside together
 - b) extended families / family groups wishing to live together
 - c) where there is a need for individuals, who may or may not be related to live together as a result of medical and/or a welfare ground(s) that can be evidenced;

The application will be assessed based on the individual circumstances of the case, the evidence provided and with reference to case law. Decisions in these circumstances are at the discretion of the Housing Options Manager.

- 18.16** Where a financial assessment demonstrates that an applicant will be unable to meet their housing costs, it may not be possible to make them an offer of accommodation. Housing associations may also refuse to offer a tenancy where it is clear that the household will not be in a position to meet their immediate and ongoing housing costs.
- 18.17** The decision to amend an applicant household’s bedroom size would be subject to a financial assessment that satisfies the Council that any property offered would be affordable for the household concerned.

18.18 In circumstances where it has been agreed that an applicant can be considered for larger accommodation, a further financial assessment will be undertaken prior to the household taking up a tenancy.

18.19 Any decision to facilitate a move to larger accommodation than the Hart Bedroom Standard may otherwise allow, would be at the discretion of the Housing Options Manager, and with reference to 18.1 to 18.19 above.

18.20 Please also refer to Section 42 for details of shortlisting, nominations and offers of accommodation for other relevant exceptions.

19 Giving Priority to Applications

19.1 Hart Housing Register applications are prioritised under a Banding Scheme. The tables below outline how Bands are awarded:

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Band A

Additional Preference Criteria

Reasonable Preference cases with an additional priority: *Subject to review every 3 months*

Time limited and all cases actively managed and reviewed every 3 months

This band is only granted in exceptional circumstances

Band A	<p>1. Emergency Medical and/or disability because current accommodation is wholly inappropriate to occupy and the medical and/or disability issue is being directly, and negatively, impacted by housing circumstances. For example:</p> <ul style="list-style-type: none"> ○ <i>Discharge from hospital and property completely unsuitable for applicant to return to and no suitable adaptations can be made within a reasonable timescale</i>
Band A	<p>2. Exceptional circumstances on welfare grounds with supporting evidence. For example:</p> <ul style="list-style-type: none"> ○ <i>Exceptional need to move as there is substantial evidence to show that to stay would be life threatening but a move into alternative accommodation could not be achieved in a reasonable timescale</i> ○ <i>An applicant has been nominated via the National Witness Mobility Service</i>

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Band A	<p>3. Severe Environmental Health grounds that cannot be rectified within a 12 month period. For example:</p> <ul style="list-style-type: none"> ○ <i>Extreme disrepair as assessed by our Private Sector Housing Team</i> ○ <i>Closure / Demolition Order</i>
Band A	<p>4. Emergency Strategic Lettings (Council needs to move tenant in order to create vacancies within the housing stock). For example:</p> <ul style="list-style-type: none"> ○ <i>Decants</i> ○ <i>Management Transfer</i> ○ <i>Successions with notice served</i> ○ <i>Transfer applicants with 2 spare rooms or more and the Council has the nomination rights to the resulting vacancy</i> ○ <i>To release an adapted property (subject to certain qualifications and the Council has the nomination rights to the resulting vacancy)</i>

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Band B

High Preference Criteria

Reasonable Preference cases with a higher priority: *Subject to review every 6 months*

Time limited and all cases actively managed and reviewed every 6 months

Band B	<ul style="list-style-type: none">○ Urgent need to move on medical or disability grounds; accommodation is not wholly inappropriate but it is unable to address a major proportion of the applicant household's housing needs
Band B	<ul style="list-style-type: none">○ Urgent need to move on welfare grounds. For example:<ul style="list-style-type: none">○ <i>A confirmed current need to live within five miles of a specialist medical facility or special school</i>
Band B	<ul style="list-style-type: none">○ Priority overcrowding. For example:<ul style="list-style-type: none">○ <i>Assessed as being statutorily overcrowded and the accommodation was originally suitable for the applicant household needs at the start of the tenancy.</i>

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Band B	<ul style="list-style-type: none"> ○ Priority prevention of homelessness cases. For example: <ul style="list-style-type: none"> ○ <i>Former tenants that voluntarily gave up their tenancy for special reasons by agreement, and are now ready to be re-housed, and otherwise would become homeless (for example hospital, rehabilitation, supported accommodation, care)</i>
Band B	<ul style="list-style-type: none"> ○ High Priority Strategic Lettings <ul style="list-style-type: none"> ○ <i>Move on from supported housing (whereby the resulting vacancy is released back to Hart District Council) or to make best use of supported accommodation available on a case by case basis</i> ○ <i>Agricultural Dwelling-House Advisory Committee (ADHAC) cases - where an agricultural worker resident in the district is to be displaced and is entitled to re-housing under the Rent (Agriculture) Act 1976</i> ○ <i>Transfer applicant under-occupying by one or more bedrooms with the Council having nomination rights to resulting vacancy</i> ○ <i>Separated households (2 existing social housing tenants wishing to become 1 household and neither property is suitable for the household to live in - releasing both properties for re-letting by the Council)</i> ○ <i>Special reciprocal arrangements with other Councils/housing associations</i> ○ <i>Shared ownership applicants living in Hart who need to downsize but do not have the financial capacity (insufficient or no equity) to do this by purchasing a smaller property or stair casing down</i>
Band B	<ul style="list-style-type: none"> ○ Fostering & Adoption: <ul style="list-style-type: none"> ○ <i>Applicants who have been assessed as meeting the requirements of the Joint Fostering and Adoption Protocol</i>

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Band C

Reasonable Preference Criteria

Other reasonable preference cases and those with an identified housing need

<i>Band C</i>	<p>1. A link between an applicant’s health and housing has been established however no confirmation provided that an urgent move is required</p>
<i>Band C</i>	<p>2. Homeless households. For example:</p> <ul style="list-style-type: none"> ○ <i>Households owed the main housing duty under s193 Part 7 Housing Act 1996 (as amended)</i> ○ <i>Other unintentionally homeless households</i> ○ <i>Applicants who are of No Fixed Abode (NFA) or who are at risk of rough sleeping and are actively engaged (see Section 29.1 for definition) with the Council’s Housing Options team and with any resettlement plan</i> ○ <i>Applicants who have been asked to leave their current accommodation through no fault of their own</i> ○ <i>Residents of Hart’s temporary accommodation scheme</i>

