



Swale Borough Council Housing Allocations Policy

**Swale Borough Council
Swale House
East Street
Sittingbourne
Kent
ME10 3HT**

Telephone No: 01795 417622

Fax No: 01795 417610

Email: housingregister@swale.gov.uk

**This booklet is as required by Part 6 of the Housing Act 1996 as amended
by Homelessness ~Act 2002
It is free of charge.**

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are available on the Council website www.swale.gov.uk If you would like further hard copies or
alternative versions (i.e. large print, audio, different
language) we will do our best to accommodate
your request please contact the Council.**

**The Council strongly opposes Anti-social Behaviour, Racial Harassment and
Domestic Violence. Behaviour like this will put your re-housing or tenancy at risk.**

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1. Introduction

This policy sets out Swale Borough Council's Housing Allocations Scheme. It explains who may and may not go on the Council's Housing Register, and how decisions are made about allocating homes.

It is Swale Borough Council's policy to operate a Choice Based Lettings scheme. This is the Council's scheme as required under section 167 of the Housing Act 1996. It sets out the priorities and procedures for the letting of housing association properties. The scheme covers existing Housing Association tenants (transfers) in Swale and Homeseekers applying to the Housing Register.

The scheme takes into account the requirements of the Housing Act 1996 and the Homelessness Act 2002. The policy also takes into account the following key factors:

- The shortage of affordable housing in Swale against the relatively high demand placed on available homes due to the housing need in the area; and
- The need to prioritise allocations in an objective, fair and systematic way.

The Council is committed to introducing a lettings scheme that offers greater choice to all those seeking housing and enables people to make well-informed decisions about their housing options.

Under the Choice Based Lettings scheme, called Kent Homechoice, transfers and homeseekers are placed in one of six bands of housing need according to their circumstances. All applicants become members of Kent Homechoice and actively search for a home. Vacant properties are advertised in a regular freesheet magazine and on the Internet. Applicants are able to tell us they are interested in a property in a number of ways e.g. bidding on line at www.kenthomechoice.org.uk, by coupon, telephone and text message. Adapted properties will be clearly advertised as suitable for applicants with a matching mobility need.

The Council has a partnership with the major housing associations operating within the Borough and maintains a common register of all housing association properties. There is a single application process for all housing, therefore homeseekers and transfers only need to complete one form.

This Policy is subject to an annual review to ensure that the allocation of homes continues to be fair and open, whilst meeting local need and legal obligations.

The Allocations Policy is responsive, accessible and sensitive to the needs of all. Swale Borough Council will not tolerate prejudice and unlawful discrimination and will actively promote equality.

Due to the high demand in the Borough most applicants who wish to apply to join the Register will also be given extra advice and assistance as to their alternative housing options. This could be by the provision of an information leaflet, interview or home visit. Many of these options could result in the person's housing need being addressed far quicker than by waiting for social housing. If the individual still wishes to register then an application form must be completed.

The information that an applicant provides to the Council must be confirmed by written evidence. Further details regarding written evidence is provided with the application form. All information will be treated as confidential, although it may be disclosed for the purposes of verification, tackling fraud and to address the housing needs of the household. Action will be taken against those applicants found to be providing false information.

2. Joint Housing Register Partners

The following Housing Associations form Swale Borough Council's partners on the Housing Register:

- AmicusHorizon
- Hyde Housing
- Moat
- Places for People
- Riverside Group
- Carr Gomm
- CDS
- Sanctuary Hereward Housing
- Habinteg Housing Association
- Anchor Housing Trust
- Hanover Housing Association
- Housing 21
- Hexagon
- Southern Housing
- English Rural Housing Trust

3. What Is The Housing Register For?

The housing register is made up of people who require rented social housing, including housing for older people and people who already rent their home from a housing association and who have a need to move. There are 6 bands within the register.

Anyone who is interested in homebuy options need to apply directly to Moat. They are the housing association nominated by the Homes and Communities Agency to assist those applying for this type of property. They can be contacted via their website at www.homebuy.co.uk or alternatively by telephone on 0845 359 6161 or by e mail on marketing@moat.co.uk.

4. Who Can Apply to the Housing Register?

Anyone 16 years of age or over unless:

- They are subject to immigration control and do not have refugee status or exceptional leave to remain in the UK.

