

Appendix 2 – Proposed Banding System for Melton Borough Council's Allocation Policy, Sub Regional Choice Based Lettings Scheme

Potential housing need category

9.5.1 Applications will be accepted but will normally be given no preference if the home seeker

- does not reside within Melton Borough and they do not have a local connection to the district. (see section 9.6.1)
- has the financial resources available to meet their housing costs. This would include households whose income or savings were over the current approved levels or with sufficient equity in their property to purchase suitable accommodation (see section 9.5.3).
- *is the owner or joint owner of a residential property with no welfare or medical need. This may include home seekers with statutory property rights under the Family Law Act 1996*
- owes a housing related debt over £100 to the Council or another social landlord and there is no satisfactory arrangement to repay the debt or where regular payments have not been maintained. Melton Borough Council considers a housing related debt to include rent arrears on a current or former property and sundry debts such as court costs and rechargeable repairs.
- is guilty of behaviour which affects their suitability to be a tenant. The behaviour is serious enough that enforcement action would normally have been taken but does not warrant exclusion from the housing register. This relates not only to the home seeker but also other members of their household.
- is a transfer applicant who is only eligible for a move to the same size of property and who does not have a welfare, medical or other exceptional need to move.
- is a joint tenant of a Housing Association property where the other party does not wish to move.
- only wishes to be considered for low cost home ownership schemes.

9.5.2 Home seekers who have deliberately worsened their circumstances to gain an unfair advantage over other Home Seekers on the housing register will normally remain in the potential category for a period of 12 months. The application will then be reassessed.

9.5.3 The approved level of income and savings will be reviewed annually. This information will be included on the Melton Borough Council's website and will be available on request.

9.6 Preference housing need category

9.6.1 Home seekers will normally only be considered within the preference category if they are able to establish a local connection with the Melton District. Home seekers will need to prove one or more of the following:-

- They currently reside on a permanent basis within the district
- They have lived in the district for at least 6 months in the last 12 months, or for at least 3 out of the last 5 years.
- They, or a member of their household is employed on a permanent basis or a temporary contract running for a minimum of 12 months, within the district (confirmation would be required from the employer)
- They have parents, brothers, sisters, or adult children (those over 18 years) who have been living within the district for at least 5 years.
- Other special circumstances may exist, and all applications will be considered on their individual circumstances.
- *The following exceptions to the rule of establishing local connection will normally apply:*
 1. Time spent in service of the armed forces
 2. Time spent in any prison or secure unit
 3. Time spent in hospital
 4. Time spent in any institution such as refuge or rehabilitation.

9.6.2 Preference will be given to home seekers with a local connection and who fall into one of the following categories: -

9.6.3 1. Homeless households – this could include

- Homeless households who are deemed eligible for assistance but do not qualify for a full housing duty because they do not have a priority need, or they made themselves intentionally homeless.
- A home seeker who is living in supported accommodation for the homeless and the Council has a formal move on agreement with the housing provider.
- A home seeker who has been assessed as being threatened with homelessness in more than 28 days (but less than 56 days), is considered to be in priority need and has been through homeless prevention options with the Council and all other options have been exhausted.

9.6.4 2. Poor housing conditions – households living in insanitary, overcrowded or unsatisfactory housing conditions. This could include

- Households lacking adequate toilet, bathing or cooking facilities.
- Households lacking 2 or more bedrooms.
- A property that although not unfit for habitation is in a serious state of disrepair and poses a high health and safety risk to the applicant. This could include properties where there is inadequate lighting, heating and ventilation or where there is ineffective drainage for waste and surface water. This will be assessed in partnership with the Environmental Health Department (EHD). The EHD will consider using the powers available to secure that the property is made fit.
- In exceptional circumstances other poor housing conditions will be considered. These will be considered where there is evidence that the housing conditions are having a detrimental effect upon the welfare or health of the household.

9.6.5 3. Medical needs – households with a medical, disability and mobility problem. This could include

- Verified high medical need where a move will improve or prevent the deterioration of a condition. This will apply when a home seeker's condition is currently directly affected by their accommodation and a move is needed to have a positive effect on their condition, or whereas as a result of their condition their current accommodation is not suitable to their needs. An investigation will be carried out.
- Level access accommodation is required and there is no prospect of adaptations to the home seeker's current property within 12 months. Suitable proof will be required, i.e. confirmation from a local occupational therapist and landlord. The home seeker may be referred to local agencies for assistance with adaptations.