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Band C	3. Overcrowding – lacking bedroom(s) in accordance with the Hart Bedroom Standard but not statutory overcrowding
Band C	4. People leaving care - Hampshire County Council Care Leaver who has been assessed as ready for move on into independent accommodation
Band C	5. Unsatisfactory or insanitary housing conditions including: <ul style="list-style-type: none"> ○ <i>Lack of facilities</i> ○ <i>Sharing with household members NOT included within their application</i>
Band C	6. Applicants assessed as suitable for sheltered/extra care housing
Band C	7. Applicants ready to move on from hostels or similar accommodation and/or applicants in Supported Housing <p>Band C award following a written recommendation from the housing and/or support provider confirming that the applicant has engaged with support and is ready for independent living. For example:</p> <ul style="list-style-type: none"> ○ <i>Refuge accommodation for people fleeing violence or abuse</i> ○ <i>single person's hostel</i>

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Band C	<p>8. Applicants who need to move to a particular locality in the district of the local authority, where failure to meet that need would cause hardship (to themselves or to others). For example:</p> <ul style="list-style-type: none"> ○ <i>The applicant has permanent employment which they cannot continue unless they live within a specific locality within the area and are otherwise adequately housed.</i> ○ <i>The applicant needs to live within the district to be near friends or relatives in order to provide or receive essential care or support.</i>
Band C	<p>9. Other Strategic lettings – where reasonable preference does not apply but we wish to give extra priority</p> <ul style="list-style-type: none"> ○ <i>Tenants in private rented accommodation (Assured Shorthold Tenants and on License)</i> ○ <i>Tied tenants seeking alternative accommodation</i> ○ <i>Transfer applicants in existing social housing with no reasonable preference but the resulting vacancy would be given back to HDC and who meet the “Good Tenant“ criteria in Section 21.7</i> ○ <i>Home owners and shared ownership applicants who have a need to move into larger accommodation but do not have the financial capacity to do so in accordance with the financial criteria in Section 14</i>
Band C	<p>10. Right To Move</p> <ul style="list-style-type: none"> ○ <i>Social Housing tenants living in another local authority area within England and having an assessed need to move to the area to take up or continue employment within the district in accordance with the criterion set out in Section 13.7</i>

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Band D

Reasonable Preference with Reduced Priority Criteria

Band D	1. Applicants that are not engaging with Housing Options or other relevant services (see Section 29.1 for definition)
Band D	2. Social housing tenants from outside the district where Hart District Council has no nomination rights to the property
Band D	3. Applicant households who are serving in the regular forces or who have served in the regular forces within five years of the date of their application, and have been registered without “Reasonable Preference”
Band D	4. Applicant households who have lost their previous accommodation due to a deliberate act or omission on their part but are not excluded by the qualifying criteria set out in Section 11 <i>Applicant households who are placed in Band D on this basis will remain in this band for an initial period of 12 months from the date the tenancy ended</i>

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<p>Band D</p>	<p>5. Applicant households who have deliberately worsened their circumstances within the last 2 years to gain advantage on the Housing Register</p> <ul style="list-style-type: none"> ○ <i>This includes deliberate actions and failure to take reasonable actions or to follow advice which would prevent homelessness or otherwise improve the applicant household’s housing circumstances. For example:</i> <ul style="list-style-type: none"> ○ <i>Failing to take up a suitable offer of private or social rented accommodation</i> ○ <i>Failing to bid for suitable accommodation that was available through the Hart Homes CBL system and that the applicant household would have successfully secured had they placed a bid</i> ○ <i>Selling a property that is affordable and suitable for the applicant’s needs</i> ○ <i>Choosing to move from suitable secure and settled accommodation to insecure or less settled accommodation</i> ○ <i>Choosing to move from suitable secure and settled accommodation into an unsuitable or unsustainable arrangement, including overcrowding</i> ○ <i>Requesting or colluding with a landlord, friend or family member to issue a notice to quit</i> ○ <i>Deliberately overcrowding a property by choice</i> ○ <i>Deliberately withholding rent or failing to adhere to tenancy conditions</i> ○ <i>Becoming intentionally homeless from accommodation as a result of a deliberate act or omission</i> ○ <i>Having been found to be intentionally homeless by a local authority</i> <p><i>Applicant households who are placed in Band D on this basis will remain in this band for an initial period of 12 months from the effective date of application</i></p>
<p>Band D</p>	<p>6. Transfer applicants in existing social housing with no reasonable preference who meet the “Good Tenant” criteria in <u>Section 21.7</u> below and where the resulting vacancy would be given back to HDC</p>
<p>Band D</p>	<p>7. Single or couple 55+ registered as a result of a qualifying criteria exemption</p>

- 19.2** All applicants are required to provide proof and supporting information to enable their applications to be assessed and allocated the appropriate band.
- 19.3** Applicants will be placed into their assessed band and will be prioritised in effective date order (date of application). If an applicant moves up a priority band they will take the effective date of the day they move priority bands. Should an applicant be demoted then they will use their original effective date for bidding.

20. Exceptions to the Banding Scheme

- 20.1** Applicants who are referred to Transform Housing & Support for accommodation at Simmonds Court and are accepted will be required to complete a change of circumstances form either online or over the phone to reflect their circumstances when they move in.
- Their applications will be exempt from local connection qualifying criteria despite the accommodation being outside Hart (to reflect Hart's commitment to assist with move-on from the scheme)
 - On receipt of an Independent Living Assessment form (notifying Housing Services that the resident is ready to move-on), their application will move from Band C to Band B providing HDC will receive nominations rights to the resulting bed space.
 - This will also apply to other supported schemes where we have an agreement in place to receive first refusal on the resulting bed space.
- 20.2** Where an applicant has succeeded to a tenancy, and the housing association intends to exercise the right to obtain possession by offering alternative accommodation in order to make best use of housing stock and meeting housing needs, the applicant will be classed as an 'eligible successor' and placed in Band A and supported to bid.