5. Exclusions From The Register

The Council reserves the right not to accept individual applicants where:

- 1) There are significant rent arrears or breach of tenancy rules in a current or previous tenancy;
- 2) A conviction for using accommodation, or allowing it to be used for immoral or illegal purposes such as drug dealing;
- 3) Serious damage or neglect of a property;
- 4) The applicant, or a member of the household, has been guilty of unacceptable behaviour which if the applicant was an ***assured tenant of a social housing provider would entitle the social housing provider to a possession order (Section 7 Grounds 12 and/or 14 of the Housing Act 1988)***.
- 5) Unacceptable behaviour is serious enough to make the applicant unsuitable to be a tenant;

The Borough Council operates a policy whereby, if someone has breached any of the above within the last 2 years the application will be deferred. However, each case will be looked at on its own merits.

Each social housing provider will, in addition, operate their own Allocations Policy which may have additional clauses.

Once the applicant can show that they have put right the rent arrears, or that the person causing the nuisance, damaging property or dealing in drugs is no longer a member of their household, the application will be reassessed and reactivated from that date.

There is a right under Part VI of the Housing Act 1996 to ask the Council to review a decision not to accept an application to join the Housing Register. A Senior Officer from the Council not involved in the decision to exclude, will carry out the review.

6. Joining The Housing Register

A housing application form will need to be completed. These are available from:

The Housing Register Team, Swale Borough Council, Swale House, East Street, Sittingbourne, Kent ME10 3HT. Telephone 01795 417622 or email housingregister@swale.gov.uk

AmicusHorizon at any of their area offices:

- 1 Bank House, Broadway, Sheerness, Kent. ME12 1TW
- 5 Roman Square, Sittingbourne, Kent ME10 4BJ
- 41 Stone Street, Sheerness, Kent ME13 8PH

If an applicant needs help to complete the form they can contact the Housing Register Team at Swale Borough Council.

If an applicant would like independent advice and assistance they can contact Citizens Advice Bureau who can be found at:

Sheerness	Hope Street Centre, 12 - 14 Hope Street, Sheerness, Kent, ME12 1QH	0844 499 4124
Sittingbourne	17a Station Street, Sittingbourne, Kent ME10 3DW	0844 499 4124
Faversham	43 Stone Street, Faversham, Kent ME13 8PH	0844 499 4125

7. Who Can Be Included On The Application?

- Anyone who is part of the household at the date of registration and is still in occupation.
- A partner, someone living with the applicant in a permanent relationship, or who are married or have undertaken a commitment through a civil ceremony.
- Dependent children under 18 years who live with the applicant where the applicant is the parent or guardian in receipt of Child Benefit.
- Someone not currently living with the applicant but for whom it would be reasonable to do so, for example: a relative needing care but unable to live with the applicant at present due to a genuine lack of or the unsuitability of the present accommodation.
- A carer where the applicant can demonstrate that a live in carer is essential, one has been identified and has moved in with the household or is ready to do so when accommodation becomes available (proof of carers allowance will be required).
- Any other non-dependant adult who is normally permanently resident with the applicant.

The Council will carry out an annual review of applicants on the Housing Register to check that circumstances have not changed. Applicants are required to notify the Housing Register team of any change in circumstances that might affect the application and its status on the Register for example change of address, household make up and birth of a child.

It is a criminal offence to give false information that leads to the Council offering a home where it would not have otherwise done so. If false information is given the applicant can be liable to eviction.

8. Registration And Assessment Process

Homeseekers and housing association tenants must apply by completing the Council's housing application form and the Housing Register team will assess the application in line with the Allocations Policy.

- If not eligible to register the Housing Register team will notify the applicant in writing giving the reason for the decision and informing them of their right to request a review.
- Once accepted onto the Housing Register the team will make an initial housing needs assessment based on the information on the application form and other information made available.
- Medical priority is assessed by the Council's Medical Adviser based on the

information supplied by the applicant. The Housing Register team will refer to the Occupational Therapist (OT) where necessary.

- Once assessed, the applicant is placed in one of the six priority bandings with their priority date being the date they went into the band. The application will also be allocated the number of bedrooms needed for the household size.
- The Housing Register team will write to the applicant within 10 working days of receiving the form, providing the form has been completed fully and all information asked for has been supplied. This letter will inform applicants of their priority date and application number in addition to giving the following information:
 - Priority Band and reason for it;
 - The maximum bed size they can bid for; and
 - Advise the applicant that they have a right to see the information held in relation to the application. If they consider any details inaccurate then a review can be requested.

