

ONE VISION HOUSING

CHOICE BASED LETTINGS

BOARD APPROVED JULY 2008

1. Introduction

The following document complies with Government legislation and good practice guidance and seeks to address the needs and wishes of individuals seeking accommodation from One Vision Housing (OVH).

For the purpose of this document the term “applicant” refers to anyone applying for re-housing.

2. Aims of the Scheme

The aims of OVH’s lettings scheme, which is called One Vision Homesearch are to:

- Meet the long-term housing requirements of applicants in the greatest housing "need";
- Adopt a customer orientated approach, enabling first time applicants and existing tenants to choose housing which will meet their needs and requirements;
- Make better use of the housing stock, by permitting lettings and transfers across local authority boundaries that will encourage greater mobility between Sefton and other areas and regions;
- Build and promote communities which are sustainable and safe;
- Promote and encourage diversity and equality of opportunity in the way the lettings scheme is operated, taking into account legislative requirements and the Housing Corporation Regulatory Code;
- Offer a lettings scheme which provides the customer with clear housing opportunities and by which the customers make an informed choice based on their aspirations and the likelihood of being re-housed;
- To assist the local authority in fulfilling its statutory duty to secure accommodation for those in housing need.

3. Equal Opportunities

OVH will comply with all relevant anti-discrimination legislation and codes of practice issued by the Commission for Racial Equality, the Equal Opportunities Commission, the National Disability Council and European Directives and the Race Relations (Amendment) Act 2000.

OVH is committed to promoting equality for all. To ensure that the service is provided equally and fairly, it will:

- Monitor and review the lettings policy and procedures, to ensure that it is working in practice and to take any necessary actions to address incidents of discrimination;
- Monitor the allocation of all tenancies and take any necessary action to address incidents of discrimination;
- Ensure that information on the lettings policy is available in a number of different formats and produced in ways that makes it accessible to all;

- Identify vulnerable applicants and offer help and support in registering, bidding and securing accommodation;
- Provide staff training to ensure that its employees treat all people equally and are fully aware of the choice based lettings scheme.

4. Assisting Vulnerable People

As a provider of social housing, OVH recognises that it has a responsibility to ensure that vulnerable and socially excluded people are protected. Vulnerable applicants will be identified and measures taken to ensure they are not excluded from the advertising and bidding processes.

OVH's Home Search staff will:-

- Work with the Local Authority, voluntary agencies and applicants who ask for assistance;
- Link with other initiatives such as Supporting People, Community Against Drugs, Community Care and Health Action Zones;
- Work with users and organisations representing vulnerable groups;
- Ensure that its I.T. system will identify a vulnerable applicant and that the system will allow for the applicant to be represented by an appointed individual such as a carer;
- Share data with the Local Authority, teams and partner organisations to ensure that vulnerable people are identified and assisted;
- Provide support through the Supporting People initiative and the Tenant Support Officer to enable a vulnerable person to maintain his/her tenancy;
- Provide training to all Homesearch Officers and Neighbourhood Officers to ensure that they are able to give appropriate assistance to all vulnerable applicants.

5. Who Can Register for Re-housing?

Any person over the age of 16 and not subject to immigration control, regardless of tenure or financial circumstances, can register an interest in accessing housing in Sefton. There is no requirement for the person to live within the boundaries of Sefton.

OVH will accept bids from 16 and 17 year olds where a need for rehousing through the Homelessness legislation has been demonstrated by the Local Authority and where there has been a referral via the 16 and 17 year olds protocol.

Current tenants of OVH, local authorities and Registered Social Landlords can register for re-housing through the Homesearch scheme in the same way as other applicants.

All applications from owners and owner-occupiers will have a financial assessment carried out. This will take account of any equity in the property

that would allow applicants other options, and/or the ability to purchase property in the **borough of Sefton**.

6. How Does an Applicant Register?

Applicants can complete a One Vision Homeseach registration form and they will be registered within 10 days of receipt. Applicants will be informed by letter of their registration date, band and bidding reference number.

The registration date will be used to rank all applicants in date order when they express an interest in an advertised property.