21. Rural Housing Schemes & New Developments

- 21.1** Housing schemes that have been developed on Rural Exception Sites will be allocated in accordance with strict local connection criteria as defined in the relevant Section 106 agreement.
- 21.2** The Council will advertise these properties with clear text advising applicants that they will be subject to such criteria.
- 21.3** Properties allocated under a rural exception scheme will be advertised in line with the relevant S106 agreement taking into account the Hart Bedroom Standard. These properties will be let at maximum capacity where possible to make best use of stock. Applicants who meet the strong connection criteria as outlined in the S106 agreement may be nominated in favour of other shortlisted applicants who are registered with higher priority.

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21.4 In cases where the 2 criteria listed below are met, 2 bedroom rural exception site properties may be advertised to allow 1 and 2 bedroom need households to apply. Decisions will be made based on local connection and housing need as represented by Housing Register band. Where there are two applicants with equal strength of connection and registered priority band, priority will be given to the 2 bedroom need household in order to make best use of stock.

- 1) No 1 bedroom rural exception site properties are identified as likely to be available in the parish within a 6 month period (from the point of the property being ready to let and an advert placed on the Hart Homes Choice Based Lettings system), and
- 2) An applicant on the Housing Register, eligible for a 1 bedroom property, meets the “strong local connection” or “close association” criteria defined in the 106 agreement for that scheme.

21.5 As with all other nominations, the assessment process will include a financial assessment of affordability. This is significant in light of potential under-occupancy and potential associated cost implications for the applicant(s) resulting from 21.4.

21.6 Rural Exception schemes have been developed in the following localities: Bramshill, Crondall, Crookham Village, Dogmersfield, Eversley, Heckfield, Long Sutton, Mattingley, Rotherwick, and South Warnborough

21.7 Rewarding good tenants:

A percentage of new build development sites will be prioritised for those applicants who are existing housing association tenants with a “Good” tenancy record.

A Local Lettings Policy will be in place for each new development and this will aim to ensure that all lettings are made to applicants who have a good tenancy record.

Prior to applicants being invited to view, the Council will carry out an assessment of ‘good’ tenant status, and references will be sought where applicable. Applicants who do not hold a current or previous tenancy record, i.e. those who reside with family and who have never held a tenancy, will not be disadvantaged by this aspect of the policy.

Good tenancy records are defined as:

- Clear rent accounts including consistent and satisfactory rent payment history
- No recent Anti Social Behaviour (within the past 24 months)
- Property and garden well maintained and in a good state of repair
- All tenancy conditions and requirements observed

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- 21.8** When allocating properties on new housing developments, certain preferences and restrictions will be applied through the advertising process in order to establish a balanced community by including a mix of applicant types and household sizes.
- 21.9** A percentage of new build properties will be advertised with preference given to applicants in employment. An applicant will be considered to be in employment where one of the following applies:
- Applicant has a permanent employment contract
 - Applicant has a long-term contract – more than 1 year
 - Applicant is self-employed
 - Applicant is working more than 16 hours per week
 - Applicant is undertaking substantial training for employment
- 21.10** A percentage of new build 2 and 3 bedroom properties will be under-occupied, and allocated to applicants where their household size will fall under maximum capacity by one person.
- 21.11** The percentage of new build properties that will affect sections 21.9 and 21.10 will be determined on an individual basis, taking into account the development size, housing register make-up and demand for housing at that time.

22. Annual Renewals & Reviewing High Priority Band Awards (A&B)

- 22.1** Housing Register applications will be renewed on an annual basis. On the anniversary of registration applicants will be sent a renewal letter for them to confirm that they still wish to remain registered on the Housing Register, and provide an update of any change in their household's circumstances.
- 22.2** It is the applicant's responsibility to keep a check on their application status and ensure renewals are completed annually. Applicants who do not respond to a renewal request within 28 days will have their applications closed. New applications will then need to be submitted should they wish to be considered for housing association accommodation through the Hart Housing Register in future.
- 22.3** New applications received from applicants who had previous applications cancelled as a direct result of failure to respond to a review request will not have effective dates backdated, save in exceptional circumstances.
- 22.4** Applicants who have been awarded bands A or B are subject to review, those in Band A every 3 months and those in Band B every 6 months, to ensure the applications are reflecting the correct priority. Applicants placed into Band A or Band B will be advised in writing of the review process at the time of the award being given. The process for reviewing Band A and Band B applications can be found in Appendix 4 and will be administered by the Nominations Officer. Any decision to demote an applicant's band award following a review will be signed off by the Housing Options Manager.

23. Medical & Ground Floor Assessments

- 23.1** Medical and health assessments will be carried out under the banding assessment criteria.
- 23.2** Eligible and qualifying applicants will be required to complete a medical form and provide supporting information for an assessment to be carried out where the following criteria are met:
- a) There is a link suggested between the applicant's (or member of the applicant household's) health and housing.
 - b) Where a negative effect to health is being directly caused by the current housing circumstances.
- 23.3** On receipt of a completed Medical Form, the Council's Nominations Officer will carry out an initial assessment to determine whether it is appropriate for the application to be referred to the Health Adviser for further advice.
- 23.4** An assessment will then be carried out by the Nominations Officer which may include a referral to the Council's Health Adviser.
- 23.5** The Council's Health Adviser may not be involved in every case and the decision to refer to the Health Adviser is at the Council's discretion:

A referral to the Health Adviser **will** be made in the following circumstances:

- Where an application is requiring assessment for placement into Band A or Band B under medical needs only.
- Where an application is requiring assessment for placement into Band C, where the Nominations Officer requires further medical advice, or a second opinion from the Health Adviser for a decision to be made.