9. Re-Registration

All homeseekers and transfer applicants must complete an annual review form to remain on the Register. The Housing Register team will send the review letter within one week of the anniversary of their registration date. Homeseekers and transfers will have up to one month after the review date to contact the team to re-register. If they fail to do so within the required time their application will be cancelled.

10. What Are The Bands For, And How Do They Work?

The bands sort applicants by the urgency of their need to move. When the application form is received the Council will assess all circumstances very carefully and decide in which band the application should be included. The Council may need to ask for extra information about health and financial resources. Housing need is assessed on a sliding scale of 1 to 6 with Band 1 being the highest.

Applications are listed in date order within a band, so the applicant who has been in the band longest will be in first place, and the most recent applicant to join the band will be in last place. When an applicant is housed from the top of the band all the other applications move up. If an applicant leaves the housing register, perhaps because they have found their own accommodation privately, or because they did not renew their application when they were invited to do so, the people on the list behind them move up to fill the gap.

In addition if the applicant meets two factors in any one band the application will be moved up to the next band from the date the two factors are applied – **not** the date of the original application.

The bands on the list are –

Band 1 Factors:	Criteria
Special case accepted	<ul style="list-style-type: none">• Urgent need to move supported by evidence from other agencies, e.g. the Police, due to harassment by

	<p>neighbours: senior officers will assess the case,</p> <ul style="list-style-type: none"> • Housing Association tenants who have to vacate their property in order for major works to be carried out, • Agricultural tenancies that are coming to an end (and are subject to the Rent Agricultural Act 1976). • Household accepted as homeless and in temporary accommodation provided by Swale Borough Council for more than 18 months.
Urgent medical or welfare need	Current housing is critically affecting health or welfare. This is verified by an Independent Medical Advisor who can state the type of housing an applicant is eligible for.
Single Agency Assessment high	Case has been supported by other statutory agencies, e.g. Social Services or Mental Health Teams, and is accepted by senior officers as high.
Band 2 Factors:	
High medical or welfare need	Housing seriously affects applicant's health or welfare. This is assessed by an Independent Medical Advisor who can state the type of housing an applicant is eligible for.
Major overcrowding	Lacking two or more bedrooms, or three or more bed-spaces.
Homeless due to Domestic Abuse	Housing Options Team Referral
Category 1 (A-C) health and safety hazard identified under the Housing Health and Safety Rating System as deemed present by the Council's Environmental Health Officers	A hazard has been identified in a home using the Housing Health and Safety Rating System, and someone in the household is in a vulnerable group that is at risk from that hazard. Examples are an older person living in a property with inadequate heating and insulation or a family with children living in a property with severe mould and dampness, which is outside their control.
Move-on from supported housing	Live in local accommodation that has support provided and the landlord has an agreement with the Council e.g. Estates House, The Foyer, The Quays, Hope, The Young Persons Scheme, Old Johnson House and formal foster care arranged by Kent County Council. The Landlord will provide Swale Borough Council with nominations from people who are due to leave supported housing. If the applicant applies for housing before then the application will be banded based on their current circumstances and housing history in line with all other applications. If the landlord does not