Those who do not complete their form will be given an opportunity to do so over the phone or have the form returned for further details within 5 working days of receipt.

The registration of details does not oblige OVH to offer an applicant any particular property or any property at all.

7. Verification Checks

All applicants will be required to complete a declaration, which will enable OVH to carry out a **series of checks before any offer is made**. These checks will need to confirm the following:-

- The applicant's identity and that he/she meets the eligibility criteria for the property;
- If the applicant or anyone listed on the application has a previous conviction for an arrestable offence;
- If any legal proceedings such as ASBO's, injunctions/possession orders have been taken against either the applicant or anyone listed on his/ her application for re-housing;
- If the applicant owes any debt to OVH or another Local authority or RSL. This includes current and former rent arrears, or recharges in respect of damage or unauthorised repairs to a property;
- If the applicant or a member of their household has been evicted from a previous tenancy held with either a local authority or a Registered Social Landlord for Anti-Social Behaviour or Criminal Offences;
- Suitable References will be required from the applicant's current landlord. Where a private landlord refuses to give a reference then supporting information from advocacy/rehousing agencies may be considered.

If the checks are satisfactory and the customer meets the property eligibility criteria, that they bid for he/ she will be considered for an offer.

If the verification checks are not satisfactory, the applicant's expression of interest will not be accepted, the applicant will not be offered the property, and the suspension policy may be applied. The applicant will be notified in writing, specifying the ground(s) on which the application

has been suspended, and he/she will be unable to express an interest in available property for the time of the suspension period.

Applicants will be required to provide any up to date references and information within 48 hours of being shortlisted for a vacancy. Failure to do this will mean the next applicant can be considered.

If applicants have previously been shortlisted but not successfully allocated a property, any verification checks carried out at that time will be used for a further two months unless the applicant's circumstances have changed.

The suspension policy is available on request from all Neighbourhood Housing Offices and OVH's Homesearch Team.

8. Where Will Properties Be Advertised?

Properties will be advertised each week in Sefton borough-wide newspapers, in the Neighbourhood Housing Offices, and via OVH's website.

Each week, OVH will publish in the advertisement a selection of the properties that have been let. The results can be used by applicants, to enable them to make informed choices when bidding for properties. The list will include:-

- The property address i.e. the road name
- The date it was advertised
- The number of applicants for each property
- The band of the successful applicant
- The registration date of the successful applicant
- If the local letting criteria applied.

The full successful bid list will be available on the Internet and on display in the Neighbourhood Offices or on request.

Information on available property, and successful bids will also be provided over the phone by Customer Services Advisors for those contacting 0845 140 1234.

9. Making a Bid/Expressing an Interest

Once an applicant has registered with OVH's Homesearch Team, the individual or the applicant's appointed representative (proxy) will need to check the advertised properties and place "bids" or expressions of interest for properties of their choice. There is a restriction on the number of bids an applicant can make up to a maximum of three properties during any one *week* advertising cycle.

Making a bid or expression of interest against vacant properties does not guarantee that the applicant will be made an offer of the property. An offer will only be made to the applicant who has satisfactory verification checks.

10. **Priority Based on Housing Needs**

Applicants eligible for housing will be prioritised using the following bands.

PRIORITY BAND 1	Urgent / Immediate Housing need
PRIORITY BAND 2	Housing need
PRIORITY BAND 3	No Housing need

Within each band properties will be allocated to the applicant with the longest priority banding date and then the date that the application was registered.

Priority Band Date 1

Applicants in priority band one will receive a **priority band one date**. This is the date the application is assessed as being a priority band one. For applicants in band one, property will be allocated using the priority band one effective date. Where applicants have the same priority band date, the registration date will be used.

Priority Band Date 2

Applicants whose circumstances change and move from band three to band two will keep their registration date but will receive a priority band two date. This date will be effective from when the increased priority was awarded and property will be allocated using the priority band two effective date. Where applicants have the same priority band two date the registration date will be used.

Registration dates i.e. the date an applicant applied for re-housing will not be changed only the banding effective dates for those in band one and two.

11. **Priority 1 – Urgent Need Band - People in Urgent/Immediate Need of Re-housing**

Where the applicant's current property poses a significant risk to life, or health and immediate re housing is required.