A referral **will not** be made to the Health Adviser in the following circumstances:

- Where an application is requiring assessment for placement into Band C (those moving from Band D). A paper-based assessment will be carried out by the Nominations Officer.
 - Where a Band A or B has already been agreed by the Housing Options Manager on medical or welfare grounds.
- 23.6** The decision to award applicants additional priority, additional bedroom space (see also [section 18](#)) or ground floor accommodation, is at the discretion of the Nominations Officer and Housing Options Manager.
- 23.7** Applicants will be advised of the outcome of the medical assessment in writing.

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23.8 Essential medical need for ground floor accommodation

23.9 Where an applicant or other professional involved in the applicant's care identify that there may be an essential requirement for ground floor accommodation, supporting information will need to be provided to the Nominations Officer.

23.10 Supporting information should be provided by an appropriate medical professional, for example, a doctor or occupational therapist. The Council will then undertake an assessment of the applicant household's banding priority based on their need for ground floor level access accommodation.

23.11 The assessment may involve a referral to the Council's Health Adviser as outlined above, however the decision to award applicants additional priority, additional bedroom space (see also [section 18](#)) or ground floor accommodation, is at the discretion of the Nominations Officer and Housing Options Manager. If the Council is satisfied that ground floor level access accommodation is required on these grounds, the application will be placed in Band B where the following criteria is met:

- The applicant currently lives in a flat or maisonette above the ground floor with no access to a lift; or
- In a house with an internal staircase and a move to more suitable accommodation cannot be achieved within a reasonable timescale.

23.12 Band B will only be considered when applicants 'bid' for accommodation which is advertised with a ground floor need preference. Where applicants apply for non-ground floor accommodation, the Band B preference will not be considered and the applicant will retain their original banding priority.

23.13 For applicants who have a confirmed essential ground floor need but who are already residing in ground floor accommodation, there will be no change to the application's banding priority.

23.14 The essential need for ground floor accommodation will be recorded and this will be considered when the applicant applies for properties which are advertised with a ground floor preference.

23.15 When ground floor properties (bungalows, ground floor flats or maisonettes) are advertised, the advert will explain that preference may be given to an applicant with an essential medical need for ground floor accommodation. In these cases, priority will be awarded in the following order taking into account the applicant's effective date within the allocated band:

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1. Applicants with a Band A priority who have an assessed ground floor need
2. Applicants with a Band A priority regardless of assessed ground floor need
3. Applicants with a Band B priority who have an assessed ground floor need
4. Applicants with a Band B priority regardless of assessed ground floor need
5. Applicants with a Band C priority who have an assessed ground floor need
6. Where there are no Band C applicants assessed as having a ground floor need, the property will be allocated on the basis of band priority and effective date. No preference will be given for ground floor need to applicants registered in Band D.

23.16 In circumstances where an applicant is dissatisfied with the Council's assessment of their medical needs in relation to their housing circumstances, they can request that the Council reconsider the decision. See section 24 below for further information.

24. The Medical Reassessment Process

24.1 Stage 1: The applicant puts their reasons for wanting the Council to reconsider its decision in writing to the Housing Options Manager including any additional supporting evidence that they consider relevant, within 14 days of the original decision. The Housing Options Manager will then assess the application based on all available information at that time and will determine the appropriate band. This could mean no change to the applicant's existing priority banding award, or the banding priority could be increased or decreased, depending on the outcome of the reassessment.

24.2 Stage 2: If the applicant is still unhappy with the decision, the Council will provide the option to request a further reassessment of the decision. This reassessment will be conducted by an independent Health Adviser who will assess the application based upon the evidence available at that time and provide further advice to the Council. The Council will make a decision based on the independent assessment and the applicant will be advised of the decision by the Council in writing. This could mean no change to the applicant's existing priority banding award, or the banding priority could be increased or decreased, depending on the outcome of the reassessment.

24.3 There is no further stage in this process and the decision here is final. Only where there has been a substantive change in circumstances will the Council undertake further medical assessment and based on new evidence.

25. Extra care housing

25.1 Hart's extra care housing scheme offers independent living to applicants with a range of care and support needs through the allocation of self-contained flats with the provision of on-site care.

In order to sustain a well-balanced and active community, properties within the scheme are allocated to maintain an equal balance of care need levels. This is processed in line with the Allocations Agreement developed by partners; Hampshire County Council, Sentinel Housing Association and Hart District Council.

25.2 Interested applicants will undergo a care and support assessment.

The applicant's registered care need level, will be determined by the number of hours for which care and support is required.

An applicant's care needs will be checked and where it is confirmed that an Adult Services care package is being provided, the applicant will be registered into one of the following care need categories based on the required total care hours per week.

- Low care need – 0 – 5 hours
- Medium care need – 6 – 9 hours
- High care need – 10+ hours

25.3 Where an applicant has no confirmed care need, but has a support need, an assessment will be carried out by the Community Independence Team Housing & Support Officer. This assessment will determine whether the applicant is eligible to apply for extra-care housing and if so at what care need level they should be registered.

25.4 Vacant extra-care properties are advertised alongside all other available vacancies through the Choice Based Lettings scheme. The system will only allow applicants assessed as eligible for extra-care housing to apply for these vacancies.

Vacancies will be advertised with preference given to the appropriate care need level (low, medium or high) depending on the current balance of existing tenants care needs within the scheme at that time, in order to maintain an equal balance of care need levels.

Applicants, who would find the application process difficult, are offered assistance to 'bid' for available extra care accommodation.

26. Reduced Priority, Suspension and Closing Hart Housing Register applications

26.1 In certain circumstances the Council can decide to reduce the priority of an application, suspend it from being actively considered, or close it down.

26.2 It is the responsibility of every applicant to ensure that the Council is kept up to date with regard to any changes in their circumstances that may affect their Housing Register application. Failure to do so may result in applications being closed.