	nominate, and applicant is due to leave, they should contact Swale Borough Council Housing Options Team immediately.
Extra-ordinary arrangements for partner agencies	E.g. where an applicant is being offered accommodation via the re-housing of Identification of Prolific and Persistent Offenders Service Level Agreement or the Foster Care Service Level Agreement
Households accepted as homeless and accommodated by the Local Authority	Swale Borough Council has accepted a full housing duty.
Households who are homeless but are not owed a full housing duty by the Local Authority	Swale Borough Council has not accepted a full housing duty but accept that the applicant is statutory homeless.
Under-occupying	Housing Association tenants living in Swale in a family home but need to move to a smaller property.
Band 3 Factors:	
High medical or welfare need but no local connection	Housing seriously affects applicant's health or welfare but they have no local connection with Swale Borough council area. This is assessed by an Independent Medical Advisor who can state the type of housing that an applicant will be eligible for.
Major overcrowding but no local connection	Lacking two or more bedrooms, or three or more bed-spaces but has no local connection with the Swale area.
Category 1 (A-C) health and safety hazard identified under the Housing Health and Safety Rating System as deemed present by the Council's Environmental Health Officers but no local connection.	A hazard has been identified in a home using the Housing Health and Safety Rating System, and someone in the household is in a vulnerable group that is at risk from that hazard but they have no local connection with the Swale area. Examples are an older person living in a property with inadequate heating and insulation or a family with children living in a property with severe mould and dampness, which is outside their control.
Households accepted as homeless and accommodated by another Local Authority (not Swale)	Homeless households who have no local connection with the Swale area but have a full housing duty accepted with another local authority.
Households who are homeless but are not owed a full housing duty by a Local Authority and have no local connection	Homeless household who has no local connection with the Swale area and the local authority have not accepted a full housing duty but accept that the applicant is statutory homeless.
Insecure tenant for more than two years with a local connection	Renting a home privately and the landlord have the automatic right to possession e.g. assured short hold tenant, a licensee or a tenancy tied to employment. To qualify the applicant must

	have been in this position continuously for more than two years and have a local connection with the Swale area.
Families with children living with relatives or friends for more than one year	Family with a dependent child, living as non-householders. Applicant must know the householder and <u>not</u> be charged rent. This must have been the position for over 1 year.
Minor Overcrowding (Transfer applicants only)	Housing Association tenants living in Swale and lacking one bedroom or up to two bed-spaces
Band 4 Factors:	
Medium medical or welfare need	Housing affects applicant's health or welfare. This is assessed by an Independent Medical Advisor who can state the type of housing that an applicant will be eligible for.
Single Agency Assessment Medium	Case has been supported by other statutory organisations, e.g. Social Services or Mental Health Teams, and is accepted by senior officers as medium.
Minor overcrowding	Lacking one bedroom, or up to two bed-spaces.
Category 2 (D-J) health and safety hazard identified under the Housing Health and Safety Rating System as deemed present by the Council's Environmental Health Officers.	This is a hazard, which is not of such a significant risk as a category 1 hazard, possibly due to the absence of a vulnerable person or the likelihood of something happening being lower.
Two or more children above ground floor	Living accommodation is above the ground floor, and two children in household under five years old.
Insecure tenant for between one and two years with a local connection	Renting a home privately and the landlord has the automatic right to possession e.g. assured shorthold tenant, a licensee or a tenancy tied to employment. To qualify the applicant must have been in this position continuously for between 1 and 2 years and have a local connection with the Swale area.
Family living apart	Family is living at separate homes. A family means persons who would normally live, or would reasonably be expected to live together. Residence must be through choice. If the applicants have a right to occupy any other home this factor will not apply.
Band 5 Factors:	
Low medical or welfare need	Housing affects applicant's health or welfare. This is assessed by an Independent Medical Advisor who can state the type of housing that an applicant is eligible for.
Single Agency Assessment Low	Case has been supported by other statutory authorities, e.g. Social Services or Mental

	Health Teams, and is accepted by senior officers as low.
Sharing facilities	Share the Kitchen/bathroom/WC with persons not known to applicant.
One child or pregnant above ground floor	Living accommodation is above the ground floor, and pregnant or child in household under five years old.
Children with no private garden	Child under 10 years old in household and no private garden.
Home Owner	If an applicant owns a property or has a financial interest in a property but cannot afford to buy another suitable property.
Insecure tenant with no local connection	Renting a home privately, the landlord has the automatic right to possession e.g. assured shorthold tenant, a licensee or a tenancy tied to employment and the applicant has <u>no</u> local connection with the Swale area.
Families with children living with relatives or friends for less than one year	Family with a dependent child, living as non-householders. Applicant must know the householder and <u>not</u> be charged rent. This must have been the position for less than 1 year.
Single/Couple with no dependant children living with relatives or friends	Single person or couple with no dependent children, living as non house-holders. Applicant must know the householder and <u>not</u> be charged rent.
Insecure tenant for less than one year with a local connection.	Renting a home privately and the landlord has the automatic right to possession e.g. assured shorthold tenant, a licensee or a tenancy tied to employment. To qualify the applicant must have been in this position for under one year and have a local connection with the Swale area.
Band 6 Factors:	
No housing need	Applies if none of the factors above have been awarded to the application eg, secure tenant or applicant who can afford to buy a property.