Where applicants are experiencing the following circumstances and urgent re-housing is required they will be placed in priority band one, and have priority status for six months from the date their application is accepted into the priority band.

- Where applicants are found to be homeless, in priority need and unintentionally homeless and the Local Authority has a statutory duty to assist, including those who are in a temporary hostel or bed and breakfast accommodation.
- Applicants who cannot occupy their accommodation, due to fleeing violence.
- Applicants whose current property is in disrepair. This will include properties where there is an immediate threat to life or damage to health and there are Improvement notices and hazard awareness notices in accordance with the Housing Act 2004, Health and safety rating system.
- Applicants occupying property which has been approved by the Local Authority or OVH for demolition or disposal or approval has been given to remodel a scheme for regeneration or strategic developments e.g. HMRI.
- Medical applicants – assessed by OVH staff in consultation with medical/health and social care professionals, if necessary, as having an urgent need for immediate re-housing. The priority banding will only be given if housing staff are of the opinion that there is a very serious medical need for rehousing and the health of the applicant or a member of the applicant's household will be improved by urgent re-housing.
- Applicants with severe social or welfare circumstances, for example, severe harassment, including racial *harassment* and domestic violence. This can include applicants referred under any police witness protection schemes, those referred through joint and multi-agency protocols, those referred from the Anti Social Behaviour Unit for immediate re-housing, and care leavers setting up home for the first time (this list is not exhaustive).
- High risk applicants who are not homeless, but a referral has been received via the multi agency protocol and appropriate on going support packages are available.
- Those who's social or welfare needs are severe as a result of an accumulation of need factors identified within band one/two and so poses a significant risk to life or health.

Priority Band One

Priority One: Urgent/Immediate Need

Homeless, priority need, unintentional with duty to assist	<ul style="list-style-type: none"> • Those fleeing violence. • Those in temporary hostel or B & B accommodation. 	Assessed by Local Authority Homeless Officers
Clearance	<ul style="list-style-type: none"> • Those in accommodation where had approval for demolition, disposal or to remodel. • Those in accommodation identified for strategic developments. 	Homeseach Officers/Neighbourhood Area Manager/ Director
Insanitary/ Unsatisfactory Housing Conditions	<ul style="list-style-type: none"> • Uninhabitable as defined by S604 of Housing Act 1985 as amended by s165 (1) of the Local Govt & Housing Act 1989. • Disrepair where immediate threat to life or damage to health and there is:- <ul style="list-style-type: none"> ○ Improvement notices or Hazard awareness notices. 	Homeseach Manager/Local Authority Officers
Urgent Medical Needs	<ul style="list-style-type: none"> • Applicant is unsafe or unable to remain in present property because of deterioration of health, illness or disability and is:- <ul style="list-style-type: none"> ○ In hospital and unable to return home. ○ At home and cannot access bathroom/ WC or essential facilities. • Has severe medical circumstances that require an urgent move to a particular locality, where failure to move would cause sever hardship. 	Homeseach Manager/ Officers/LA Homelessness Officers.
Severe Social/Welfare Circumstances	<ul style="list-style-type: none"> • Those suffering from domestic violence, where a move will reduce/ remove risk of violence. • All cases to go to priority one unless requesting a location which could leave the potential for a similar level of risk. • Those suffering from racial harassment. • Those suffering severe harassment and circumstances are being dealt with under the ASB policy. Must have support of the ASB Team/ Neighbourhood Manager and other 	Homeless Officer/ Homeseach Officer/ Homeseach Manager ASB Team/ Business Manager (Support)/ Neighbourhood Manager/Homeseach Manager

	<p>approaches fail or unlikely to prevent/ alleviate harassment.</p> <ul style="list-style-type: none"> • Has severe welfare circumstances that require an urgent move to a particular locality, where failure to move would cause severe hardship. • Those whose social or welfare circumstances are severe as a result of an accumulation of needs factors and require reasonable preference. 	
Witness Protection Schemes	<ul style="list-style-type: none"> • Those referred under any police protection schemes. • Those cases with clear support from Police/ASB Team to protect the safety of a witness to a crime who is giving evidence/ testifying. 	Homesearch Manager/ Business Manager (Customer Services)
High Risk Applicants	<ul style="list-style-type: none"> • Cases referred through a multi-agency approach to ensure re-housing assists with managing risk. 	Homesearch Manager/ Business manager (Customer Services)