26.3 Circumstances where Housing Register applications can be closed, suspended, or have their priority reduced for a period of time, include:

- At an applicant's request.
- While investigations are carried out under homelessness legislation.
- While a review of the suitability of accommodation offered is being carried out.
- If the applicant has been nominated to a housing association property and the nomination is being considered.

- If the applicant has notified the Council of a change in circumstances and an updated change of circumstances form has not been returned (the application would be active again on receipt of a completed change of circumstances form).
- Applicant will be overlooked where a nomination is being considered for a property applied for, prior to an applicant moving address, and the applicant has not made the Council aware of the change in circumstances within 2 weeks of the move.
- Where investigations into a Housing Register application are deemed necessary to confirm housing circumstances (the application would receive active consideration as soon as the Council is satisfied the circumstances are as stated on the application).
- If the applicant has rent arrears from a current or previous tenancy with a Registered Provider and they have not entered into an arrangement to make regular payment to the landlord, or they are not complying with the terms of such an agreement.
- If the applicant or household member owe an outstanding debt to Hart's Rent Deposit Scheme and they are not making regular payments, or have not kept to the agreed repayment plan by missing 2 consecutive payments, they will be suspended. The suspension will last until they make 6 consecutive monthly payments at the agreed rate (to include the original agreed payment amount plus an extra amount to clear the arrears). Failure to respond or engage in a payment plan within 2 months of suspension will result in the closure of the application.
- If the deposit (paid by the Council) is returned to the tenant/household member rather than to the Council, the application will be suspended until the sum has been returned to the Council in full. If this is not repaid within 28 days from the date the applicant received the funds then the application will be closed.
- If the applicant bids successfully three times during a 12-month period, is offered each property but refuses them, the application will be suspended for 12 months.
- If the applicant has been accepted under s193 of the Housing Act 1996, Part 7 (as amended), successfully bids for a property and is offered it, then refuses it, the application will be suspended while a review of the suitability of accommodation offered is being carried out. If the applicant does not request a review of suitability the Council will end the housing duty under homelessness legislation and the Housing Register application will be suspended until a change of circumstances form is received or a review of the Housing Register application has been completed by the Council. The same applies in circumstances where the applicant requests a review of suitability but the Council's decision is upheld.
- If the applicant is residing in Hart's temporary accommodation scheme, bids successfully for a property and is offered it, then refuses it, the application will be suspended while a review of the suitability of accommodation offered is being carried out. If the applicant does not request a review of suitability the Council will end the housing duty under homelessness legislation, bring the temporary accommodation to an end and the Housing Register application will be suspended pending receipt of an updated change of circumstances form based on the applicants housing situation once they have left the temporary accommodation. The same applies in circumstances where the applicant requests a review of suitability but the Council's decision is upheld.

- ❑ If an applicant is assessed as not being suitable for general needs accommodation by a qualified professional, the application will be closed until the qualified professional provides evidence to support the applicant's readiness to live in general needs accommodation.
- ❑ Applicant households comprising single people or couples over the age of 55 years who are registered for older persons accommodation and have been enabled to access the Housing Register as a result of being exempt from qualifying criteria, will have bids disregarded where they are placed on general needs accommodation.
- ❑ If an applicant has been awarded Band C because they have been assessed as being suitable for sheltered housing and have a local connection but meet no other criteria, they will be overlooked when bidding on general needs accommodation.
- ❑ Where an applicant fails to return an application form or requested documentation within 28 working days when requested the application will be closed.
- ❑ Where the applicant has moved and not informed Housing Services of their new address within a 2 calendar month period the application will be closed.
- ❑ If an applicant fails to renew their application, the application will be closed.
- ❑ If the applicant(s) have deliberately given false and/or misleading information the application will be closed.
- ❑ If the applicant(s) accept an offer of accommodation with a Registered Provider, then the application will be closed.
- ❑ If the applicant ceases to be eligible for assistance, or ceases to be a qualifying person, then the application will be closed.

27. Automated Bidding and Private Rented Sector Offers

- 27.1** The Housing Service can make bids on behalf of applicants automatically. This will be applied in certain circumstances. These are outlined below.
- 27.2** The Housing Service will bid for properties that an applicant has the best chance of securing.
- 27.3** There may be areas that are excluded from consideration for automatic bidding where the Council is satisfied they are unsuitable for a specific applicant household. These areas will be named on the household's housing application.
- 27.4** Every effort will be made to place applicants where they would prefer to live, but the Council's main duty to homeless households is to move them on from temporary accommodation into more settled housing solutions. This enables the Council to continue to discharge its statutory homelessness functions effectively, and offer future households a decent standard of temporary accommodation within the district.