11. Re-assessing Need And Priority Dates:

The Council reviews all applications annually. If an applicant's circumstances change they may be moved up or down a band depending on their need.

All applicants must inform the Housing Register team as soon as their circumstances change. If any change results in a band change, the team will write to inform the applicant of the new Band and their new priority date, if applicable, within 10 working days.

12. What Is Local Connection?

A local connection is:

- living or working in the Borough of Swale, **for at least 6 months**
- the applicant has lived in Swale for 3 out of the last 5 years
- or having a close relative who lives in Swale and has done so for at least 5 years (a close relative means mother, father, brother, sister, adult son or daughter).

13. How Is Overcrowding Assessed?

We will look at the best use the applicant can make of the space available to calculate the banding. We will ignore anyone living with an applicant temporarily. Unusable space can be excluded from the measurement of the room. Rooms are calculated as follows:

- Rooms of up to 50sq ft (4.6m²) do not count as a room
- Room up to 99sq ft (9.2m²) are 1 bedspace (1 bedroom)
- Room over 100sq ft (9.3m²) are 2 bedspaces (2 bedroom)

14. Type Of Properties Offered

The application form will ask where an applicant would like to live and the type of housing preferred. The choices made will have an affect on the length of time it takes before an applicant is able to move to a new home.

Because there are so many applicants waiting to be housed, and very few properties become available each year, there are rules about the amount of bedrooms and the type of home an applicant can choose –

Household Size	Size of property offered
Single person under 55	One bedroom house/flat or studio flat
Single person 55 +	One bedroom house/flat/bungalow or studio flat with or without community alarm system.
Couple under 55	One bedroom flat/house except in instances where there is a proven medical need for separate bedrooms
Couple over 55 +	One bedroom house/flat/bungalow with or without community alarm system, except in instances where there is a proven medical need for separate bedrooms
Family with one child	Two bedroom house, flat or maisonette
Family with two children	Two or three bedroom house, flat or maisonette
Family with three children	Three or four bedroom house, flat or

	maisonette
Family with four or more Children	A house with three or more rooms that can be used as bedrooms
Live in carer	Extra bedroom will be provided unless the carer is the partner of the applicant
Access to children/residency order	Unless the applicant has the main responsibility or equal responsibility for a child, no additional bedroom will be given, although we will not offer a studio flat.
Pregnant applicants	Applicants over 24 weeks pregnant will be offered accommodation as though the child(ren) had been born e.g. family with one child

15. Children In Household, How Is The Bedroom Requirement Assessed?

A maximum of two children to share a bedroom and:

- Children of the same sex can share a room up to the age of 16
- Opposite sexes can share up to the age of 10
- Children aged 16 and over are eligible for their own bedroom.

16. If An Applicant Moves, Or Family Circumstances Change?

Applicants must tell the Council as soon as possible if they change their address and if personal or financial circumstances change. This may affect the band the application is placed in.

17. How Does The Council Advertise Empty Properties?

Swale Borough Council operates within a choice based lettings framework and will advertise properties which become empty, in a fortnightly free sheet magazine. These will be available at various places including Council offices, AmicusHorizon offices, Citizens Advice Bureaux and libraries. It will also be available on the internet and can be posted to applicants who are unable to get a copy for themselves. There is a User Guide to help applicants with the choice based lettings process.

The Council will advertise all properties as available for transfers, homeseekers or both. It will also set the criteria as to who will be considered for a property such as: -

- The minimum and maximum number of persons in the household.
- If there are age limits or for households without young children.
- What mobility group it applies to, which means that the property has facilities for people with disabilities.
- If applications are restricted to special cases for example homeless households/key workers.
- If pets are allowed.
- If local lettings plan applies, which means that different criteria applies.

The advert will also specify:

- Which housing association owns the property,
- The weekly rent, including any other charges,
- The date the property will be ready for occupation, if possible.

All adapted properties will be advertised across all Bands with a mobility classification as below and in addition with notes where the potential for adaptation or further adaptation exists:

1. Suitable for a wheelchair user indoor and outdoors.
2. Suitable for people who cannot manage steps or stairs and may use a wheelchair some of the time.
3. Suitable for people who are independent but can only manage one or two steps.