Priority Band Two

Priority Two: Needs

Overcrowded Housing	<ul style="list-style-type: none"> • Two people not cohabiting as husband and wife/or in a civil partnership and who are over the age of ten, and one of whom is of a different sex, must share a room. • Where number of occupants in the home exceeds the number of bed spaces available in the home by at least one. (Calculated by totalling the number of double and single rooms in the property). 	Homesearch Officers/ Housing Officers
Give or Receive Care/ Support	<ul style="list-style-type: none"> • Applicant can demonstrate a need to receive, or provide care/support from family, in the area due to health or social problems, evidenced by DLA claims, other support networks recommendations. Failure would cause hardship to themselves or others. 	Homesearch Officers/ Housing Officers
Those occupying housing on temporary or insecure terms	<ul style="list-style-type: none"> • Applicants living at C/O addresses. • Those who lodge with family and friends. • Those in bed and breakfast or hostel accommodation not secured by Local Authority. • Those with Assured Shorthold Tenancies/ Fixed Tenancies/ Other Occupational tenancies. • Those who were homeless and have had band one status removed or are considered intentionally homeless. 	Homesearch Officers/ Homelessness Officers
Those who do not have sole occupation and share amenities	<ul style="list-style-type: none"> • Separate families sharing a property. • Those in houses in multiple occupation (HMO's). • Those who share kitchen or bathroom facilities with someone they are not related to and is not part of the household. 	Homesearch Officers/ Homesearch Assistants

12. **Priority Band Three - No Housing Need Band**

Applicants, who do not fall into either the priority one Urgent or priority two need bands, but would like to apply for re-housing. This includes:-

- Existing OVH tenants, other local authority tenants and tenants with Registered Social Landlords;
- Owner-occupiers and owners.

All applicants in priority band one will be considered before priority band two and band three applicants.

13. **Need Assessment**

A need assessment will be undertaken for each applicant who provides information on the registration form which indicates that there is a “need” for priority re-housing.

This will be completed within 10 working days. In cases of harassment and domestic violence, this will be assessed within two working days.

All applicants will initially be placed into band two or three, *whilst the need assessment is carried out*. This means the applicant can express interest or bid for vacant properties whilst waiting for the outcome of the needs assessment. If there are urgent needs then the application will get band one status and a priority band date.

14. **Homeless Priority Band One Cases**

Where customers are homeless, they must bid for available vacancies where they meet the property criteria each week. If a homeless applicant does not express an interest in available properties, the local authority’s Homeless Persons Officer will assist in identifying appropriate properties. Where properties have been identified to a homeless applicant and the applicant has (a) failed to bid for properties where they meet the criteria and are eligible, (b) bid and refused a reasonable offer of property, the priority status will be removed.

The applicant will then be placed back in general needs priority band two. If applicable they will be requested to leave temporary accommodation provided to them by the Local Authority as they will have discharged their duty under Part VII of the Housing Act 1996 (as amended by the Homelessness act 2002).

15. **Local Lettings Scheme**

OVH will ensure that at least 25% of lettings will be to applicants who live within the OVH catchment area.

In addition to this, OVH may operate a local lettings scheme in specific areas. This will be after consultation with local residents.

The aim of the scheme is to maintain balanced and stable communities and the reasons for introducing the local lettings policy will be categorised into one of the following headings:-

- a) Identified or actual high level of ASB.
- b) Identified or actual high level of criminal activity.
- c) High turnover of vacancies and the need to create or maintain a sustainable community.
- d) Low demand.
- e) Identified imbalance of adult/child ratios, high density or concentrations of deprivation or vulnerability.

Additional Police checks will also be carried out.

The local lettings scheme will operate for a maximum of 12 months, when it will be subject to review.