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- 27.5** Households to whom the Council has accepted a statutory homeless duty under sections 193(2) or 195(2) of Part 7 Housing Act 1996 (as amended) will be considered for suitable private rented sector properties as they become available. These may be offered to accepted homeless households to end the main housing duty. Appendix 2 provides a copy of the Council's Private Rented Sector Offer (PRSO) Policy which outlines Hart's approach to compulsory end of duty PRSOs. Applicant households have the right to request a review of the suitability of accommodation offered as a compulsory end of duty PRSO.
- 27.6** Households to whom the Council has accepted a statutory homeless duty under sections 193(2) or 195(2) of Part 7 Housing Act 1996 (as amended) will be placed on automatic bidding through the Hart Housing Register computer system 3 months after the date their homelessness application was accepted, (if they have not already secured accommodation through the Hart Homes CBL system, for themselves, or as a result of a compulsory PRSO). If they are offered suitable accommodation through the Housing Register this will be to end the main housing duty. Applicant households have the right to request a review of the suitability of accommodation offered through the Housing Register to end the main homelessness duty.
- 27.7** For households residing in Hart's temporary accommodation scheme, automatic bidding will commence 3 months from the tenancy start date if this is earlier than the date their homelessness application was accepted (if they have not already secured accommodation through the Hart Homes CBL system, for themselves, or as a result of a compulsory PRSO).
- 27.8** If suitable offers of accommodation are refused by households in temporary accommodation, the Council may end its duty under homelessness legislation and possession proceedings will commence. The Hart Housing Register application will be suspended until they have vacated the temporary accommodation provided for them. If a change of circumstances form is not subsequently completed within 28 days, the Housing Register application will be closed.
- 27.9** For households placed into Hart's temporary accommodation scheme outside the statutory homelessness framework of Part 7 Housing Act 1996 (as amended), automatic bidding will commence 3 months after the tenancy start date (if they have not already secured accommodation through the Hart Homes CBL system, or for themselves in the private rented sector or through other housing option).
- 27.10** Automatic bidding will commence from the date this Allocations Policy is implemented. There will be a 3 month transitional 'grace' period before it affects existing households who have already crossed the 3 month threshold relating to either homeless acceptance or tenancy start date.
- 27.11** Applicants affected by the above paragraphs will be advised of their right to request a review of the suitability of the accommodation offered. *This advice will be provided prior to the applicant making a decision to refuse the property, so that they are aware that they can accept the property AND request a review.*

28. Fostering & Adoption

28.1 Hart District Council works in partnership with Hampshire County Council with regard to supporting households who are seeking to foster and adopt children. The Council has agreed a joint protocol & procedure with the County Council that outlines what assistance we may be able to offer households who are seeking to foster or adopt children, and who meet the relevant criteria. Please see Appendix 3.

29. Engagement with the Housing needs Service

29.1 An applicant who is not engaging with the Housing Needs Service will have their Housing Register application priority reduced to Band D until the Council is satisfied that they are is engaging.

To not engage means:

- Not actively bidding for properties.
- Bidding for suitable properties and then withdrawing.
- Not attending Housing Options interviews as arranged.
- Not contacting Housing Options when a Housing Options Officer has written or called to discuss their case.
- Not responding to contact from Support Agencies.
- Not actively exploring realistic move on options (such as finding private rented sector accommodation or alternative options) and therefore relying solely on the Housing Register for future housing.
- Not realistically managing income and expenditure.
- Not adhering to House Rules for any temporary accommodation provided or breaching the terms and conditions of their tenancy in any way.

30 Right to Request a Review

30.1 Section 166A (9) of the 1996 Housing Act includes the following rights for applicants in respect of their Housing Register application:

- a) The right to request that the authority inform them of any decision about the facts of their case which is likely to be, or has been, taken into account in considering whether to allocate housing accommodation to them; and
- b) The right to request a review of a decision mentioned above, or in section 160ZA (9) of the 1996 Housing Act (relating to decisions regarding whether an applicant is eligible and/or a qualifying person) and to be informed of the decision on the review and the grounds for it.

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30.2 Applicants can therefore ask for a review of the following decisions about their Hart Housing Register applications:

- That they are not eligible to join the Housing Register
- That they do not qualify to join the Housing Register
- If their details are removed from the Housing Register
- When they are made an offer of accommodation and do not consider that the accommodation is suitable for their needs
- There are changes to their priority banding, for example priority is reduced
- They are unhappy with their banding priority
- They are overlooked within their band

Please note the Council cannot hold up a nomination for a property whilst a review of banding or an applicant's circumstances is completed.

30.3 Review requests should be put in writing to the Council and should be received within 21 days of notification of decision.

30.4 Reviews will be conducted by a member of staff not involved in the original decision, and who is senior to the member of staff who made the original decision.

30.5 It is acceptable for a review request to be submitted by a representative on behalf of the applicant. The Council will require confirmation from the applicant that this is the case.

30.6 Reviews will be considered on the basis of this Allocations Policy, legal requirements and all relevant information available at the time of the review, including information provided by the applicant or the applicant's representative.

30.7 The Council will determine the review within 56 days of the request or such longer period as may be agreed with the applicant.

30.8 Applicants will be notified of the outcome of the review in writing, including the reasons for the Council's decision.

30.9 If the applicant remains dissatisfied following the outcome of a review, they can contact the Local Government Ombudsman or instigate judicial review proceedings.

30.10 No applicant is prejudiced in relation to statutory rights not included herein.

31. Re-Applications for Non-Qualifying Persons

31.1 Applicants who have applied to join the Housing Register but were not considered to be qualifying persons may make a fresh application if they consider that their circumstances have changed so that they should be treated as a qualifying person. It is the applicant's responsibility to satisfy the Council that his or her circumstances have changed.

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32. Complaints

32.1 Complaints will be dealt with in accordance with Hart's Complaint and Comments Policy. The Complaints and Comments Procedure is available on the Council's website here:

http://www.hart.gov.uk/index/customer_services/comments_and_complaints.htm

32.2 If an applicant remains dissatisfied having been through the Corporate Complaint and Comments Procedure, they can contact the Local Government Ombudsman, if appropriate. Leaflets outlining the Ombudsman Procedure can be obtained from the Civic Offices or can be downloaded at <http://www.lgo.org.uk/making-a-complaint/>

The Local Government Ombudsman
PO Box 4771
Coventry CV4 0EH
Tel: 0300 061 0614
Fax: 024 7682 0001

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PART 3: HART HOMES

33. How the Choice Based Lettings (CBL) Scheme 'Hart Homes' works

- 33.1** CBL offers housing applicants and tenants seeking to transfer an active role in choosing their home. Housing association properties that are either vacant or due to become vacant will be advertised. Anyone who has been accepted onto the Hart Housing Register and has an active application will be able to check what is available and decide whether they want to be considered for any appropriate advertised properties.
- 33.2** To be considered for a property applicants will need to contact the Council to express an interest. This is referred to as 'making a bid' or 'bidding'. How customers can bid is outlined in Section 38.
- 33.3** Applicants will only be considered for a property that is of a suitable size and type in view of their specific household requirements as outlined in the Allocations Policy. The household that bids with the highest priority will be offered the property and invited to view it.
- 33.4** Applicants will be provided with information regarding how previously advertised properties have been let. They will be able to see what level of priority the successful applicant had and how long they had waited. This information is advertised on the Hart Homes website, and in weekly newsletters.