In cases where households have been accepted as homeless under Part VII Housing Act 1996, an offer of accommodation following a successful bid will discharge the Council's duty under Part VII Housing Act 1996.

Other things to note:

- Where there is overriding medical need to support the request the Council will allocate households up to one additional bedroom.
- No applicant can bid for properties that would result in statutory overcrowding or under occupation, with the exception of properties included in local lettings plans.
- Where a transfer applicant is moving to smaller accommodation, they may be entitled to assistance under the Association's Transfer Incentive Scheme
- Supported housing will only be offered to people who have support needs assessed by the Council, and where the housing association or support provider offers the appropriate support.

Social Housing Providers may withdraw a property that has already been advertised for various reasons e.g.: tenant has decided not to move.

18. Homes Specifically For Those Aged 55 And Over (55+)

The Housing Association partners have a variety of accommodation specifically for older people aged 55 years or over.

Most homes for people aged over 55+ flats but there are also some bungalows available in certain areas. Flats are self-contained bed-sits, 1 and 2 bed homes.

The difference between a general needs flat and over 55+ accommodation is that 55+ flats have various facilities designed to meet the needs of older people - plus the whole block will generally be exclusively for older people.

When considering whether a 55+ property is the type of home you want, please remember they are only allocated to people who are reasonably fit and mobile, with or without the use of aids and are able to manage on their own or have a care package which helps them to live independently.

People who are interested in this type of accommodation will need to be on the housing register to be eligible 55+ flats or bungalows. Applicants will then be able to tell us that they are interested by bidding (expressing an interest) for these properties when they are advertised each week. For more details about the Housing list and 55+homes, please contact us.

19. How To Tell Us You Are Interested In A Property (Bid)

Eligible applicants can tell us they are interested in a property by,

- Sending Locata a completed coupon,
- Text message,
- Telephone bidding, or
- Bidding online via the website at www.kenthomechoice.org.uk.

Full details of how to bid are set out in the Scheme User Guide, which is sent out to all new homeseekers and transfers.

Applicants with support needs and those who have difficulty with written English will be supported by the Housing Register team, the applicants support provider or their social housing provider.

Applicants who urgently need to move and who do not bid for properties may receive a direct allocation.

All bids for a property are checked against the eligibility rules. Ineligible bids are excluded from consideration. Applicants who regularly bid for properties they are not eligible for will be contacted and support offered.

Applicants can bid for up to three properties they are eligible for, per fortnight. Once an offer has been made the applicant has the choice to refuse the property. If they refuse they will be able to bid again in the next cycle.

20. The Selection Process

All eligible bids for each property are placed in priority order. Priority is decided first by band and secondly by priority date within the band.

If there are no eligible bidders for a property the Housing Register team may decide to make a direct allocation or re-advertise the property.

If the applicant chooses to refuse, the Allocations Officer will note the reasons for the refusal and the next applicant is selected. Applicants are not penalised for refusing offers although checks will be made if the applicant refuses several properties or is an accepted homeless household in Band 1 or 2.

If the previous tenant of the property being advertised reported that they were victims of racial harassment the housing association will advise prospective tenants of ethnic minority origin of this fact before they formally enter into a tenancy.

21. How Properties Are Let

Offers will normally be made to applicants at the top of the shortlist. However, prior to an offer of accommodation all application details will be verified. If it is found that an applicant's circumstances have changed, and the Council have not been notified, no offer will be made.

In very exceptional circumstances it may be necessary to reject an applicant on the shortlist for a particular property to ensure that the following objectives are met:

Ensure that communities are as balanced as possible;

Local Lettings Plans may be adopted for specific areas. These plans will need to be agreed by stakeholders and will consider the problems that need addressing, supported by evidence. Properties subject to Local Lettings Plans will be clearly advertised and priority will be given to those that meet the agreed criteria.

Ensure that allocations are sensitively made;

In exceptional cases, for housing management reasons, offers may not be made to the person at the top of the shortlist. Certain properties are also subject to maximum and minimum age restrictions and these will be clearly labelled in the property advert.

Best use of the Housing Association stock and to reduce under occupation;

From time to time a property may be advertised for those who are releasing larger accommodation or reserved for those who need to move urgently because the Housing Association is undertaking work on the property.