16. **Others Requesting Re-housing**

It is OVH's policy to report to the Chief Executive or his/her nominee on those applicants who apply for re-housing and are allocated accommodation if they are:

- Members of staff;
- Close relatives to members of staff;
- Councillors, Elected Members or Board Members.

17. **Nominations**

75% of OVH's vacant property will be offered to applicants registered on the Councils data base which is managed by OVH.

Requests for nominations from other Registered Social Landlords will be managed on behalf of Sefton Council by OVH and will be advertised in accordance with the current policy and let in accordance with the Choice based lettings policy.

Individual Landlords property criteria will be included on the advertisement.

18. Housing Management Lettings

On occasions where there are mitigating circumstances OVH will allow properties to be allocated directly to applicants without the property being advertised. These will be in exceptional circumstances and include:-

- Applicants who have to be decanted when repairs/improvements/demolition need to be carried out to property and they are delaying the progression of the scheme;
- OVH tenants whose homes have been identified as requiring major adaptations work;
- Applicants referred by Witness protection schemes;
- Asylum seekers/other national priorities;
- Resettlement cases;
- High risk cases referred through Joint/multi agency protocols with Sefton MBC
- Emergency plan re-housing cases.

This list is not exhaustive. All management lettings require approval from the Strategic Director (Neighbourhoods & Customers) or his/her nominee.

The Homesearch Manager will report quarterly to Sefton Council on the number of management lets and nominations managed.

Housing Management Lettings

Additional Guidelines: for reasons why property needs to be allocated outside the normal bidding process and without the property being advertised.

Decant/ Clearance/Adaptation work Programmes	<ul style="list-style-type: none"> • Demolition, remodelling has been approved by a Director. • Those moving out as permanent or temporary decants to enable major repairs to be carried out e.g. floods/ fire etc. • OVH tenants whose home requires extensive adaptation work to allow them to continue to live in the property. 	Strategic Director/ Operational Director/ Neighbourhood Area Managers
Witness Protection Scheme	<ul style="list-style-type: none"> • Those with clear support from Police or ASBU to assist with re-housing to protect safety of witness can be referred by Homeless team, Anti-Social Behaviour team and a suitable property identified with appropriate Area Manager. 	Business Manager/ Neighbourhood Manager
Asylum Seekers, other National Priorities	<ul style="list-style-type: none"> • Those who are identified by National Priorities as requiring accommodation. 	Strategic Director/ Operational Director/ Neighbourhood Managers
Resettlement/ supported Housing	<ul style="list-style-type: none"> • Those who are in need of urgent discharge from hospital or where existing care/ mental health network provision is insufficient or being removed will result in admissions to other long/ short term facilities. • These cases would get priority band one. However in exceptional circumstances if meet above criteria and there is a specific need for a prescriptive approach and a clearly identifiable need for a specific property type in a specific location then a management letting can be considered. • 	Business Manager/ Homeseach Manager/ Neighbourhood Manager

High Risk Offenders	<ul style="list-style-type: none"> • Cases referred through MAPPA, Police and Probation or Sefton MBC High priority panel assessed on case by case basis. • Only considered for Management Letting if assists in ensuring risks are managed by doing so, appropriate accommodation needs to be identified. 	Business Manager/ Homeseach Manager
Scheme Managers	<ul style="list-style-type: none"> • Scheme Managers who are retiring or those who are to become non-resident – losing tied accommodation. 	Business Manager/ Neighbourhood Manager
Management Transfers	<ul style="list-style-type: none"> • Where property is occupied by single/ couple in large family accommodation in high demand area by moving them to smaller property to make best use of the stock. • Where tenant dies and member of household does not have succession rights but has lived with tenant 12 months prior to death, provided care, or accepted responsibility for tenant's dependants and needs to live with them to do so. Consider granting tenancy if no adverse effect on use of stock or suitable alternative and if the applicant would have sufficient priority to be granted the tenancy under the lettings policy. 	Business Manager/ Neighbourhood Manager/ Homeseach Manager Business Manager/ Neighbourhood Manager

This list is not exhaustive but shows the circumstances warranting management allocations. However to allocate a property directly to the applicant, all supporting documentation is required on an Executive officer report for agreement by the Authorising Officer(s).