9.6.6 4. Welfare need to move – this could include

- Home seekers suffering from harassment or neighbour nuisance, such as verbal abuse or damage to the property. The problems will have been reported to the landlord and/or the Police for action but a satisfactory conclusion not found. The harassment is not at a level whereby the home seeker has an emergency need to move.
- The need to be near relatives to give or receive support. This would only apply where NOT moving would cause emotional, physical or financial hardship to either party.
- The need to move closer to specialist educational or other organisation, agency or institution. This would only apply where NOT moving would cause emotional, physical or financial hardship to either party.
- Has found permanent employment in the district and needs to move closer to work, or will otherwise lose their employment. An investigation will be undertaken; this will involve contacting the applicant's new employer.

9.6.7 5. Short term accommodation – this would include

- Currently rent accommodation privately either on assured shorthold tenancies, or as a lodger or reside with family, relatives or friends
- Households accommodated for a limited period on non-secure tenancies or on licence agreements in hostels or other supported accommodation.
- Rough sleepers and those of no fixed abode who have not presented as homeless to Melton Borough Council.
- Owner of residential property where a member of the household has a medical, social or economic reason to move. This would include applicants unable to maintain their current property but with insufficient equity to purchase suitable accommodation, elderly people living in isolation and/or requiring an element of care.
- Transfer home seekers seeking different size accommodation
- Transfer home seekers seeking a like for like transfer who have a medical, mobility or social need to move

9.7 Preference Plus Housing Need Category

9.7.1 A home seeker who has been assessed as having two or more needs from sections 1 – 4 of the preference housing need category. The two needs must be from different sections.

Sections 1 – 4 includes the following

1. Homeless households
2. Poor housing conditions
3. Medical need to move
4. Welfare need to move

9.7.2 A home seeker will not be placed in the preference plus category if the 2 or more needs are from the same section.

9.7.3 Home seekers in the Preference Plus Housing Need category can remain in this category for up to 6 months. If no suitable properties come available during the period, or the home seeker has not been successful in their search for accommodation their application will be reviewed. In exceptional circumstances applicants can be granted an extension to the 6 months. The length of the extension will be determined by the Housing Needs Manager.

9.7.4 Home seekers in the preference plus category retain the right to respond to properties of their choice. Applicants will be expected to consider all suitable properties. Failure to respond to suitable properties or refusal of an offer of suitable accommodation will be taken in to account if the application is reviewed at the end of the 6 month period.

9.8 Priority Housing Need category

9.8.1 Home seekers who have been assessed as having an emergency need to move will be placed in the priority need category. Home seekers can remain in this category for a period of up to 12 weeks. If no suitable properties have become available during the 12 week period, or the home seeker has not been successful in their search their accommodation their application will be reviewed. In exceptional circumstances applicants can be granted a further 12 weeks in the priority need category.

9.8.2 Home seekers in the priority need category retain the right to respond to properties of their choice. Applicants will be expected to consider all suitable properties. Failure to respond to suitable properties or refusal of an offer of suitable accommodation may result in priority not being renewed at the end of the 12 week period.

9.8.3 The registration date of home seekers placed in the priority category will not be the date they joined Melton Borough Council's housing register, it will be as follows

- Homeless households – their registration date will be the date they presented as homeless
- All of priority households – their registration date will be the date a decision on priority was made.

9.8.4 Home seekers in the priority category who are allocated a property through Melton Borough Council's housing register will normally be issued with an introductory tenancy.

9.8.6 Priority need to move will be recognised in the case of:-

- Homeless Households to whom the Council has a statutory duty to secure accommodation as described by Part VII Housing Act 1996 and amended by the Homelessness Act 2002.
- Welfare need – circumstances could include (this is not an exhaustive list)

Home seekers who are subject to severe harassment, threats of violence or actual violence or threats of physical, emotional or sexual abuse.

Home seekers living in a property where the conditions are classified as unsafe or risk of imminent harm which can not be remedied within a reasonable time (not resulting from damage caused but the applicant).

Home seekers living in a property that is statutorily overcrowded

Care leavers and other vulnerable home seekers whose social or economic circumstances are such that they have difficulty in securing settled accommodation. The home seeker will be through their housing options with the Council and all other options will have been exhausted.

- Medical need – circumstances could include (this is not an exhaustive list)

A home seeker with a progressive or chronic medical condition combined with other difficulties such as the need for adapted accommodation or the inability to be discharged from hospital to their current accommodation.

- Multiplicity of needs

Would include a number of factors which when assessed in isolation would not indicate an emergency need to move but when viewed as a whole would.

- Management need – circumstances could include (this is not an exhaustive list)

Tenants needing an emergency transfer because their current property is in need of urgent repair (includes demolition)

Home seekers succeeding to a tenancy that is not suitable to their needs

Home seekers who have no right in law to remain in their current RSL accommodation, i.e. they have no right of succession.

Tenants occupying a wheelchair adapted property they no longer need but which could be used by somebody else.

- Displaced agricultural workers who qualify for assistance under the Rent (Ag) Act 1976

Transfer home seekers who are under occupying their current property and are eligible for assistance under the Tenants Incentive