34. Advertising Properties

- 34.1** When properties are due to become vacant they will be advertised on a weekly cycle through Hart's website www.harthomes.org.uk, an advertising / automated bidding telephone line, and in a newsletter to be distributed to various support agencies and organisations. Newsletters may also be placed in key locations across the District. Partner Housing Associations will promote the scheme and advertise available Hart Homes.

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35. Describing and Labelling Properties for Advertising

35.1 A property description would normally include the following information:

- Who owns the property and whether it is a specialist landlord
- Size and type of property
- Availability of a lift (if appropriate)
- Type of heating
- Any special features
- Parking facilities and if there is a garage
- If there is a garden, and whether it is communal or for the property's sole use
- Weekly rent including any other charges
- Council Tax Band
- Local facilities, for example, access to shops, schools, public transport
- The date the property is likely to be ready for occupation (if known)
- If the property is subject to Section 106 Rural Exception criteria
- Type and length of tenancy offered i.e. Assured, Assured Shorthold, Fixed Term etc
- Type of rent level set i.e. Affordable, Social, Market Rent

35.2 Each property advertised will be labelled with the eligibility criteria for that property. This will normally include the following:

- Minimum and maximum numbers of persons in the household
- Size and type of household the property is suitable for
- If applications are restricted to particular households, for example, where properties are adapted for the disabled, or within supported housing schemes, housing for older persons or where they are subject to Section 106 Rural Exception criteria
- If pets are allowed
- The level of priority to be considered for a property

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36. Bidding for Properties

- 36.1** All applicants registered on the Hart Housing Register are eligible to make three bids per advertising cycle, providing they have not already accepted the offer of another property. (See also Section 40).
- 36.2** Applicants will be actively encouraged to bid for properties for which they are eligible and the system is configured so that wherever possible eligibility is defined and ineligible applicants are unable to bid inappropriately.
- 36.3** In circumstances where applicants consistently bid for properties for which they are not eligible, they will be contacted to discuss the situation and advised how to bid.

37 The Bidding Cycle

37.1 The tables below show the 'Hart Homes' bidding cycle:

	Hart
Duration in weeks of the administration cycle. There is one bidding period during each administration cycle.	1
Day of week on which bidding cycle starts (note that the cycle starts at 00:00 on the defined day)	Thursday
Day of week on which bidding cycle ends (note that the cycle ends at 23:59 on the defined day)	Sunday

	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Hart	No Bid	No Bid	No Bid	Bid	Bid	Bid	Bid

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38. How Customers Can Bid

38.1 Applicants will be able to bid through the following mechanisms:

- Automated telephony system with helpline provision
- Online via the website
- SMS text messaging

38.2 All bids must be made before the deadline on the advertisement otherwise they will not count. If a bid cannot be placed on Thursday or Friday daytime then the applicant should call Housing Services during office hours to notify the Council. If there has been a system failure that has prevented a bid being made during the weekend, then a bid can be placed retrospectively if a call is logged with us before 9:30am on the following Monday morning.

39. Support for Vulnerable Customers and Bidding

39.1 Applicants with support needs and those that have difficulty with written English (including where English is not their first language) will be assisted and shown how to access the above bidding system.

39.2 The Housing Services team will provide advice and assistance to advocates in understanding and expediting the bidding process for their clients.

39.3 Where applicants who would be expected to be bidding are either not doing so or are bidding infrequently, they will be contacted and offered assistance where appropriate.

39.4 Vulnerable applicants will be identified through direct contact with Housing Services, from application forms, advice from support workers or advocates, and by establishing with non-bidding applicants (or infrequent bidders) whether they are experiencing any difficulty accessing the scheme.

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39.5 Types of support that can be offered

- Regular contact from Housing Services staff to offer advice, information and support.
- Provide large print newsletter.
- Identified support worker from an external agency to provide advocacy and support.
- Identified Floating Support Worker to provide advocacy and support.
- Proxy bids to be made on behalf of applicants by advocate or support worker.

39.6 Reports will be regularly produced through the Housing Register and CBL IT system to assist in targeting those applicants who are failing to bid in order to identify vulnerable groups who should be participating.

40. Bidding Restrictions

40.1 An applicant may bid for up to 3 properties per advertising cycle. During the advertising cycle, applicants can switch bids between properties. All bids are, however, fixed at the close of the advertising cycle.

40.2 If an applicant has been nominated to a property they have placed a bid for, they will be suspended from further bidding unless they reasonably refuse the offer of accommodation or the nomination is unsuccessful. Similarly, they will no longer be eligible to bid once they have accepted the property offered – at this point their application will be cancelled and marked ‘Housed’.

40.3 Some classes of applicant may be excluded from bidding for properties directly:

- Where the Council considers they should receive a ‘direct offer’ (see [Section 41](#)).
- If they are unable to use the scheme for some reason and they do not have another person who can assist them in doing so – in these circumstances, the applicant can elect for Housing Services staff to bid for them.
- Where they deliberately fail to comply with the scheme guidelines, for example, consistently and deliberately bidding for properties they are not eligible for. (Note: the bidding system has been configured so that as far as possible applicants will not be able to bid for properties they are not eligible for).

40.4 There are circumstances when limitations may be placed on who is eligible to bid for specific properties. Examples of where such limitations may be enforced are included below (this list is not exhaustive):

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- When creating a new community by allocating accommodation on a new housing development.
- When advertising accommodation suitable for people with disabilities.
- Where there are age restrictions on which applications can be considered.
- Where Local Lettings Policies are in place.
- To prevent applicants from bidding for inappropriate properties, for example, single person households bidding for 3-bedroom properties.
- Where applicants in low bands are not going to be able to bid successfully minimum banding levels can be specified to exclude applicants from bidding who have no realistic chance of winning bids to avoid disappointment.