19. Property Criteria

In order to ensure that OVH meets its objective to make the best use of its housing stock, the following criteria will be included in adverts for vacant properties. Where appropriate, applicants will only be considered eligible if they meet the following criteria:-

PROPERTY TYPE	ELIGIBLE APPLICANT
Sheltered Accommodation:	
<ul style="list-style-type: none"> Flats or bungalow schemes with communal lounge facilities. Scheme Managers, Lifeline alarms. 	Age 60 plus.
<ul style="list-style-type: none"> Flats or bungalows with no communal lounge facilities but Dedicated Scheme Manager and Lifeline alarms. 	Age 60 years plus or Aged 55 and registered disabled.
<ul style="list-style-type: none"> Flats or bungalows with Lifeline alarms only. 	As above, or any vulnerable applicant due to severe physical or medical disability or on risk assessment and requiring level accommodation and <u>or</u> the community alarm system facilities.
Bungalows:	
1 and 2 Bedroom	Preference to applicants who require level access accommodation.
Flats:	
1 Bedroom ground floor	Couples/partners or single person (preference given to applicants with a need for ground floor).
1 Bedroom upper floor	Couples/partners or single person.
2 Bedroom ground floor	Family with one child (preference given to applicants with a need for ground floor), couples/partners or single person.
2 Bedroom upper floor	Family with one older child, i.e. over 10 years, couples/partners or single person.
High Rise:	
1 Bedroom	Single person or couples/partners.
2 and 3 Bedroom	Single person, couples/partners or family with older child(ren), i.e. over 16 years.
Maisonettes:	
2 Bedroom	Families with one child, couples/partners, single person.

3 Bedroom	Families with one or two children.
Houses:	
2 Bedroom	Families with one child or couples/partners if no families meet the criteria.
3 Bedroom	Families with two or three children.
4 Bedroom	Families with four or more children (subject to not overcrowding property).
Preference Criteria	
Preference to a customer requiring care or support due to age or disability.	Sheltered property. Some bungalow accommodation.
Preference to persons with a disability.	Adapted/accessibility features in property. Some bungalow accommodation.
No dogs/cats	This will be specified for all flats with a shared entrance, maisonettes, and multi-storey flats.

The term 'Family' applies to both single parent and two parent families. Preference will be given to those who have children under the age of 18 that reside with them on a permanent basis.

Flats may be advertised with minimum age criteria where there is a requirement that we maintain established communities.

19.1 Family size

The family size criteria will be applied to all properties advertised, unless the *property has been previously advertised and had no bids or those bidding failed to meet the criteria*. This is to ensure that OVH makes the best use of the housing stock available.

Where a property is advertised with specified criteria and no interest is received or applicants do not meet the family size, the criteria can be removed and the property must be re-advertised.

If no further interest is received the property will be advertised as "available now" and allocated on first come, first served basis.

The allocation of the property must not create overcrowding. However, the property can be under occupied.

20. Renewal/ Review/Cancellation Procedures

All applications will be reviewed every two years from the date of registration and we will prioritise contact with those who have not bid. These applicants will receive a review form, guidance on the policy and an overview of successful bids for the proceeding 12 months.

Those applicants who do not respond within 28 days of the review date will be removed from the Homesearch Database. If contact is made within 3 months their details will be reinstated, after this time if an applicant re-registers he/she will be registered on to the database with a new registration date.

20.1 Cancellation of An Application

Applicants who are re-housed into a secure Social Landlord property such as OVH or another RSL will have their application cancelled.

Those, who provide incomplete application information or fail to respond to a review letter will be cancelled.

21. Review of Priority One – Urgent Band

- Band one applicants will have their applications reviewed *after* 6 months to identify those applicants who have not made bids in the 6 months period from the date the application was included in the Urgent band. Those applicants who have not made bids for property that they would be eligible for and meet the criteria for, will have their application transferred to band two.

If priority band one applicants fail actively to seek properties that are advertised where they meet the eligibility criteria, within 6 months of being placed in band one, or if they unreasonably refuse offers of accommodation that they or their appointed representative has bid for, they will lose their priority band one status.