Ensure properties are let quickly;

This is important to minimise rent loss and empty property turn around time. Applicants must be available and able to take up an offer of accommodation although applicants can choose not to accept any offer made.

Any applicant that is rejected on the shortlist will be informed in writing of why they were rejected. If an applicant does not agree with this decision they can put in a complaint in line with the complaints procedure.

Where an applicant has come to the top of more than one shortlist they will be given the choice of which property they would like to be offered but will not be able to be offered more than one property at a time.

If a shortlist is still open and has not been offered any changes to the shortlist will be taken into account.

22. Time Limits For Telling Us You Are Interested In A Property

For some applicants in Band 1 and 2 a time limit is imposed of 6 months subject to suitable properties becoming available (as defined by the Local Authority);

- Households where Swale Borough Council has accepted a full housing duty and need permanent housing. After which a direct let will be made (see section 24).
- Non-statutory successors
- Priority transfers – applicants where senior officers have assessed the application as having an urgent need to move based on supporting evidence from other agencies, e.g. the Police, due to harassment by neighbours: senior officers will assess the case,
- Permanent & temporary decants – Housing Association tenants who have to vacate their property in order for major works to be carried out³

23. Direct Lettings

In limited circumstances the Council will allocate properties directly as set out below:

- Special circumstances, e.g. if witness protection recommends that a tenant or Homeseeker with high priority should be excluded from bidding. The Council will make one reasonable offer and if refused the applicant will lose priority.
- Homeless households in Band 1 or 2 who have failed to exercise choice through the bidding process within the timescale. The Council will make one reasonable offer of accommodation before duty is discharged and temporary accommodation brought to an end.
- Tenants who need a temporary move e.g. for reasons such as repairs, fire or flood, will be offered an alternative property on a temporary basis. If the offer is refused the housing association will review and/or begin proceedings for possession.
- Tenants who need a permanent decant and fail to bid successfully within the timescale will be made one reasonable offer. If refused the housing association will review and/or begin proceedings for possession.
- Non-statutory successors will be made one direct offer, if refused the Housing Association will begin proceedings for possession.
- Priority Transfers who fail to bid successfully within the timescale will be made one direct offer. If refused the housing association will review and may recommend the priority is withdrawn.

24. Refusals Following Direct Lettings

In the above cases the Council will make a reasonable offer, one which as far as possible matches the size and type of property the applicant is eligible for and not in an area known to be unsafe for the household. The applicant must give their reasons for refusing. The property will not be held empty while the refusal is reviewed but will be let to another applicant.

If the offer is to a homeless household the Senior Housing Options Officer will review the case and will take the necessary follow-up action.

25. Property Feedback

All properties let will be listed in a future copy of the freesheet magazine and on the Kent Homechoice website showing the number of bidders for each property and the band and priority date of the successful applicant.

26. Local Lettings Policies

We will work with housing associations to develop local letting policies for new developments and disadvantaged areas. Local policies will aim to widen housing choices for local people and ensure good housing contributes to regeneration and renewal. These policies will be carefully considered to ensure that in correcting an imbalance in one area they do not create another.

27. Appeals And Reviews

This section sets out the procedure for reviewing or appealing the following decisions:-

1. Not to put someone on the Housing Register who has applied, exclude an applicant from bidding or to remove an applicant from the register other than at his or her request.
2. Where an applicant is deemed ineligible for an offer;
3. Other decisions relating to the Choice Based Lettings Scheme, including banding and priority date.
4. Right to review any offer that is made directly.

The review will be carried out by an officer who is senior to the one who made the original decision and who was not involved in the original process.

Procedure

- A request for a review must be made within 21 days from the day on which the applicant is notified of the Council's decision and the reasons for it. The Council has discretion to extend the time limit if it considers this would be reasonable;
- The officer carrying out the review will carry out an investigation, and, if further information is needed, invite the applicant to present written or oral representation. The applicant may also appoint someone on his or her behalf to do this;
- If the reviewing officer finds that the officer who took the decision did not take relevant information into account they will refer the file back to that officer for re-consideration;
- The officer will notify the applicant of their decision within eight weeks of the request for a review, there is no right to request a review of the decision unless the applicant's circumstances change.

Should we make any changes that affect your application we will notify you in writing within 7 working days.