40.5 Where applicants bid successfully three times during a 12-month period, are offered each property but refuse them, their application will be suspended for 12 months.

40.6 Applicants who bid and refuse properties on the basis of confirmed and evidenced medical conditions will not be subject to 40.5.

40.7 The Housing Service can make bids on behalf of applicants automatically. This will be applied in certain circumstances. See [Section 27](#).

41. Direct Offers

41.1 The Council has the ability to make direct offers of accommodation outside of the scheme in certain specific circumstances. These circumstances are outlined below:

- Sensitive allocations, for example Public Protection cases (including domestic violence). One offer will be made and, if it is refused, the applicant will lose their priority.
- Adapted properties where they are identified as meeting the needs of a specific household may be directly offered to that household in exceptional circumstances.
- Offers of Assured Shorthold tenancies for accommodation normally used as permanent stock in pursuance of the Council's duties under Part 7 of the Housing Act 1996 (as amended).
- Supported Housing (including extra care sheltered accommodation).
- Where a specific area or scheme is affected by significant housing management problems and Local Lettings Policies are in place, specific properties may be excluded from the scheme and direct offers made.
- Consideration will also be given where sensitive lettings are requested, at the discretion of the Housing Options Manager and in consultation with the partner Registered Provider responsible for the management of the tenancy. *NOTE: These types of requests should be facilitated where possible (and appropriate) through the Hart Homes Scheme.*

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42. Shortlisting, Nominations and Offers of Accommodation

- 42.1** On expiry of a bidding cycle, a shortlist of applicants who have made bids for a specific property is created. The list is a snapshot of eligible bidders at the close of the bidding cycle. It should not subsequently be changed or amended unless the property is re-advertised, or appropriate filters are applied to identify the most appropriate applicants for a particular property, (for example, adapted properties or those subject to rural exception criteria). The only exception to this is system failure during the bidding cycle.
- 42.2** Bids will be considered in priority order – the applicant in the highest band and with the earliest effective date (the date the applicant was placed into their current priority band) will be considered first.
- 42.3** In rare circumstances, when more than one applicant applies for the same property, and are registered with the same priority band and effective date, an offer of accommodation will be made taking into account household's individual circumstances, as well as the prevailing housing circumstances in the district and the various competing demands for vacancies at that time. The Council's decision may also take into account the Allocations Policy 'aims' expressed in section 3.
- 42.4** Where advertised properties do not generate sufficient numbers of interested applicants (for example, less than 5 applicants have selected it), the Housing Options Manager, in consultation with the landlord Registered Provider, has the discretion to relax the eligibility criteria where appropriate. This may, for example, mean allowing smaller households to bid for a property larger than their needs, where a financial assessment demonstrates that the property would be affordable. The property may also be re-advertised in another cycle. The property may also be advertised through the Homeselecta Sub-Regional Scheme.
- 42.5** In consultation with partner Registered Providers, properties that attract no bids locally may be re-advertised through the Homeselecta Sub-Regional Scheme and if there is still no interest, nominations may be requested from other Local Housing Authorities. (It is considered unlikely that a property advert will ever reach this stage).
- 42.6** In cases where there are no eligible bidders for a property, the Housing Options Manager, in consultation with the landlord Registered Provider may decide to consider an applicant who has placed a bid but does not meet the eligibility criteria, or to make a direct offer.
- 42.7** If an applicant has the highest priority for more than one property in a given cycle, the decision regarding which property to nominate to is at the Council's discretion and with consideration of the prevailing housing circumstances in the District and the competing demands for available vacancies. Where possible, the applicant should be contacted and asked to express their first preference and a nomination made accordingly, but this may not always be possible.

- 42.8** Once a shortlist has been created, the Nominations Officer will carry out any verification that may be required. If the applicant is either ineligible for an offer or the required documentation to verify their circumstances is not provided, the Nominations Officer can overlook the applicant and move on to consider the next applicant on the shortlist.
- 42.9** This process will continue until the Nominations Officer has identified the applicant with the highest priority from the shortlist, and is satisfied that they are eligible and their circumstances are correct. The nomination will be agreed and signed off by the Housing Options Manager.
- 42.10** The applicant's details will be forwarded to the relevant landlord who will arrange for the applicant to view the property. If the highest priority applicant refuses the property, the Council will select the next highest priority applicant based on the process outlined above and from the same 'snapshot' shortlist. The landlord then invites the next applicant to view, and so on, until an applicant accepts the accommodation. *This process can be reviewed if resulting refusal rates are high and Registered Provider void times are affected.*

43. Feedback

- 43.1** Feedback will be provided on all properties that are advertised and let through the 'Hart Homes' CBL Scheme. The feedback will show the number of bidders for each property, the winning band and effective application date of the successful applicant.
- 43.2** Applicants will receive feedback when bidding online and through the automated telephony service, and through the SMS text bid service, when they place a bid.

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PART 4: SUB-REGIONAL CBL

44. The Sub-Regional Partnership

- 44.1** Hart District Council is working in partnership with Guildford Borough Council, Rushmoor Borough Council and Waverley Borough Council to provide greater choice to applicants registered on the four authority's Housing Registers. By enabling applicants to bid for accommodation across all four Districts, greater cross boundary mobility can be achieved.
- 44.2** Each authority may provide a percentage of its annual lettings to a pool of properties for applicants to bid for sub-regionally (no more than 10%).
- 44.3** The pool properties are let under the same Banding Scheme as detailed above.
- 44.4** The above section is subject to amendment to ensure mobility is maintained and that no one authority gains more than the other.

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Contact Us:

HOUSING SERVICES
Hart District Council
Civic Offices
Harlington Way
Fleet
GU51 4AE

Telephone: 01252 774420
Email: housing@hart.gov.uk