All cases that have remained in band one will be reviewed on an individual basis either at the end of 6 months to check if the applicant has bid for suitable available properties, or when a property has been refused.

Applicants cannot re-apply for priority band one unless there has been a significant change in circumstances that warrants re-assessment.

- The registration date will remain unaffected but priority will be removed. The applicant cannot re-apply for an Urgent band priority unless there is a significant change in their circumstances that warrants a re-assessment. This decision will be the responsibility of the Homesearch Manager.
- Unreasonable refusals of offers that an applicant or their representative has bid for will also result in applicants losing their urgent priority band one status.

Applicants will be advised in writing of their removal from band one. The applicant can appeal within 21 days from the date of the date of removal from band one. The appeal will be heard by the Strategic Director (Neighbourhoods and Customers) or nominated officer.

22. Suspension Policy

OVH has a suspension policy *and in some instances an applicant may be ineligible for an allocation of available properties* after verification checks have taken place.

For more details refer to OVH's Suspension Policy.

23. Appeals

All applicants have the right to request a review against any decision made in relation to their application for re-housing.

If an application is removed from the Urgent Need band, or suspended from the data base, *the applicant will be notified in writing of the reasons why*, and in the case of suspensions the action required in order to lift the suspension.

The applicant will have the right to appeal. Requests for a review must be made within 21 days of the applicant receiving written notification. Where an applicant is vulnerable they can be accompanied to make appeal representations

Full details of the appeals procedure are available on request from the Homesearch Team, Customer Services Team or any Neighbourhood Housing Office.

Appeals, will be heard by the Business Manager's (Customer Services) or the Strategic Director's (Neighbourhoods and Customers) appointed officer.

24. Monitoring

All lettings under this policy will be monitored on a weekly basis and will be reported to the Board as part of the quarterly Performance Management Reports.

On a quarterly basis, lettings details will be reported to Sefton Council as agreed in the Housing agency and Nomination agreements.

ONE VISION HOUSING

SUSPENSION PROCESS

1. Suspension

The purpose of this document is to provide staff with a clear guide to when applicants or proposed members of their household (who are included on their application for re-housing) will have their application for re-housing suspended, the time scales they can be suspended for, and the review procedure.

2. Background to suspensions

In the Government's Code of Guidance 2002 and Housing Corporation Regulatory Code, OVH has discretion to decide that an applicant or member of the applicant's household can be treated as ineligible for an allocation, if he/she is guilty of unacceptable behaviour serious enough to make him/her unsuitable to be a tenant.

3. Objectives

OVH has decided to implement a suspension policy that has the following objectives:-

- To send out a clear message to prospective tenants that they must conduct their tenancy in a way that does not cause a nuisance or annoyance to neighbours;
- To reduce the incidents of anti social behaviour and to achieve balanced and sustainable communities;
- To give individuals who have acted anti socially or who have committed serious crimes the opportunity to modify their behaviour;
- To ensure that applicants are not excluded from re-housing because of their past behaviour which may be attributable to an illness or a lack of support from the appropriate agencies;
- To ensure that those applicants who have the financial resources to purchase their own property are encouraged to do so.

4. Scope of Suspension

Suspensions will apply to all applicants, and in some cases to anyone whom they include on their application for re-housing. This is provided that the applicant is not fleeing domestic violence, racial harassment, some other form of harassment, or is considered to be statutorily homeless as determined by the Housing Act 1996 (as amended by the Homelessness Act 2002).

Applicants and in some cases anyone included on their application for re-housing can be suspended from being rehoused *if they have been guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant.*

The behaviour must be serious enough that it would entitle OVH to a possession order if the applicant was a tenant.

All cases will be assessed individually, and any extenuating circumstances will be taken into account when a decision is made. All applicants suspended from expressing an interest for vacant property will be informed in writing of the decision, and of the reasons for the decision.

5. **The Data Protection Act 1998**

In order for various agencies to work together effectively, the ability to exchange information is important. Anyone proposing to disclose information must establish whether there is an **overriding justification** for doing so, which is in the public interest e.g. prevent and detect crime, disorder, anti social behaviour, annoyance, nuisance, or when dwellings are being used for immoral or illegal purposes.

Wherever possible, OVH will share relevant information with its partner organisations in order to ensure the effective implementation of the policy.

The holder of the information must consider the decision to exchange data on a case by case basis. In the case of applying suspension policies, OVH will require information from the police, who will therefore consider whether or not to disclose information, on a case by case basis.

6. Suspension categories

GROUNDS FOR SUSPENSION	TIME FOR SUSPENSION	REQUIREMENT FOR ENDING SUSPENSION
<p><u>Anti-Social Behaviour</u> Applicants and anyone included on application form who has been prosecuted within two years prior to an offer, evidenced by formal legal action: - Possession Order/ Serving of NSP/ Injunction/ ASBO or interim ASBO/ Documented evidence of breach of tenancy, resulting in formal legal action.</p>	<p>12 months from shortlisting date subject to verification checks.</p>	<p>Provide evidence to demonstrate a period of 6 months good behaviour and ability to conduct a tenancy in a satisfactory manner, e.g. suitable references required from current/ previous landlord or confirmation that they have not repeated the offence.</p>
<p><u>Conviction for Arrestable Offence</u> Applicant or anyone included on application form with convictions within 2 years of date of offer: - Using/possession of offensive weapons - Supplying drugs - Assaults and abuse to staff or contractors. - Any offence which suggests the applicant or proposed member of household could present a danger to a tenant, staff or contractors.</p>	<p>12 months from shortlisting date subject to verification checks.</p>	<p>If Probation or police support is provided then consideration can be given prior to the 12 month suspension date.</p>
<p><u>Previous Loss of Tenancy</u> Applicant or anyone included on application form who has been evicted from LA/ RSL or private rented property for any breach of tenancy conditions within 12 months of date of offer.</p>	<p>12 months from shortlisting date subject to verification checks.</p>	<ul style="list-style-type: none"> - Satisfactory reference from current landlord - Letter of support from Support Agency.
<p><u>Rent Arrears/ Other debts e.g. rechargeable repairs</u> Applicants and anyone on application form who: - Has a current or former debt for rent arrears or tenancy related debt which is below £450.</p>	<p>Six months or until debt cleared.</p>	<p>Established and maintained regular payments to reduce the debt for six months/or debt cleared.</p>

- Debts above £450.	12 months or until debt cleared.	Established and maintained an arrangement to repay for 12 months and owes no more than £450 or overall debt has been reduced on a regular basis over 12mths and significant attempts made to clear the debt.
<u>Misrepresentation</u> Applicants who have knowingly or recklessly misrepresented their circumstances to obtain a tenancy with an RSL or LA.	Two years from the date of ending the tenancy obtained through misrepresentation.	Dependant on individual circumstances, team to reconsider if application made.

7. **Length of Suspension Period**

- If an application is suspended the applicant will retain his/ her registration date.
- Once the suspension time has been completed, the applicant will be eligible to express interest/bid for accommodation retaining his/her original registration date.

IT IS THE RESPONSIBILITY OF THE APPLICANT TO ADVISE OVH OF ANY CHANGES OF CIRCUMSTANCES THROUGHOUT THE SUSPENSION PERIOD.

WHEN A BID FOR PROPERTY IS MADE THE VERIFICATION CHECKS WILL BE CARRIED OUT.

IF ANY OF THE ABOVE ISSUES OF CONCERN ARE IDENTIFIED THEN THE HOMESearch TEAM WILL ARRANGE FOR THE APPLICANT TO BE SUSPENDED FROM ACTIVELY BIDDING FOR ADVERTISED PROPERTIES FOR THE TIME RECOMMENDED IN THE SUSPENSION POLICY.

8. **Right to a review procedure**

All applicants have the right to a review against a decision to suspend their application. Applicants will be notified in writing of the reason why their application has been suspended and the action required in order to lift the suspension. Requests for a review must be made within 21 days of the applicant receiving written notification of the suspension.

The Business Manager's (Customer Services) or Strategic Director's (Neighbourhoods and Customers) nominated officer will consider the request for a review.